



City Chambers  
DUNDEE  
DD1 3BY

12th September, 2025

Dear Colleague

You are requested to attend a MEETING of the **CITY GOVERNANCE COMMITTEE** to be held in the Council Chamber, City Chambers, City Square, Dundee and also to be held remotely on Monday, 22nd September, 2025 following the meetings of the City Council and Climate, Environment and Biodiversity and Fair Work, Economic Growth and Infrastructure Committees called for 5.00pm.

The meeting will also be livestreamed to YouTube. Members of the Press or Public wishing to join the meeting as observers should follow this link [www.dundeecity.gov.uk/live](http://www.dundeecity.gov.uk/live) or alternatively they may attend in person.

Should you require any further information please contact Committee Services on telephone (01382) 434228 or by email at [committee.services@dundeecity.gov.uk](mailto:committee.services@dundeecity.gov.uk).

Yours faithfully

GREGORY COLGAN

Chief Executive

## **AGENDA OF BUSINESS**

### **1 DECLARATION OF INTEREST**

Members are reminded that, in terms of The Councillors Code, it is their responsibility to make decisions about whether to declare an interest in any item on this agenda and whether to take part in any discussions or voting.

This will include all interests, whether or not entered on your Register of Interests, which would reasonably be regarded as so significant that they are likely to prejudice your discussion or decision-making.

### **2 PALESTINE**

This Item has been placed on the Agenda at the request of Councillor Scullin who will ask the Council to condemn the attacks on Dundee's twin city of Nablus and call for a ceasefire, a peace agreement and access for aid workers in Palestine

### **3 OLYMPIA - Page 1**

(Report No 246-2025 by the Chief Executive, copy attached).

### **4 STRATEGIC REVIEW OF LEISURE AND CULTURE DUNDEE - Page 121**

(Report No 289-2025 by the Chief Executive, copy attached).

**5        STANDING ORDERS AND SCHEMES OF ADMINISTRATION FOR FINANCIAL REGULATIONS, TENDER PROCEDURES AND DELEGATION OF POWERS TO OFFICERS - Page 251**

(Report No 293-2025 by the Chief Executive, copy attached).

**6        MEMBERS SALARIES - Page 427**

(Report No 281-2025 by the Executive Director of Corporate Services, copy attached).

**7        BUDGET STRATEGY AND FINANCIAL OUTLOOK 2026/27 - Page 433**

(Report No 235-2025 by the Executive Director of Corporate Services, copy attached).

**8        CAPITAL EXPENDITURE MONITORING 2025/26 - Page 441**

(Report No 237-2025 by the Executive Director of Corporate Services, copy attached).

**9        REVENUE MONITORING 2025/2026 - Page 457**

(Report No 240-2025 by the Executive Director of Corporate Services, copy attached).

**10       SOURCING STRATEGY AND PROPOSED TENDER AWARD FOR PENSION ADMINISTRATION SERVICES - Page 469**

(Report No 282-2025 by the Executive Director of Corporate Services, copy attached).

**REPORT TO:** CITY GOVERNANCE COMMITTEE - 22 SEPTEMBER 2025

**REPORT ON:** OLYMPIA

**REPORT BY:** CHIEF EXECUTIVE

**REPORT NO:** 246-2025

## **1. PURPOSE OF REPORT**

- 1.1 The purpose of this Report is to enable the Council to scrutinise the Report by Burness Paull, Solicitors, regarding the closure of the Olympia Swimming and Leisure Centre in 2024 following £6.1m of capital investment by Dundee City Council.

## **2. RECOMMENDATIONS**

- 2.1 The Committee is recommended to note and scrutinise the Report by Burness Paull, Solicitors, regarding the closure of the Olympia Swimming and Leisure Centre in 2024 following £6.1m of capital investment by Dundee City Council (Appendix One).
- 2.2 The Committee is also recommended to remit the Report by Burness Paull to the Scrutiny Committee for their further consideration.

## **3. FINANCIAL IMPLICATIONS**

- 3.1 There are no financial implications arising out of this Report.

## **4. BACKGROUND**

- 4.1 Reference is made to Article II of the Minute of the Meeting of the City Governance Committee on 22 April 2024 regarding Olympia.
- 4.2 This Item was placed on the Agenda at the request of the Leader of the Council who asked the Committee to agree to the formation of an independent investigation into the closure of the Olympia following £6.1m of capital investment with a view to identifying the key issues and providing clear actions.
- 4.3 The Committee subsequently resolved:-
- To instruct the Chief Executive to commission a thorough and rigorous investigation of the background that led to the recent closure of Olympia following £6.1m of capital investment.
  - This investigation would be led by an independent expert on behalf of the Council and would engage with Leisure and Culture Dundee and other appropriate bodies to understand the nature of the problems which led to the closure, what actions could have prevented this situation and that the results of this investigation be brought to the City Governance Committee as soon as practically possible.
  - Such an investigation must consider and identify all of the key factors and issues, utilise all available information and ensure value to the public in obtaining its findings.
- 4.4 Having regard to the issues which actually or potentially caused or contributed to the closure and actually or potentially caused or contributed to the length of the closure, the Head of Democratic and Legal Services formulated the following questions for investigation and response:-

1. Were the works required to the Flume Pipework and Support reasonably foreseeable at the time the recent capital works were instructed?
  2. Why were the recommendations of Environmental Health regarding safety barriers at the dive boards not actioned at an earlier date?
  3. What were the causes of the dosing system not operating as expected when the Olympia reopened?
  4. Was the original scope of capital works sufficiently comprehensive to ensure that all works identified following the closure in 2021 were addressed during the 2023/2024 closure?
  5. Why were additional capital works required following the £6.1m capital investment?
  6. What impact (if any) did the working relationship between Dundee City Council as Building Owner and Leisure and Culture Dundee ("LACD") as Building Manager have on the causes of, and length of, the recent closure?
- 4.5 For convenience, the individual questions and responses are summarised in Section 5 of this Report.
- 4.6 For the purposes of Scrutiny, Burness Paull's full Report is attached at Appendix One.

(The Committee is asked to note that the names and job titles of Officers of Dundee City Council and Leisure and Culture Dundee who either hold positions below Head of Service or who are no longer employed by DCC or LACD have been redacted, as have the personal details of third party contractors. The Report is otherwise entirely unredacted).

## 5. QUESTIONS AND ANSWERS

- 5.1 Question 1 - Were the works required to the Flume Pipework and Support reasonably foreseeable at the time the recent capital works were instructed?

*Answer 1 - The works required to the Flume Pipework and Support were not reasonably foreseeable at the time the most recent capital works were instructed.*

- 5.2 Question 2 - Why were the recommendations of Environmental Health regarding safety barriers at the dive boards not actioned at an earlier date?

*Answer 2 - A combination of factors led to the recommendations of Environmental Health regarding safety barriers at the dive boards not being actioned at an earlier date.*

*These included temporary measures being put in place while a design solution evolved being seen as the best balance of minimising the operational risk in the area where behaviours considered to be at risk occurred and compliant with the required regulations outside these areas.*

*The COVID-19 Pandemic played a part.*

*There was a misunderstanding of the previous instructions by DCC Environmental Health by LACD which led to the additional bars on the central area of the platform and did not lead to the changes DCC Environmental Health had instructed.*

*Finally, there had been a missing step - engagement by LACD with DCC Environmental Health.*

- 5.3 Question 3 - What were the causes of the dosing system not operating as expected when the Olympia reopened?



*Answer 3 - Information provided by both DCC and LACD underlines that the key concern was the stability of the chemical dosing system.*

*Views vary as to the reason or reasons for the time spent on achieving that stability, but Devin, DCC's retained Pool Consultants, were asked to consider these and they set out their professional opinion that the chemical controllers were not the cause of the issue in achieving that stability.*

*The available evidence therefore does not seem to support the view that the chemical controllers were the cause of the issues with the dosing system.*

*Devin then noted that actions taken in respect of matters such as the pH set point, sodium bicarbonate dosing, UV dosing levels and the installation of an additional bulk tank had led to a stable pH value being maintained and a significant reduction in chemical usage.*

*The time spent on the dosing system was due to the merging and marrying in with existing equipment and procedures to achieve the optimal operation balance and efficiency which influenced further adjustments and modifications being required of a system that is now part new and part original.*

*Accordingly, there was a requirement to bed in the new equipment.*

*It took time and it was only through live pool operation that these interfaces could be fully tested.*

*Commissioning as an exercise is carried out towards the end of a Contract in ideal conditions without other routine operations going on.*

*It is a realistic expectation that this will not always be straightforward and that time is needed to bed in with a soft start in an existing facility particularly important.*

*As issues arise the pool systems are highly complex and interrelated with diagnosis being progressive, working through each scenario in turn until the effective solution is achieved.*

- 5.4 Question 4 - Was the original scope of capital works sufficiently comprehensive to ensure that all works identified following the closure in 2021 were addressed during the 2023/2024 closure?

*Answer 4 - The original scope of capital works was sufficiently comprehensive to ensure that all works identified following the closure in 2021 were addressed during the 2023/2024 closure.*

*As with any refurbishment, additional works will be required, which were unexpected, but any additional works would not be arising due to an insufficient scope of works but rather due to the very nature of carrying out works on a refurbished building.*

- 5.5 Question 5 - Why were additional capital works required following the £6.1m capital investment?

*Answer 5 - The additional capital works referred to were works that were brought forward in light of the opportunity to undertake them while the Olympia was closed for other works, in order to save a future closure.*

- 5.6 Question 6 - What impact (if any) did the working relationship between Dundee City Council as Building Owner and Leisure and Culture Dundee ("LACD") as Building Manager have on the causes of, and length of, the recent closure?

*Answer 6 - The working relationship between DCC and L&CD did not prolong the project.*

*Both DCC and L&CD personnel expressed a strong desire to work better together, especially in relation to Health and Safety matters.*

*Communication between the parties could no doubt have been better, but this did not affect the recent closure.*

## 6. OLYMPIA CURRENT OPERATIONAL PERFORMANCE

Since the reopening of Olympia, the monitoring and performance of the facility has been undertaken by relevant Council officers working collaboratively with Leisure and Culture Dundee management and staff.

- Refurbishment Project

The overall scope of works established and carried out as the refurbishment project have been operating as intended since the reopening. Works to the flumes, including the rectification to the water supply pipe, continue to perform as intended.

The dosing system continues to achieve expected daily performance levels, with Leisure and Culture Dundee staff undertaking chemical dosing procedures providing a stable water quality for the pool users to enjoy.

The installation of additional rails to the diving platform has ensured compliance with Environmental Health recommendations and provide Leisure and Culture Dundee with the facility to operate a safe system when open to the public or for club and competition use.

- Operational Management

Operational management has been supported by a strategic maintenance programme delivered in partnership by City Development and Leisure and Culture Dundee staff. The approach prioritises operational resilience and minimises disruption with Olympia operating as intended since the reopening.

Council officers carried out a review of Leisure and Culture Dundee cleaning procedures to ensure that, going forward, daily cleaning is the first line in proactive protection against corrosion and overall protection of the Council asset. Current Leisure and Culture Dundee cleaning practices are being carried out with Council officers monitoring to ensure frequency and standards are maintained.

This approach ensures Olympia remains a safe, high-quality environment for users while strengthening long-term asset integrity.

- Planned Maintenance

As referenced in previous Committee Reports, future maintenance and refurbishment work, to varying degrees, will be required on a periodic basis throughout the operational life of this building. Annual service closures are not only applicable to maintenance of the plant, but also offer an opportunity for deep cleaning, supporting daily regimes and minor works that would otherwise have required an unplanned shutdown. A strategy for periodic closures is in place as standard practice for future years of operation. Leisure and Culture Dundee have developed a communications strategy to ensure members, customers and staff are aware in advance of future planned closures.

- Facility Usage

Olympia facility usage has experienced a robust recovery in attendance numbers, with pool visits and overall facility usage exceeding expectations and membership growth surpassing pre-Pandemic levels.

## 7. POLICY IMPLICATIONS

- 7.1 This Report has been subject to the Pre-IIA Screening Tool and does not make any recommendations for change to strategy, policy, procedures, services or funding and so has not been subject to an Integrated Impact Assessment. An appropriate senior manager has reviewed and agreed with this assessment.

**8. CONSULTATIONS**

8.1 The Council Leadership Team have been consulted in the preparation of this Report.

**9. BACKGROUND PAPERS**

9.1 None.

GREG COLGAN  
CHIEF EXECUTIVE

DATE: 11 SEPTEMBER 2025

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# Burness Paull

**REPORT  
TO  
DUNDEE CITY COUNCIL  
REGARDING  
OLYMPIA INDEPENDENT INVESTIGATION**

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## 1 INTRODUCTION

- 1.1 We are asked by Dundee City Council (“**DCC**”) to investigate and report with comments on a number of questions, as below, arising in respect of the background that led to the most recent closure of the Olympia swimming and leisure centre, Dundee (the “**Olympia**”) following a circa £6.1m capital investment. Those questions are:
- 1.1.1 Were the works required to the Flume Pipework and Support reasonably foreseeable at the time the recent capital works were instructed?
  - 1.1.2 Why were the recommendations of Environmental Health regarding safety barriers at the dive boards not actioned at an earlier date?
  - 1.1.3 What were the causes of the dosing system not operating as expected when the Olympia reopened?
  - 1.1.4 Was the original scope of capital works sufficiently comprehensive to ensure that all works identified following the closure in 2021 were addressed during the 2023/24 closure?
  - 1.1.5 Why were additional capital works required following the £6.1m capital investment?
  - 1.1.6 What impact (if any) did the working relationship between Dundee City Council as Building Owner and Leisure and Culture Dundee (“**L&CD**”) as Building Manager have on the causes of, and length of, the recent closure?
- 1.2 In carrying out that investigation we have engaged with, and been given relevant information by, DCC and L&CD personnel.
- 1.3 We have commented on these questions below.

## 2 QUESTION 1

- 2.1 The question here is whether the works required to the Flume Pipework and Support were reasonably foreseeable at the time the recent capital works were instructed.
- 2.2 The works referred to here are understood to be those referred to in the Members Briefing Note 1, dated 5 March 2024, which included the following:

*“This briefing note has been prepared to update councillors regards the current issues that have affected the opening and operation of Olympia in recent weeks.*

*The two main issues relate to the burst supply pipework at the red flume and the operation of the new chemical dosing installation. A further item has also been*

*included in this note to update members in relation to the operation of the diving boards...*

...Works to Flume Pipework and Supports Background

*Failure of the supply water pipe to the red flume, subsequently caused a supporting rod to fall due to the disproportionate force of the pipe failure dislodging the rod. These elements of the facility were not in the scope of works for the refurbishment contract based on the condition and performance to date. The pipe fracture was a localised failure on a specific one-off run of pipework unique for the supply to the flumes. It would not have been possible to have anticipated this type of failure occurring..."*

- 2.3 The comment at the end of extract above - that it would not have been possible to anticipate this type of failure – was reflected in comments from other DCC personnel. Comments from L&CD personnel included the view that:

*"The burst pipe incident was likely unforeseen but could have been prevented with more comprehensive checks and pre-opening assessments. The urgency to complete the project led to certain elements being overlooked. This matter can be divided into two key components: the burst pipe and the support work. Both incidents could have been avoided through appropriate checks and thorough evaluations..."*

*...The burst pipe likely resulted from ongoing deterioration. Bar & Wray conducted a full report and provided it to DCC, which was not shared with L&CD. On the day of the incident, a pressure issue was identified during the daily testing of the flumes before opening to the public. The plant staff and supervisor followed the proper procedures and ran the flume. However, the pipe burst during a session later that afternoon.*

*The challenge was that much of the pipework had been left drained, and the process of preparing the flumes for opening in December 2023 was rushed. This was partly because two pumps identified for replacement were quoted in June 2023 but not ordered until October 2023. These pumps arrived only days before the restart, leading to rushed inspections."*

- 2.4 Starting with the causes of the burst pipe and rod falling, we have not seen any evidence supporting deterioration as being the cause of failure of the pipe. Instead, contemporaneous evidence in the form of emails between [REDACTED] [REDACTED] [REDACTED] at DCC and [REDACTED] [REDACTED] [REDACTED] [REDACTED] (Design & Property Services) at DCC on 5<sup>th</sup> and 8<sup>th</sup> February 2024 set out views, following reports of an "an explosion type noise as [the rod] fell" that:

- 2.4.1 The cause of the rod falling could be what's referred to as water hammer, which we understand to create a shockwave - "Photos aren't great quality but it's happened at an elbow in the pipe which also coincides with a



*reduction in pipe diameter. I can see how, if flow was disrupted, water hammer, either during the disruption or when flow was restored, could jolt the pipe and bracket out of their supports. This absolutely hasn't happened due to static loads so would consider it to be a localised issue to the recent burst rather than a pool-wide issue.”<sup>1</sup>*

2.4.2 The cause of the pipe burst could be misalignment of the pipework which has then been put under stress by high water pressure – “*Flume pipework failure - red flume - we can see that the split pipe now has an offset between its two parts and the neighbouring pipe currently sits at a splay. This suggests that when the start section was relocated after the flume deck was done there is a slight misalignment which has put the pipe under stress, when coupled with high water pressure failure has occurred. I think your theory on this event resulting in water hammer and the loads referred through the structure dislodging what was probably an already loose rod is spot on.*”<sup>2</sup>

2.5 Turning then to the question of whether the burst pipe and fallen rod could have been identified or indeed prevented with more comprehensive checks and pre-opening assessments; that is of course possible, but we have not seen any evidence to suggest that anyone should have anticipated these specific failures, at the time the capital works were instructed, and put in place checks and pre-opening assessments over and above those carried out following the refurbishment works.

2.6 Indeed, it seems to us that the successful operation of the pipe for a number of weeks, following those works being carried out, militates against the view that longer pre-opening assessments - unless they were for a number of weeks under normal operating conditions - could have identified the issue.

2.7 In light of the above and the currently available evidence, our view on question one is that the works required to the Flume Pipework and Support were not reasonably foreseeable at the time the most recent capital works were instructed.

### 3 QUESTION 2

3.1 The question here is why were the recommendations of Environmental Health regarding safety barriers at the dive boards not actioned at an earlier date?

3.2 The background to this question is summarised in the email from [REDACTED] [REDACTED] ([REDACTED] [REDACTED] at DCC) to [REDACTED] [REDACTED] ([REDACTED] [REDACTED] at L&CD) on 28<sup>th</sup> February 2024 at 6.10pm:

*“Thank you for your update below sent following my visit to the swimming pool this morning with my colleague [REDACTED] [REDACTED] [REDACTED] [REDACTED] when I met*

<sup>1</sup> Email from [REDACTED] [REDACTED] to [REDACTED] [REDACTED] Neil Martin and others on 5 February 2024 at 9:01.

<sup>2</sup> Email from [REDACTED] [REDACTED] to [REDACTED] [REDACTED] on 8 February at 22:38.

with you and [REDACTED] [REDACTED] The purpose of our visit was to carry out a swimming pool health and safety intervention and for Olympia's public entertainment license renewal application.

During this visit a number of issues were identified and discussed with you.

Of most concern was the 3m & 5m dive platform barriers. I noted that there still remains a significant gap between the dive platform floor and the lowest guardrails. The gap on both platforms is such that it could allow a small child to slip through and fall a significant height.

As you are aware this department investigated an accident in 2017 where a child slipped and fell through the gap to the right of the 3m diving board. The child had been standing on the 3m diving board, but changed his mind and stepped off onto the dive platform, then slipped and fell through the gap to the pool side 3m below.

Following our accident investigation, steps were taken to put in place temporary barriers to prevent a similar accident from reoccurring until such time as a permanent solution could be found. I have attached the letter sent to Olympia following the accident investigation in 2017 for your information.

However the temporary barriers remained in place up until the pool closed in 2020.

When we visited today I noted that corrective action had been taken in terms of the installation of the vertical barriers at the waiting area on the dive platform where another accident occurred in 2016, however no action had been taken to decrease the gap between the safety barrier and both dive platforms.

Following discussion with my manager I contacted you after the visit to advise that due to the significant risk of injury, access to the dive platform should be prevented until such times as the risk of injury from slipping through the gaps can be mitigated.”

3

- 3.3 We understand the earlier recommendations referred to in this question, following the accident in 2017 referred to above, are those set out in the letter below from [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] to [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] at L&CD dated 2 May 2017.

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<sup>3</sup> Email from [REDACTED] [REDACTED] to [REDACTED] [REDACTED] on 28 February 2024 at 18:10.

Following the first incident, **temporary** guarding was put in place on some sections on the 3m and 5m dive platforms to help reduce the risk of a person slipping and falling through the gaps under the bottom railings. However, this was with the understanding that permanent measures would be taken thereafter to reduce the gaps between the bottom rails and the platform floors.

To date no permanent alterations have been made to reduce the aforementioned gaps.

It was not known why the permanent works have not been carried out to reduce the aforementioned gaps even though a quotation for the work had been sought and provided by Metaltech UK in November 2016. **Had the works been carried out at that time then the second incident would have been avoided.**

I indicated during my initial visit that the 3m and 5m diving boards be kept closed until suitable temporary measures could be put in place to reduce any remaining exposed gaps between the lower rails and the dive platform floors along the length of the railings on both platforms.

I also requested that we be told how quickly a permanent fix could be carried out to close the gap between the dive 3m and 5m platform floors and the bottom rails of the barriers.

The dive platforms were then closed until Wednesday 26<sup>th</sup> April 2017 when I was notified by [REDACTED] that the additional temporary barrier had been put in place. I revisited the premises that afternoon and confirmed after viewing the temporary barrier that the dive platforms could reopen.

**Steps must now be taken as quickly as possible to permanently reduce the gaps between the bottom rails and the platform floors so as to prevent anyone falling through the gap.**

4

- 3.4 Following the visit on 28<sup>th</sup> February 2024 referred to above, a meeting was arranged at the Olympia on 8<sup>th</sup> March 2024, as set out in the email from [REDACTED] [REDACTED] [REDACTED] [REDACTED] at DCC to [REDACTED] [REDACTED] and Neil Martin of DCC, Judy Dobbie of L&CD and others on 11<sup>th</sup> March 2024 at 11.03am:

*“All - further to our discussions on-site last Friday (08/03/2024), and also referring to the points in my earlier email (29/02/2024) I would advise as follows:*

*Diving Platforms - It was agreed to add a further section (tubular hollow-section stainless steel) into the lower gap of the rails which run parallel with the diving platform. I have attached an image which provides an outline of the proposed modification for reference.*

*This is a very minor modification, and whilst an interim/temporary measure (e.g. use of plastic barriers) was suggested, this may draw attention to the issue, and I would suggest therefore it would be better to move directly and quickly to the permanent modification agreed.”*<sup>5</sup>

<sup>4</sup> Letter from [REDACTED] [REDACTED] to [REDACTED] [REDACTED] dated 2 May 2017.

<sup>5</sup> Email from [REDACTED] [REDACTED] to [REDACTED] [REDACTED] Neil Martin, Judy Dobbie and others on 11 March 2024 at 11.03.

3.5 [REDACTED] email - to [REDACTED] [REDACTED] Judy Dobbie, Neil Martin and others - dated 9<sup>th</sup> March 2024, following that on-site meeting referred to above, comments on the history of events and issues arising:

*"Firstly, thank you to [REDACTED] for suggesting and organising the site meeting, and to [REDACTED] and [REDACTED] team in Environmental Health for attending and providing useful background and context. It was extremely helpful to be able to physically see the issues and to discuss these.*

*For everyone's information and to provide some of that context, Environmental Health's involvement in this matter is in their capacity as statutory enforcers for health and safety at Olympia. All advice provided by them is in pursuance of that role.*

*The issues highlighted with the diving boards were raised initially in 2016/2017, following 2 no notified incidents on the 3m platform, where young children fell from the landing for the 3m platform in one instance and from the side of the diving board on the 3m platform in the other. The issues were again flagged by EH in 2020 during a routine inspection when no permanent remediation had been carried out to address this fall from height risk, although temporary barriers had been put into place.*

*Whilst the guard railing for the entire diving tower follows the parameters of sector guidance and is similar to installations in other swim centres, it does, in this case, leave a fall from height risk from under the bottom rail. This is due to the height of the bottom rail above the platform deck; for clarity, this is not a fall from height risk where the mechanism of the fall is a stumble or fall direct against the barrier, it is a 'chuting' risk whereby a person slipping is able to fit under, and through, the gap between the platform deck and the bottom rail. This is the mechanism by which both falls from height of the young children happened.*

*Vertical rails have now been fitted at the landing to the 3m platform which has addressed this risk in that location. This is where a child from a diving club fell under the bottom rail. However, the guard rails along the sides of the 3m platform and the top platform still have this gap present. A child fell under the bottom rail at the far side of the 3m platform when stepping down from the diving board after deciding not to dive. These gaps leave a clear and reasonably foreseeable risk of similar incidents happening in these areas.*

*The installation of vertical rails along the side of the dive platforms would not be appropriate, as this would impede the view of the platform for both supervision by lifeguards (or coaches during club sessions) and by judges during competitions. An alternative solution to reduce the gap between the platform deck and the bottom rail should be sought. Any such solution should be robust enough in it's construction and fixing to remain in place when taking the force of a falling/slipping person. This solution should be installed to both sides of the 3m and top platforms, including the return detail to the front edge of the 3m platform. Until such a solution can be identified and put into place, the diving boards should remain out of use. It would be prudent*

to discuss any proposed solution with [REDACTED] and [REDACTED] before proceeding, to ensure that the risk is judged to be suitably mitigated.”<sup>6</sup>

- 3.6 Details in respect of the comment above - that “the guard railing for the entire diving tower follows the parameters of sector guidance and is similar to installations in other swim centres” – as well as considerations as to revising the design of the dive platform barriers is set out in the DCC document titled “20-007 Olympia Refurbishment, Alterations to Dive Board Barriers – Briefing Note” from March 2024, which includes the following<sup>7</sup>:

**“BACKGROUND –**

*The design and installation of Dive Boards is regulated under the international standards controlled by and published by the international governing body for aquatics – FINA, now World Aquatics. Its vision is focussed on aquatics for sport, health and life.*

*At the time of construction, the Regulations in force for the Dive Boards were the FINA Facilities Regulations FR5 rev 2010, the regulations in respect of barriers for dive platforms stated –*

*FR 5.2.7 The back and sides of each platform (except a 1.0 metre platform) shall be surrounded by handrails with a minimum clearance of 1.8 metres between pairs. The minimum height shall be 1.0 metre and they shall be with at least two crossbars placed outside the platform beginning 0.8 metre from the front edge of the platform.*

*The 2020 Revision states –*

*FR 5.2.8 The back and sides of each platform (except 1.0 metre or lower platforms) shall be surrounded by handrails up to 1m from the edge of the platform with a minimum clearance of 1.0 metres between vertical pairs. The minimum height shall be 1.0 metre and they shall be with at least two horizontal crossbars placed outside the platform beginning 1.0 metre from the front edge of the platform.*

*A solid transparent barrier is also permitted instead of a crossbar.*

*Built examples using a solid transparent barrier are exceptionally rare.*

**PRIOR DISCUSSION**

<sup>6</sup> Email from [REDACTED] [REDACTED] to [REDACTED] [REDACTED] Judy Dobbie, Neil Martin and others dated 9 March 2024.

<sup>7</sup> In putting forward extracts from this briefing note, we have excluded certain comments opining on whether operating practice caused or contributed to the accidents occurring as the question we are concerned with is why the recommendations of Environmental Health regarding safety barriers at the dive boards not actioned at an earlier date.

*Within the original design the briefing by LACD management at that time was based on their existing practice with their boards at the old Olympia, which used ladders for access and queuing was on poolside. For the new pool stairs were adopted as a preferred safer means to access the boards and gates would be included at the bottom of each flight to control access with queuing continuing on poolside...*

*...Following falls from Diving Boards there was discussion with the Property Section regarding potential solutions, including infilling the Dive Barriers and adding a toe board or bottom rail. At that time the 2010 Regulations were still in force and this would have been non-compliant. In addition, the discussion included the counter argument that the addition of rail or board at low level would have introduced an entrapment risk for a foot or ankle because in accordance with the regulations the barriers are mounted on the outer edge of the platforms. ASD were only peripheral to these discussions but it is understood that it was concluded that on the balance of risk and probability this was an undesirable solution.*

*Earliest contact on this matter on record for Architectural Services is an email from Property to the City Architect dated 15.06.18 ... which ... mentions the falls and the fact that the solution was under review due to the site's mixed use.*

*It is understood that DCC Property Section contacted FINA with regards to being advised on suitable compliant solutions.*

*It was noted that in 2020 the wording of the FINA regulations was amended to include an option for glazed barriers.*

#### **TIMELINE OF CURRENT PROJECT**

*In 2020 the Olympia Refurbishment project came into being and there was an initial briefing and transfer of information to initiate the project from Property to Architectural Services which included work they had been doing on glazed barriers. Work was undertaken to find a technical solution through the supply chain that could adapt or replace the barriers in a manner that complied with the revised standard and came with the appropriate structural testing and certification. As an adaptation to an existing facility the revisions also had to be compatible with the existing fixings and platform edge. The platforms are a specialist structure subject to stringent performance standards as well as specific structural criteria and had originally been design by a specialist in this area. Associated with these considerations was also the issue with the condition of the barriers with respect to surface spotting with corrosion.*

*The developed proposals therefore took the form of complete replacement with a proprietary glazed barrier system fitted to a specially adapted fixing to suit the existing installation.*

*LACD site staff first raised concern about this solution with Architectural Services on 26th Jan 2022. This conversation was primarily precipitated by a need to chat through*

*the details of the scheme that was being worked on and which was still the solid balustrading option as there were some construction and technical questions to sort out. They raised what was seen as a couple of valid concerns, one is that that a glazed barrier at the dive boards would be difficult to clean whichever position it was in. The other is that there are really very few if any known examples of glazed dive board barriers and that they recognised that this was really a management and supervision matter, which could be helped if there is a design intervention that can be used. The lack of UK or international precedent made the glazed barriers difficult to support...*

*...The design evolved based on the following briefing – the barriers needed to be FINA compliant in the area of the platforms used for diving and was cleanable from the platform, was not climbable or could be sat on in the area where the queuing occurred. The hybrid solution adopted was seen as the best balance of minimising the operational risk in the area where behaviours considered to be at risk occurred and compliant with the required regulations outside these areas.*

*This matter was also updated and reported in this manner at the time of the Scrutiny Committee. In March 2022.*

*The technical solution in response to the revised briefing was prepared and submitted for approval to LACD management in April 2022. This was approved with one revision, they asked to have the area under the second flight of stairs to also be done in the same fashion as it was reported at that time that one of the falls had occurred in this area.*

*The amended drawing was then issued for construction to the contractor in May 2022.*

## CONCLUSION

*The Dive Barriers now in place are a highly unusual if not unique solution to the design of dive structure barriers, based on site-specific operating practices. Research shows consistently that throughout the UK and globally there is very little variation in dive barrier design the format following broadly the same format everywhere. Take up of the glazed barrier option now permitted by World Aquatics is still exceptionally unusual probably because of the lack of a safe means of cleaning them at height and over water, most countries having in place regulations similar to our CDM Regulations.”*

- 3.7 The email from [REDACTED] [REDACTED] [REDACTED] [REDACTED] for L&CD to [REDACTED] [REDACTED] on 5th March 2024 at 11.02am then sets out:

*“Looking into the history of this from records such as our Property and Safety Committee I believe that [REDACTED] [REDACTED] did act upon your instructions. There were two proposals which had been costed and proposed. The first was a partition such as a plastic / glass barrier similar to the balcony that we discussed last week. The*

*second was an additional cross bar within the gap which was the idea we had come to independently as well. We proposed this idea to City Development last week and commented that this is what L&CD had previously proposed based on what had been instructed. The impression that I have been given is that they are proposing additional lifeguarding instead to Marshal that risk. From our conversation additional lifeguarding would not be enough to reduce the risks that you have identified, and we do in fact need a physical barrier.*

*I believe a misunderstanding of the previous instructions has occurred which led to the additional bars on the central area of the platform and did not lead to the changes you & line manager instructed. I believe with Covid, a series of managers moving on and retiring has led to our side not being aware of this. I wondered whether City Development had also received the written instruction, I believe they would have been aware due to the content of minutes of meetings...I wondered if some direct communications would be appropriate to ensure nothing is missed in translation. Looking at this objectively I think that there has been a missing step and that is the engagement with yourselves before making the changes on the middle of the structure.”<sup>8</sup>*

- 3.8 In light of the above and the currently available evidence, our view on question two is that a combination of factors led to the recommendations of Environmental Health regarding safety barriers at the dive boards not being actioned at an earlier date; namely – as set out above – that temporary measures being put in place while a design solution evolved that was “*seen as the best balance of minimising the operational risk in the area where behaviours considered to be at risk occurred and compliant with the required regulations outside these areas*”. Covid of course also played a part in timings, but the following comments of [REDACTED] [REDACTED] seem particularly pertinent to us:

3.8.1 “*A misunderstanding of the previous instructions...occurred which led to the additional bars on the central area of the platform and did not lead to the changes you & line manager instructed*”; and,

3.8.2 “*Looking at this objectively I think that there has been a missing step and that is the engagement with yourselves [Environmental Health].*”

#### 4 **QUESTION 3**

- 4.1 The question here is what were the causes of the dosing system not operating as expected when the Olympia reopened?
- 4.2 The background to this question is also set out in the Members Briefing Note 1, dated 5 March 2024, which included the following:

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<sup>8</sup> Email from [REDACTED] to [REDACTED] on 5th March 2024 at 11.02.



## *“Dosing System Background*

*5.1 The chemical dosing system manages the demand and supply of chemicals to the pool based on chemical balance readings taken from the pool monitoring system. Essentially combatting bacteria and microbes disinfecting the water for safety.*

*5.2 These readings are in a state of constant change and vary across the three pools. The readings are impacted by the amount of fresh water in the pool at any time, the number of contaminants in the pools brought in by bathers, the pH balance of the pool as chemicals are added and chlorine is used up as it combats contaminants...*

*...5.5 On the advice of the pool consultant and with support from L&CD the chlorination chemical dosing system has been changed to one which the industry would more normally expect to see in a modern leisure facility with the selected chemical dosing chosen as the most appropriate for the soft water supply in the Dundee area...*

## *...Current Operational Performance*

*5.7 Since the facility reopened in December 2023, the stability of the chemical dosing system performance has not been where it was anticipated, leading to the requirement for the pools to be closed for further investigation, testing and any necessary works to take place to improve stability and efficiency of the dosing and overall performance.*

*5.8 While the system conforms to the specification provided by the pool consultant, merging and marrying in with existing equipment and procedures to achieve the optimal operation balance and efficiency has influenced further adjustments and modifications being required of a system that is now part new and part original. Accordingly, there is a requirement to bed in the new equipment. It has taken time and it is only through live pool operation that these interfaces can be fully tested. Commissioning as an exercise is carried out towards the end of the contract in ideal conditions without other routine operations going on. It is a realistic expectation that this will not always be straightforward and that time is needed to bed in with a soft start in an existing facility particularly important. As issues arise the pools systems are highly complex and interrelated with diagnosis being progressive, working through each scenario in turn until the effective solution is achieved.*

*5.9 All parties involved in the refurbishment contract with particular focus from the specialist pool contractor and pool design consultant have continued to monitor the performance of the pool chemical dosing system over recent weeks, as well as discuss and implement further measures.*

*5.10 Components that are part of the dosing system that have been subject to high activity and intensive use in recent weeks have had a planned service brought forward to provide a baseline for monitoring performance when re-commencing operations...*

*... 5.16 L&CD to monitor and record daily chemical use and top ups. Data to be fed back to specialist contractor and pool consultant to review and assess overall dosing performance moving through this transitional stage.”<sup>9</sup>*

4.3 As the Members Briefing Note 2, dated 17 March 2024, sets out:

*“4.0 Dosing System*

*4.1 L&CD have monitored and recorded daily chemical use and top ups. Data has been fed back to the specialist pool consultant and contractor to review and assess overall dosing performance moving through this transitional stage.*

*4.2 As intimated previously a meeting was arranged and held on 14 March with the principal leads from the following parties (i) Devin Pool Consulting, (ii) Barr & Wray Ltd, (iii) Robertson Construction, (iv) L&CD and (v) DCC. The meeting covered all aspects of the current closure in relation to the dosing and pool chemical process. Critically Devin Consulting had been carrying out ongoing research based on the data recorded by L&CD staff as well as visiting the site for a general site survey, plant inspection and discussion with the L&CD plant operators prior to the meeting...*

*...4.4 Chemical Dosing – Use of Sodium Bicarbonate The use of calcium hypochlorite tends to raise the pH of swimming pool water. Hydrochloric acid is required to lower the pH value to what is best for effective disinfection in the range of 7.2-7.4 pH. A further chemical, sodium bicarbonate is regularly used in the management of pool water quality. Sodium bicarbonate is added to pool water to (i) assist the effectiveness of the other pool chemicals calcium hypochlorite and hydrochloric acid, (ii) stabilise pH levels avoiding too acidic or alkaline water quality and (iii) assist with water clarity.*

*Devin have now requested that L&CD reduce the use of their sodium bicarbonate quantities as this may be affecting the performance of the chlorine and acid dosing of the pool system.*

*Essentially the alkalinity of the water is drawing in the use of more chlorine and acid than anticipated to maintain pool monitoring readings within the required parameters.*

*Current quantities of sodium bicarbonate while based on previous L&CD practices, are significantly above target guidance. L&CD have been instructed to revise maximum alkalinity target to 60 (circa 50% lower than current practice).*

*Aligned to this is the method and frequency of adding the sodium bicarbonate to the pools. This requires to be slowed down and spread out over a timetabled period,*

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<sup>9</sup> Members Briefing Note 1 dated 5 March 2024.

*distributed evenly around the pools to avoid shock dosing of the pool leading to chemical instability and fluctuating readings.*

*The results from this change have indicated that the pool system performance is now trending towards more stable performance and should lead to tolerance levels expected to be operating within. Devin will continue to monitor the data provided to reinforce their initial findings from this weeks data.”<sup>10</sup>*

- 4.4 While the information provided by both DCC and L&CD all underlines the point above that the key concern was the stability of the chemical dosing system, views vary as to the reason or reasons for the time spent on that, to the extent that time was over and above what might be anticipated in the circumstances described at paragraph 5.8 of the Members Briefing Note 1 above.
- 4.5 Some DCC personnel considered that contributing factors to the issues arising were difficulties in “*getting to grips*” with how best to operate the new system and move away from old practices, potentially in part due to an incomplete understanding of that new system caused by an insufficient induction. L&CD however considered that there were issues in particular with (i) inadequate calibration of the dosing controls, which it said led to a fundamental misalignment in the system's operation and thus contributed significantly to the failures experienced as well as (ii) equipment deficiencies, with the dosing system not operating as it was meant to.
- 4.6 Those points raised by L&CD are reflected in the email of [REDACTED] [REDACTED] of L&CD to [REDACTED] [REDACTED] at DCC, and others, on 18 April 2024 at 4.05pm:

*“...So far so good. We have been carrying out the "install" process and the results are noticeable with us using 40%+ less acid in the last week. The figures for the prior week were a bit off as we were running on fumes waiting for a delivery. You will be able to see the day last week on the pool tests that we ran out before the delivery the following day.*

*This exercise brought the readings closer than it has ever been since the install of the new system. With the machine having not been set up right from the start it completely explains why the readings were never close. I am happy to discuss this in more detail.*

*It's a slow process as I detailed in my original email. Bayrol suggesting we should see a difference after a couple of weeks.*

*It gets to the root of the problem going on. The control units were not reading properly so they have been dosing inaccurately. Confirmed by the manufacturers of the control units Bayrol. That's the cause of the merry go round effect and excessive acid use.*

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<sup>10</sup> Members Briefing Note 2 dated 17 March 2024.

*Until that was addressed our manual efforts were not going to matter. The system was dosing too much acid despite the bicarb reduction.*

*You will be able to refer to my previous emails on the "yo-yo" effect and how the pH readings were completely out.*

*Normal calibrations could not resolve the issue. This change is us acting as though control units are new out the wrapper to draw a line on the control issues. Each day there are noticeable differences as we edge towards having the control that is required.*

*There will continue to be issues perhaps for a couple more weeks i.e. this morning we had too much chlorine in the competition pool. I propose it's another factor in it adjusting.*

*The chlorine levels are much better in general. Last week they bounced as the controllers got to grips with the readings. It's about line of sight. Suddenly the controllers can see the water standards and can dose accordingly.”<sup>11</sup>*

4.7 DCC asked Barr + Wray and Devin on 18 April 2024 if the points in that email above were a “correct assessment of what has been happening with the Bayrol units calibration impacting on the whole system and operational response?”

4.7.1 Barr + Wray responded on 18 April 2024 saying that “the Bayrol units were set up correctly. The only thing that the Bayrol Engineer suggested was to calibrate the units more frequently.”<sup>12</sup>

4.7.2 Devin responded on 19 April 2024:

*“Regarding the site managers observations in the email...I wouldn’t consider the chemical controllers to be the root cause of the issue. There have been significant improvements in the water sample and acid usage results prior to the Bayrol technicians review and any subsequent recalibration exercises undertaken. However, there is a discrepancy between the pool and controller sample readings which requires further investigation/action. The concentration of disinfectant residual within the pool can vary in different areas of the pool, so it may be beneficial to take samples from different parts of the pool to see what impact this may have on the pool readings.*

*The daily report data has been populated into a series of charts in the attached document to provide a visual representation of the results from the past month to accompany my latest observations below.*

<sup>11</sup> Email of [REDACTED] to [REDACTED] and others on 18 April 2024 at 16:05.

<sup>12</sup> Email of [REDACTED] to [REDACTED] and others on 18 April 2024 at 16:53.

*From a review of the information received on the water test reports since our meeting in March, and the Bayrol technicians report, my observations are as follows:*

*□ Following adjustment of the alkalinity target level to 60mg/l on 14/03, the records show a consistent trend in maintaining a stable pH value.*

*□ The acid usage indicated a noticeable improvement from 02/04 onwards, providing a reduction of 40% usage compared to the data prior to this date. This could be attributed to the reduction in sodium bicarb and lower alkalinity levels.*

*□ Records since the meeting indicate controllers are maintaining pH and free chlorine set points.*

*□ From the Bayrol review on 08/04, the technician believes the controllers are working correctly.*

*□ Records indicate discrepancies between pool sample readings and controller sample readings.*

*o Further clarification/instruction may be required from the Bayrol technician to verify the site operatives have interpreted any calibration instructions correctly.*

*o Current water testing regime to be reviewed. Information can be referred to within the PWTAG guide.*

*o Further training by a recognised trainer recommended.”<sup>13</sup>*

4.8 In looking to comment on the question of what the causes of the dosing system not operating as expected were when the Olympia reopened, taking in the possible causes raised by both DCC and L&CD, the Devin operational issues updates from April 2024 through to the latest one we have in January 2025<sup>14</sup> are consistent in noting that:

4.8.1 *“In summary, systems are displaying a relatively stable pH value and maintaining the required free chlorine levels, indicators that the systems are providing a water quality in accordance with PWTAG [Pool Water Treatment Advisory Group] guidelines”*

4.8.2 Actions taken in respect of matters such as the pH set point, sodium bicarbonate dosing, UV dosing levels and the installation of an additional bulk tank have led to a stable pH value being maintained and a significant

<sup>13</sup> Email from [REDACTED] to [REDACTED] and others on 19 April 2024 at 12:23.

<sup>14</sup> Operational Status Report by Devin Consulting dated 28 January 2025.

reduction in chemical usage. For example, in respect of sodium bicarbonate dosing – which was often referred to in the information provided, the most recent Devin report sets out:

*“Issue*

- *Very large amounts of sodium bicarbonate were being added to pools; alkalinity levels fluctuated wildly, and regularly in excess of 150 mg/l. This would have led to a lot of acid being used, which in turn knocks the alkali out (causing the system to ‘chase its tail’).*

*Actions undertaken*

- *Alkalinity target level adjusted to 60 (March 2024).*
- *Site advised to dose sodium bicarbonate in smaller and frequent quantities. Site operatives have adopted this approach, utilising the dosing pots in the plantroom to dose the sodium bicarbonate.*

*Improvements*

- *Smaller quantities of sodium bicarbonate are being used.*
- *Records indicate a stable pH value, and lower alkalinity is being maintained in all pools.”*

- 4.8.3 Those reports do note that discrepancies between manual and controller readings were advised, with recalibration having been undertaken by L&CD and the view from a Bayrol technician that the chemical controllers were working correctly. For example, the latest Devin report sets out:

*“4.0 Bayrol chemical controllers and manual water testing*

*Issue*

- *Operators advised discrepancies between manual and controller readings.*

*Actions undertaken*

- *Site operators have recalibrated chemical controllers to align with manual probe readings.*
- *Bayrol technician has undertaken a remote review of the chemical controllers via telecon with Olympia staff (April 2024). The technician believes the controllers are working correctly.”*

- 4.8.4 The Devin reports also recognise that *“the complexities of the systems warrant additional training for site operatives.”*

4.9 In light of the above and the currently available evidence, our view on question three is that:

- 4.9.1 Information provided by both DCC and L&CD underlines that the key concern was the stability of the chemical dosing system:
- 4.9.2 Views vary as to the reason or reasons for the time spent on achieving that stability, but Devin was asked to consider these and set out their professional opinion that the chemical controllers were not the cause of the issue in achieving that stability. The available evidence therefore does not seem to us to support the view that the chemical controllers were the cause of the issues with the dosing system.
- 4.9.3 Devin then notes that actions taken in respect of matters such as the pH set point, sodium bicarbonate dosing, UV dosing levels and the installation of an additional bulk tank have led to a stable pH value being maintained and a significant reduction in chemical usage.
- 4.9.4 It therefore seems to us, from the available evidence, that the time spent on the dosing system is due to the circumstances described in paragraph 5.8 of the Members Briefing Note 1 as follows, with our underlined emphasis of those points we see being highlighted by the evidence:

*“...the merging and marrying in with existing equipment and procedures to achieve the optimal operation balance and efficiency has influenced further adjustments and modifications being required of a system that is now part new and part original. Accordingly, there is a requirement to bed in the new equipment. It has taken time and it is only through live pool operation that these interfaces can be fully tested. Commissioning as an exercise is carried out towards the end of the contract in ideal conditions without other routine operations going on. It is a realistic expectation that this will not always be straightforward and that time is needed to bed in with a soft start in an existing facility particularly important. As issues arise the pools systems are highly complex and interrelated with diagnosis being progressive, working through each scenario in turn until the effective solution is achieved.”*

## 5 QUESTION 4

5.1 The question here is - was the original scope of capital works sufficiently comprehensive to ensure that all works identified following the closure in 2021 were addressed during the 2023/2024 closure?

5.2 The report, dated 25 November 2021 and numbered 336-2021, for the City Development Committee meeting on 6 December 2021 sets out:

5.2.1 That *“a planned major refurbishment for the leisure pool is currently being finalised which will necessitate a longer-term closure of the pool facilities at Olympia”*

5.2.2 *“A health and safety risk issue was identified at Olympia on 29 September 2021 due to a failure of fixings associated with the light fitting mountings in the pool area...as a precautionary measure the decision was therefore taken by Officers to close pool facilities...During this period of closure further inspection works were carried out in other areas of the facilities...the Council have instigated additional survey works comprising technical advice from City Development Officers and engaging with specialist services and pool consultants to assess the overall facility. Once all survey works have been completed and fully assessed, any further works identified will be scoped, designed and incorporated into the works programme outlined below.”*

5.2.3 *“Prior to the light fixing issue occurring, Council Officers had been developing a programme of works to address building fabric issues that have developed during the operational life of Olympia. As an intensively operated facility with complex mechanical and electrical installations, a cyclical approach to component refurbishment and replacement is required, and this necessitates periods of closure to upgrade and replace. The refurbishment works are essentially in relation to surface and superficial corrosion, general refurbishment and upgrading and rectification of water egress within ancillary plant areas.*

*Through discussions with the Council's Specialist Mechanical, Electrical and Structural Engineers and the Director of Leisure and Culture Dundee, it is now recommended that the facility should remain closed until all works are complete on site. These works will include the originally scoped refurbishment programme and take account of all survey work outlined [in paragraph 5.2.2 above].”* <sup>15</sup>

5.3 DCC personnel discuss a list of issues which were brought to DCC by L&CD's operational team. This list was subsequently developed into the scope of works.

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<sup>15</sup> Report, dated 25 November 2021 and numbered 336-2021, for the City Development Committee meeting on 6 December 2021.



L&CD says that the scope of the project addressed critical issues such as (i) an overly potent chemical dosing system, (ii) reduced airflow due to energy efficiency modifications, (iii) insufficient airflow pipework and (iv) evaporation issues causing damage to fixtures and fittings. However, L&CD says that there were unaddressed problems such as humidity control.

- 5.4 From the information we have been provided with, specifically in the scope of works document we have been provided called *Appendix 1 – Olympia Remedial Works Scope*<sup>16</sup>, we note that the scope did include for *Ventilation Works* (no.19 of the scope) and “*Air Handling Units*” (no.35 of the scope) which should include for humidity control.
- 5.5 L&CD also voiced some Quality and Design Concerns on the basis that “£6 million Olympia project was rushed, leading to substandard work and safety risks. The same team responsible for initial issues oversaw the project, resulting in unmet standards.” These allegations as to substandard work do not seem to us to be relevant to the question here, which is one as to fulfilment of identified scope in asking whether the works identified following the closure in 2021 were addressed during the 2023/2024 closure, unless the argument is that the works referred to were not in fact carried out but we have seen no evidence in support of that.
- 5.6 In light of the above and the currently available evidence, our view on question four is that the original scope of capital works was sufficiently comprehensive to ensure that all works identified following the closure in 2021 were addressed during the 2023/2024 closure. As with any refurbishment additional works will be required, which were unexpected, but any additional works would not be arising due to an insufficient scope of works but rather due to the very nature of carrying out works on a refurbished building.

## 6 QUESTION 5

- 6.1 The question here is - why were additional capital works required following the £6.1m capital investment?
- 6.2 We understand that the additional works referred to here are those set out under the following heading:

*“2. Additional Works – Efficiency & Operational Measures undertaken after closure*

- *Additional Supplementary bulk acid tanks*
- *Additional Sampling Pumps to Controllers*

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<sup>16</sup> Appendix 1 – Olympia Remedial Works Scope.

- *Break Tank*

- *Further planned prevention works – replacement of acrylic screw bolt fixings lighting tracks cable trays*

6.3 The first three of those items are also referred to in the Members Briefing Note 1<sup>17</sup>, where their benefit is described as follows:

*“Efficiency & Operational Measures*

*5.12 Additional supplementary bulk acid tank – This additional storage will provide L&CD with additional resilience when ordering and managing chemical stock levels. Anticipated 6-8 week lead in with an install date to be confirmed. Pool operations can continue as the installation works will not require a further closure. Interim management arrangements will be implemented to assist with controlling current usage by introducing a temporary switch to an 18% concentrate until the supplementary bulk tank is operational.*

*5.13 Additional Sampling Pumps to Controllers – Proposals are being developed, to provide better variable dosing function, particularly through higher demand periods and out of operational hours. Programme and costs are currently being developed for installation.*

*5.14 Break Tank – Additional break tank install to segregate the draw off for two separate tasks providing increased stability in flow for the hopper arrangement and poolside rinse down regime. Programme for installation of the tanks is currently being developed. Pool operations can continue as the installation works will not require a further closure. Interim management arrangements are currently in place with alternative source for poolside wash-down water being used to allow dedicated uninterrupted water supply for dosing in the interim.”*

6.4 DCC personnel were clear that these additional works were not omissions from the scope of the works forming the £6.1m capital investment but were instead works that they could see they would likely have to carry out over the next few years, which may well require a further closure, and the opportunity was therefore taken to carry them out while the Olympia was already going to be closed. They were therefore described as works brought forward to be carried out while the Olympia was closed, to save a future closure. We have not seen any evidence that contradicts that.

6.5 In light of the above and the currently available evidence, our view on question five is that the additional capital works referred to were works that were brought forward in light of the opportunity to undertake them while the Olympia was closed for other works, in order to save a future closure.

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<sup>17</sup> Members Briefing Note 1 dated 5 March 2024.

## 7 QUESTION 6

- 7.1 The question here is - what impact (if any) did the working relationship between Dundee City Council as Building Owner and Leisure and Culture Dundee as Building Manager have on the causes of, and length of, the recent closure?
- 7.2 To start with, we wish to highlight that all DCC and L&CD personnel were clearly strongly driven by a desire to secure the best outcomes for the Olympia and the facilities it provides to the public. To a greater or lesser extent though, all commented that the working relationship between the two organisations could be better. In some cases, that is an understatement. While some personnel spoke of perhaps understandable issues arising where it is unclear who, between landlord and tenant, bears responsibility for looking after what, other comments ranged from:
- 7.2.1 A view that “*communication has not been fabulous*” (although, consistent with many others that “*all of us would like to change that going forward*”): through to,
  - 7.2.2 Strongly expressed concerns from some in L&CD as to exclusion of key personnel from critical meetings and decisions, withholding of reports, disregarding feedback and bypassing direct communication.
- 7.3 From the available information, it seems to us that the primary causes of the closure were the events arising in respect of (i) the flume pipework and support, as well as (ii) the chemical dosing system. It does not seem to us that there is any evidence showing that the working relationship between DCC and L&CD – in whatever way that is characterised - gave rise to those events causing closure.
- 7.4 Equally - while there is considerable disagreement as to (i) the possible causes of the issues arising in respect of the chemical dosing system and (ii) the manner in which decisions were taken in respect of it - we have not seen evidence that the time involved, in works or other measures carried out following those events, was notably prolonged due to the working relationship between DCC and L&CD.
- 7.5 In light of the above and the currently available evidence, our view on question six is that the working relationship between DCC and L&CD did not prolong the project. Both DCC and L&CD personnel expressed a strong desire to work better together, especially in relation to Health and Safety matters. Communication between the parties could no doubt have been better, but this did not affect the recent closure.

**Burness Paul LLP**  
**9 July 2025**

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APPENDIX 1

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## Appendix 1 to Report to Dundee City Council – Olympia

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## APPENDIX 1 – OLYMPIA REMEDIAL WORKS SCOPE

Item	Description
1	Rectify external condensation issues at bullnose fascia detail.
2	Flume and Dive Stairs – Rectify corrosion to stair treads for flume access and dive stairs.
3	Launch pad - replace and refurbish flume launch pad and supporting structure.
4	Water Ingress to Pool Plant Room – Replace shower flooring. Overhaul shower drainage channels. Reline poolside channels. Overhaul poolside waterproofing detailing.
5	Redesign and amend dive barriers to remove sitting risk.
6	Remove and replace affected balustrading.
7	Corrosion to Steelwork and Stairs - Removal of areas of corrosion, treatment and refurbishment.
8	Curtain Walling Saddle Brackets, fixings at head.
9	Replace defective poolside shower ceiling tiles
10	Wave Plant Room - Infill floor opening and associated remedial work.
11	Main Entrance Revolving Door – replace matwell.
12	Reception Foyer Air Curtain - New air barriers across entrance.
13	Workshop Floor – Remediate groundwater leak
14	Replace east foyer by-pass door
15	Poolside Seating – Corroded fixings - Remove existing shell seats, retile.
16	West Screen Apply anti-glare film.
17	Underwater Cameras - Existing obsolete system to be replaced
18	Replace Staff Door and panic hardware
19	Ventilation Works - Alterations to improve performance of ventilation system to pool hall and changing village.
20	Water tracking at Toddler Pool - Build low-level kicker wall adjacent to Toddler Pool
21	Treat algae staining in training Pool based on pool consultant findings.
22	Replace corroded ironmongery to Poolside Fire Doors
23	New Public Access Barrier installation compatible with L&CD booking system
24	Pool treatment system – Implement appropriate recommendations and design from Pool Consultant
25	Chemical Stores and Treatment – Implement appropriate recommendations from pool consultant.
26	Pool Hall PA Speakers - Reposition to more accessible location for future maintenance.
27	Replace polypropylene fixings to poolhall light fittings
28	Revisions to lighting scheme for improved access for future maintenance.
29	Corroded pool plant overhauled or replaced as necessary.
30	Pool filter media to be replaced as part of cyclical works.
31	Moveable floor boom – Maintenance and servicing to be undertaken during closure
32	Sprinkler system – Maintenance and corroded elements replacement.
33	Changing village ceiling tile refresh
34	Waste water heat recovery system – Modification to improve and increase energy efficiency.
35	Air Handling Units – System assessed for overhaul and replacement providing improved efficiency and environmental conditions to pool hall.
36	Changing Village Desk – Supplementary ventilation provided for staff comfort.

## APPENDIX 1 – OLYMPIA REMEDIAL WORKS SCOPE

37	Fire and Smoke Dampers – Annual checks while premises closed – Any remedial works to be actioned.
38	Café Kitchen Facilities –Upgrade catering equipment to electric from gas for energy efficiency.

**CONFIDENTIAL****OLYMPIA REFURBISHMENT - MEMBERS BRIEFING NOTE ONE****1.0 Introduction**

- 1.1 This briefing note has been prepared to update councillors regards the current issues that have affected the opening and operation of Olympia in recent weeks.
- 1.2 The two main issues relate to the burst supply pipework at the red flume and the operation of the new chemical dosing installation. A further item has also been included in this note to update members in relation to the operation of the diving boards.

**2.0 Overview - Olympia Refurbishment**

- 2.1 Through the initial part of the Olympia closure period, internal council design staff collaborated across building disciplines to consider the design and construction of Olympia. Combined with this has been the appointment of external mechanical services and pool consultants, to survey and report their findings in relation to air humidity, ventilation control and the pool treatment.
- 2.2 Utilising expertise from all sectors of the industry has ensured a systematic approach was taken to reviewing the performance of the building, providing solutions to the legacy issues encountered.
- 2.3 Having assessed the surveys carried out, reviewing the design and construction of Olympia, the findings then informed the full scope of works content for the project. This comprised the rectification of water egress, improvements to environmental conditions and the general fabric upgrading, refurbishment and plant replacement. Report 150-2022 appendix 1 considered at Recess Sub-Committee 6 July 2022, outlined the items that were assessed as being in scope with subsequent design development progressed to form the contract works.

**3.0 Works to Flume Pipework and Supports****Background**

- 3.1 Failure of the supply water pipe to the red flume, subsequently caused a supporting rod to fall due to the disproportionate force of the pipe failure dislodging the rod. These elements of the facility were not in the scope of works for the refurbishment contract based on the condition and performance to date. The pipe fracture was a localised failure on a specific one-off run of pipework unique for the supply to the flumes. It would not have been possible to have anticipated this type of failure occurring. The complexity of this repair work is the height and access to the flume deck and services rather than the work content itself.
- 3.2 Required material and specialist sub-contractor labour were mobilised as quickly as practicable. The main contractor Robertson supporting and co-ordinating, exerting their presence in the market to have the required plant, labour and material on site for safe working practices to execute the works asap.
- 3.3 Further high-level inspection and assessment in areas around the flume launch pad have also been carried out. Whilst access is available, this opportunity was used to undertake a further inspection, to then augment or replace any components deemed necessary as preventative and protective works.

**Progress of Work**

- 3.4 The developed programme of works has progressed through the period of closure as follows:-

**Flume Deck & Flumes**

- Fractured flume supply pipe repaired and tested.

- Uni-strut supports to flume deck overhauled.
  - Remaining restricted access high-level nylon rods over flume deck removed/replaced.
- 3.5 Barr and Wray completed the replacement section of the pipe to the red flume Wednesday 28 February, this was tested several times, switching on the pump and robustly testing for 45 minutes. Multiple tests were completed successfully.
- 3.6 L&CD further tested all water features the following morning (Thurs Feb 29th) and confirmed that all equipment was operational comprising the flumes, the toddler play structure, the water cannons and the waves.
- 3.7 The rope access contractor, completed the replacement of the remaining high level harder to access rods adjacent to the flume platform and also replaced the water supply pipe bracket that could not be accessed from the mobile hoist.

#### 4.0 Planned Preventative Works

Areas of acrylic screw bolt fixings have previously been identified to lighting tracks in the pool hall. Planned replacement of these components at a future date was brought forward and undertaken out-with operational hours. From assessment, this is considered to be low risk, given the nature of the components and their designed function. Night time working commenced this week and a targeted completion has been set for the 15 March.

#### 5.0 Dosing System

##### Background

- 5.1 The chemical dosing system manages the demand and supply of chemicals to the pool based on chemical balance readings taken from the pool monitoring system. Essentially combatting bacteria and microbes disinfecting the water for safety.
- 5.2 These readings are in a state of constant change and vary across the three pools. The readings are impacted by, the amount of fresh water in the pool at any time, the number of contaminants in the pools brought in by bathers, the pH balance of the pool as chemicals are added and chlorine is used up as it combats contaminants.

##### New System

- 5.3 The Committee Report considered at recess sub-committee July 2022 outlined the current dosing strategy of using hydrochloric acid, for all pool systems, will continue to be used for pH correction going forward, providing the optimum solution across the 3 pools.
- 5.4 Through the specialist surveys, reports and working with L&CD, implementation of the recommendations from the pool consultant was taken to modernise the dosing system while Olympia was closed. Certain component parts were of an age that would require replacement in the relative near future, therefore the contract period was seen as a suitable opportunity for life cycle replacement. Based on the construction programme approved at committee there was sufficient time to carry out the works during the planned contract period.
- 5.5 On the advice of the pool consultant and with support from L&CD the chlorination chemical dosing system has been changed to one which the industry would more normally expect to see in a modern leisure facility with the selected chemical dosing chosen as the most appropriate for the soft water supply in the Dundee area.
- 5.6 The chemical dosing system was replaced to improve balance of chemicals, reduce manual handling of chemicals and H&S risk to staff, assisting with the sometimes perceived harsher/concentrate of chemicals from an older type of system and work in tandem with the ventilation installation to manage overall atmospheric conditions in the pool hall.

Current Operational Performance

- 5.7 Since the facility reopened in December 2023, the stability of the chemical dosing system performance has not been where it was anticipated, leading to the requirement for the pools to be closed for further investigation, testing and any necessary works to take place to improve stability and efficiency of the dosing and overall performance.
- 5.8 While the system conforms to the specification provided by the pool consultant, the merging and marrying in with existing equipment and procedures to achieve the optimal operation balance and efficiency has influenced further adjustments and modifications being required of a system that is now part new and part original. Accordingly, there is a requirement to bed in the new equipment. It has taken time and it is only through live pool operation that these interfaces can be fully tested. Commissioning as an exercise is carried out towards the end of the contract in ideal conditions without other routine operations going on.
- It is a realistic expectation that this will not always be straightforward and that time is needed to bed in with a soft start in an existing facility particularly important. As issues arise the pools systems are highly complex and interrelated with diagnosis being progressive, working through each scenario in turn until the effective solution is achieved.
- 5.9 All parties involved in the refurbishment contract with particular focus from the specialist pool contractor and pool design consultant have continued to monitor the performance of the pool chemical dosing system over recent weeks, as well as discuss and implement further measures.
- 5.10 Components that are part of the dosing system that have been subject to high activity and intensive use in recent weeks have had a planned service brought forward to provide a baseline for monitoring performance when re-commencing operations.

Summary of Ongoing & Planned Works

- 5.11 Servicing Equipment
- Calcium Hoppers – Works carried out in conjunction with L&CD staff – completed between 1st and 3rd March.
  - Chemical Controllers – completed 5 March.

Efficiency & Operational Measures

- 5.12 Additional supplementary bulk acid tank – This additional storage will provide L&CD with additional resilience when ordering and managing chemical stock levels. Anticipated 6-8 week lead in with an install date to be confirmed. Pool operations can continue as the installation works will not require a further closure. Interim management arrangements will be implemented to assist with controlling current usage by introducing a temporary switch to an 18% concentrate until the supplementary bulk tank is operational.
- 5.13 Additional Sampling Pumps to Controllers – Proposals are being developed, to provide better variable dosing function, particularly through higher demand periods and out of operational hours. Programme and costs are currently being developed for installation.
- 5.14 Break Tank – Additional break tank install to segregate the draw off for two separate tasks providing increased stability in flow for the hopper arrangement and poolside rinse down regime. Programme for installation of the tanks is currently being developed. Pool operations can continue as the installation works will not require a further closure. Interim management arrangements are currently in place with alternative source for poolside wash-down water being used to allow dedicated uninterrupted water supply for dosing in the interim.
- 5.15 Water source pH set-point to be adjusted to 7.4 from 7.2, assisting chemical dosing process by demanding less acid working with the 18% concentrate as the system requires less acid.

- 5.16 L&CD to monitor and record daily chemical use and top ups. Data to be fed back to specialist contractor and pool consultant to review and assess overall dosing performance moving through this transitional stage.

#### Further Actions

- 5.17 Chief officers have assessed the current position and the following actions have commenced:-

- i) The contract for the Olympia refurbishment project has been passed to the [REDACTED] [REDACTED] to review aspects in relation to dispute resolution clauses.
- ii) The contract for the Olympia refurbishment project has been shared with the Head of Legal & Democratic Services for review.
- iii) A request has been made to the main contractor for a written report which requires to include the following:-
  - the current position with issues/challenges relating to the dosing system;
  - recommendations to address the issues/challenges;
  - timescales for rectification;
  - associated cost implications.

- 5.18 Training – Further commissioning, demonstrations and training for chemical dosing and associated equipment have been instructed with details awaited. This is to ensure all L&CD staff are fully briefed on operating procedures and when deviation is required to maintain system balance.

Reactive attendance and on-call requirement – availability from contractor and consultant ongoing through the duration of the current alterations and as the facility reopens is being discussed.

Communication between all parties involved continues to be carried out daily, based on the urgency to have Olympia fully operational at the earliest available opportunity.

## **6.0 Additional Work Costs**

Due to the reactive nature of the works contained in this report, the costs for each element are still to be fully ascertained. Based on the opinions from procurement and legal services still being considered in addition to the main contractor's report, the council will evaluate all factors to ensure that only costs are reimbursed for additional works out with the scope of the refurbishment contract. Where works have or are to be carried out as part of the contractual defects liability period, officers will ensure the appropriate deductions are made to the relevant parties.

## **7.0 Diving Pool Platform Operation**

- 7.1 L&CD recorded two separate accidents (2016 and 2017) which involved young persons slipping and falling at the diving-board platforms. Shortly after these accidents, a temporary barrier was added to mitigate the risk of any further accidents - with a view to providing a permanent solution in-conjunction with safe methods of working and supervision.
- 7.2 Options for the permanent solution were discussed, although no option was fully developed or signed off with L&CD for implementation prior to the closure of the facilities.
- 7.3 As part of the refurbishment contract, options were reviewed and fully designed to minimise future risk from similar events. Designs were developed in consultation with L&CD to ensure safe operational management procedures could be implemented, staff could maintain and clean the guardrails and compliance with World Aquatics/FINA guidance continued to be adhered to.

- 7.4 The extent of additional railing over and above World Aquatics/FINA guidance was signed off by L&CD officers in April 2022 and installation of the rails took place during the recent refurbishment.
- 7.5 L&CD are currently reviewing their operational management of the dive pool and will implement appropriate risk assessed procedures. Appropriate further training will be provided to life guard staff to ensure safe working practices are in place for the dive pool operations.

Neil Martin  
Head of Design & Property

Date 5 March 2024

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**CONFIDENTIAL****OLYMPIA REFURBISHMENT - MEMBERS BRIEFING NOTE TWO FOR W/C 18 MARCH****1.0 Introduction**

1.1 This briefing note has been prepared to further update councillors regards the current issues that have affected the opening and operation of Olympia in recent weeks.

1.2 The briefing note updates for the following items:-

- Flume pipework and supports
- Dive platform operation
- Dosing system operation
- Contract snagging and defects

**2.0 Works to Flume Pipework and Supports**

2.1 The summary of works has progressed as follows:-

- Fractured flume supply pipe repaired and tested - complete
- Uni-strut supports to flume deck overhauled, completed and inspected - complete
- Remaining restricted access high-level nylon rods over flume deck removed/replaced - complete

Planned Preventative Works

- Replacement of acrylic screw bolt fixings lighting tracks cable trays – complete.

**3.0 Diving Pool Platform Operation**

3.1 Although the current platform installation complies with World Aquatics/FINA guidance, combined with the extent of additional railing over and above the guidance, Environment Health Officers (EHO) advice based on the nature of the incidents and public use have instructed further physical barriers are installed for the 3m and 5m boards.

Officers have developed a design for additional barriers to be installed at the relevant areas of the diving platform structure. This design has been accepted by the council EHO and works have been instructed. The programme for this work is currently being finalised with around a 5 week lead-in period and subsequent two shift operation out with operational hours for the site installation. Based on these time constraints the projected date for completion will be week commencing 22 April.

Arrangements are being explored by L&CD and support from Corporate H&S to examine the possibility of opening with temporary arrangements in place.

3.2 L&CD have reviewed their operational management of the dive pool and will implement appropriate risk assessed procedures. Appropriate further training will be provided to life guard staff to ensure safe working practices are in place for the dive pool operations.

**4.0 Dosing System**

4.1 L&CD have monitored and recorded daily chemical use and top ups. Data has been fed back to the specialist pool consultant and contractor to review and assess overall dosing performance moving through this transitional stage.

- 4.2 As intimated previously a meeting was arranged and held on 14 March with the principal leads from the following parties:-

- Devin Pool Consulting
- Barr & Wray Ltd
- Robertson Construction
- L&CD
- DCC

The meeting covered all aspects of the current closure in relation to the dosing and pool chemical process. Critically Devin Consulting had been carrying out ongoing research based on the data recorded by L&CD staff as well as visiting the site for a general site survey, plant inspection and discussion with the L&CD plant operators prior to the meeting.

#### 4.3 Update on Planned Efficiency & Operational Measures

Break tank installation – programmed for week commencing 1 April.

Bulk Acid Tank installation programme tba – 6-8 week lead in time.

Sample pumps to controls – costs and programme awaited.

##### Note:-

- 1) Confirmation provided that none of the above measures are required to be in place for the opening and functioning of the dosing system.
- 2) Confirmation provided that for the above works to take place will not require a closure of the pool during operation hours.

#### 4.4 Chemical Dosing – Use of Sodium Bicarbonate

The use of calcium hypochlorite tends to raise the pH of swimming pool water. Hydrochloric acid is required to lower the pH value to what is best for effective disinfection in the range of 7.2-7.4 pH.

A further chemical, sodium bicarbonate is regularly used in the management of pool water quality.

Sodium bicarbonate is added to pool water to:-

- assist the effectiveness of the other pool chemicals calcium hypochlorite and hydrochloric acid
- stabilise pH levels avoiding too acidic or alkaline water quality
- assist with water clarity

Devin have now requested that L&CD reduce the use of their sodium bicarbonate quantities as this may be affecting the performance of the chlorine and acid dosing of the pool system.

Essentially the alkalinity of the water is drawing in the use of more chlorine and acid than anticipated to maintain pool monitoring readings within the required parameters.

Current quantities of sodium bicarbonate while based on previous L&CD practices, are significantly above target guidance. L&CD have been instructed to revise maximum alkalinity target to 60 (circa 50% lower than current practice)

Aligned to this is the method and frequency of adding the sodium bicarbonate to the pools. This requires to be slowed down and spread out over a timetabled period, distributed evenly around the pools to avoid shock dosing of the pool leading to chemical instability and fluctuating readings.

The results from this change have indicated that the pool system performance is now trending towards more stable performance and should lead to tolerance levels expected to be operating within. Devin will continue to monitor the data provided to reinforce their initial findings from this weeks data.

It was emphasised at the meeting to all parties involved with the project that DCC require the appropriate level of confidence in the systems performance combined with adjustments to L&CD operational procedures to determine when the pools can be reopened.

#### 4.5 Dosing Controllers

Dosing Controller data variations - supplier to visit site and review.

L&CD manual testing of water procedures to be reviewed.

#### 4.6 Preparation for Re-opening

Further commissioning, demonstrations and training for chemical dosing and associated equipment were also discussed and will be developed and implemented prior to re-opening. This is to ensure all L&CD staff are fully briefed on operating procedures and when deviation from standard practice is required to maintain system balance.

Reactive attendance and on-call requirement – availability from contractor and consultant ongoing through the duration of the current alterations and as the facility reopens is being discussed.

#### Communications

- 4.7 LACD and the Council are currently working on a communication strategy at this time, taking consideration of the up and coming school holiday period. Assessing the current position as it stands, an opening date has still to be established.

### 5.0 **Contract Works – Defects Liability Period**

Contract snagging and defect works will be picked up and remedied throughout and at the end of the 12 months defect liability period. Works will be programmed to avoid operational hours or programmed for future planned closures later in the year as appropriate.

- i) A defect has occurred in relation to the flume deck floor covering where a split has occurred in the membrane. The rectification of this requires a week closure to carry out the work and allow curing time. The council and Robertson are currently exerting pressure on the flooring contractor for a locked in date for this work to take place.
- ii) A previously identified leak at the base of the blue flume catch pit will be carried out within the same closure period for the flume deck floor repair.

### 6.0 **Additional Work Costs**

Due to the reactive nature of the works contained in this report, the costs for each element are still to be fully ascertained. Based on the opinions from procurement and legal services still being considered in addition to the main contractor's report, the council will evaluate all factors to ensure that only costs are reimbursed for additional works out with the scope of the refurbishment contract. Where works have or are to be carried out as part of the contractual defects liability period, officers will ensure the appropriate deductions are made to the relevant parties.

Neil Martin  
Head of Design & Property

Date: 17 March 2024

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**OLYMPIA REFURBISHMENT - MEMBERS BRIEFING NOTE THREE (CONFIDENTIAL)****1.0 Introduction**

1.1 This briefing note has been prepared to further update councillors regards the current issues that have affected the opening and operation of Olympia in recent weeks.

1.2 The briefing note updates for the following items:-

- Flume pipework and supports
- Flume deck cover and catch pit repair
- Dive platform operation
- Dosing system operation

**2.0 Works to Flume Pipework and Supports**

2.1 As previously reported the works are now fully completed.

**3.0 Flume Deck Floor Covering & Catch Pit**

3.1 A defect has occurred in relation to the flume deck floor covering where a split has occurred in the membrane. The rectification of this requires a week closure to carry out the work and allow curing time. The programme for this work is planned for week commencing 8 April.

3.2 A previously identified leak at the base of the blue flume catch pit will be carried out within the same closure period for the flume deck floor repair.

**4.0 Diving Pool Platform Operation**

4.1 Officers have developed a design for additional barriers to be installed at the relevant areas of the diving platform structure. The detailed design has been developed with final queries signed off by council officers. The programme for this work is currently being finalised (due to the Easter holidays) with around a 5 week lead-in period and subsequent two shift operation out with operational hours for the site installation. Based on these time constraints the projected date for completion will likely now change from week commencing 22 April to w/c 29 April.

Arrangements have been explored by L&CD and the decision to wait for the permanent works being installed before reopening the 3m and 5m platforms has been made.

**5.0 Dosing System**

5.1 L&CD continue to monitor and record daily chemical use. Data has been fed back to the specialist pool consultant and contractor to review and assess overall dosing performance moving through this transitional stage.

5.2 Detailed information on all chemical quantities used is being fed back to the pool consultant to assess overall efficiency and performance.

**5.3 Update on Planned Efficiency & Operational Measures**

Break tank installation – works currently on site, final connection, nightshift Thursday 11 April.  
Bulk Acid Tank installation programme tba – 6-8 week lead in time – L&CD pursuing Brenntag for sign off the design proposals  
Sample pumps to controls – cost submitted - programme awaited from Barr & Wray

**Note:-**

- 1) Confirmation provided that none of the above measures are required to be in place for the opening and functioning of the dosing system

- 2) Confirmation provided that for the above works to take place will not require a closure of the pool during operation hours

#### 5.4 Chemical Readings

As reported previously the results from measures taken continue to indicate that the pool system performance is stable as verified by the pool consultant. Devin continue to monitor the data provided reinforcing their findings.

Since last reported the readings have continued to stabilise and provide evidence and assurance that the measures implemented have had the predicted improvement in chemical balance for all pools.

#### 5.5 Dosing Controllers

Dosing Controller data variations – video conference call arranged for 8 April to review live operational procedures.

#### 5.6 Poolside Cleaning

To ensure that the first point of protection against corrosion is as robust as possible, the council are

developing a cleaning protocol for L&CD to adopt. Audit checks will be carried out by the council to ensure cleaning is implemented to the required levels.

#### 5.7 Preparation for reopening

Commissioning, demonstrations and training for chemical dosing and associated equipment are being developed and implemented prior to re-opening. The Council are arranging for an external specialist in pool systems to provide further training for L&CD staff with appropriate courses. This is to ensure all L&CD staff are fully briefed on operating procedures and day to day plant management in line with Pool Water Treatment Advisor Group (PWTAG) guidance.

#### Next Steps

- 5.8
- Continued monitoring of the pool system and chemical levels
  - Meeting to be arranged with Dundee City Council and LACD to discuss information from the pool consultant, this will be scheduled for w/c 15<sup>th</sup> April
  - Consider potential opening dates and the approach for opening.
  - Communication strategy for engaging with elected members, staff and public

Neil Martin  
Head of Design & Property

Date: 10 April 2024

**CONFIDENTIAL****OLYMPIA REFURBISHMENT - MEMBERS BRIEFING NOTE FOUR FOR W/C 15 APRIL****1.0 Introduction**

1.1 This briefing note has been prepared to further update councillors regards the current issues that have affected the opening and operation of Olympia in recent weeks.

1.2 The briefing note updates for the following items:-

- Flume pipework and supports
- Flume deck cover and catch pit repair
- Dive platform operation
- Dosing system operation

**2.0 Works to Flume Pipework and Supports**

2.1 The works are now fully completed.

**3.0 Flume Deck Floor Covering & Catch Pit**

3.1 This work has been carried out as programmed last week.

3.2 The leak at the base of the flume catch pit has been repaired. The testing of this will happen once fully operation. If further work is required this will be programmed at a suitable time to avoid operational disruption.

**4.0 Diving Pool Platform Operation**

4.1 The programme for this work is now finalised with material programmed for arriving w/c 22<sup>nd</sup> April. Fabrication in the contractor yard will be during that week. The following week work will take place on site with two night shifts for installation, with the work being completed at the latest by Friday 4th May. The 3m and 5m platform will then be available for use.

**5.0 Dosing System**

5.1 L&CD continue to monitor and record daily chemical use. Data has been fed back to the specialist pool consultant to review and assess overall dosing performance.

5.2 Detailed information on chemical quantities used is being fed back to the pool consultant to assess overall efficiency and performance.

**5.3 Chemical Readings**

As reported previously the results from measures taken in recent weeks continue to indicate that the pool system performance is stable as verified by the pool consultant. Devin continue to monitor the data provided reinforcing their findings.

Since last reported the readings have continued to stabilise and provide evidence and assurance that the measures implemented have had the predicted improvement in chemical balance for all pools.

Systems are displaying a stable pH value and maintaining the required free chlorine levels, indicating that the systems are providing a water quality in accordance with Pool Water Treatment Advisory Group (PWTAG) guidelines.

The data is also now demonstrating the reduction in acid use.

#### 5.4 Update on Planned Efficiency & Operational Measures

Break tank installation – works complete. Commissioning 16/17 April, operational by end of this week.

Bulk Acid Tank installation programme tba – 6-8 week lead in time – Details being finalised with the design prior to issuing instruction for programming and installation.

Sample pumps to controls – programme date awaited from Barr & Wray for installation.

#### 5.5 Dosing Controllers

Dosing Controller data variations – video conference call took place on 8 April to review live operational procedures.

Feedback - discrepancies between the manual pool test readings and controller readings on occur on occasion. Findings from the video call assessment confirmed that the controllers are working correctly.

The site staff require to test and calibrate first thing daily to ensure the controllers are correct throughout the day, every manual pool test should be checked against the controllers and any difference will require controller adjustment. The controllers require a couple of weeks of progressively calibrating to bring the figures within scope to mirror the manual readings.

#### 5.6 Poolside Cleaning

To ensure that the first point of protection against corrosion is as robust as possible, the council are developing a cleaning protocol for L&CD to adopt. Audit checks will be carried out by the council to ensure cleaning is implemented to the required levels.

#### 5.7 Preparation for reopening

Commissioning, demonstrations and training for chemical dosing and associated equipment are being developed and implemented prior to re-opening. The Council are arranging for an external specialist in pool systems to provide further training for L&CD staff with appropriate courses. This is to ensure all L&CD staff are fully briefed on operating procedures and day to day plant management in line with Pool Water Treatment Advisor Group (PWTAG) guidance.

#### Communications

#### 5.8 LACD and the Council are currently working on a communication strategy at this time, assessing the current position as it stands. An opening date is now being proposed for early May.

Neil Martin  
Head of Design & Property

Date 17 April 2024



**Estimated Costs**

Flume pipework repair and associated supports	£10,200
Flume deck floor covering (contract work)	£ nil
Catch pit repair	£4,500
Planned high level support inspection and replacement	£9,700
Dive platform barriers	£10,100
Dosing system operations	£5,500
Beak tank design & installation	£24,000
Bulk acid tank design & installation	£9,400
Sample pumps for controllers	£7,000
Devin Consultancy Fees	<u>£5,500</u>
<b>Total</b>	<b><u>£85,900</u></b>

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## Alterations to Dive Board Barriers – Briefing Note

### **BACKGROUND –**

The design and installation of Dive Boards is regulated under the international standards controlled by and published by the international governing body for aquatics – FINA, now World Aquatics. Its vision is focussed on aquatics for sport, health and life.

At the time of construction, the Regulations in force for the Dive Boards were the FINA Facilities Regulations FR5 rev 2010, the regulations in respect of barriers for dive platforms stated –

*FR 5.2.7 The back and sides of each platform (except a 1.0 metre platform) shall be surrounded by handrails with a minimum clearance of 1.8 metres between pairs. The minimum height shall be 1.0 metre and they shall be with at least two crossbars placed outside the platform beginning 0.8 metre from the front edge of the platform.*

The 2020 Revision states –

*FR 5.2.8 The back and sides of each platform (except 1.0 metre or lower platforms) shall be surrounded by handrails up to 1m from the edge of the platform with a minimum clearance of 1.0 metres between vertical pairs. The minimum height shall be 1.0 metre and they shall be with at least two horizontal crossbars placed outside the platform beginning 1.0 metre from the front edge of the platform.*

*A solid transparent barrier is also permitted instead of a crossbar.*

Built examples using a solid transparent barrier are exceptionally rare.

### **PRIOR DISCUSSION**

Within the original design the briefing by LACD management at that time was based on their existing practice with their boards at the old Olympia, which used ladders for access and queuing was on poolside. For the new pool stairs were adopted as a preferred safer means to access the boards and gates would be included at the bottom of each flight to control access with queuing continuing on poolside.

This operational practice however was not used when the centre opened and users, casual swimmers and Dive Clubs were permitted to queue on the Dive Structure.

At the time of the original handover there was a courtesy visit, pre-opening for Scottish Swimming including representatives from the Midlands District Swim Committee (under whose auspices the local diving competitions are run). No issues were raised with the design of the dive boards as they were along the same standard lines as all other installations. There is some later email correspondence with them but it was all about integrating their scoring system with the score board, nothing about the barriers.

Following falls from Diving Boards there was discussion with the Property Section regarding potential solutions, including infilling the Dive Barriers and adding a toe board or bottom rail. At that time the 2010 Regulations were still in force and this would have been non-compliant. In addition, the discussion included the counter argument that the addition of rail or board at low level would have introduced an entrapment risk for a foot or ankle because in accordance with the regulations the barriers are mounted on the outer edge of the platforms. ASD were only peripheral to these discussions but it is understood that it was concluded that on the balance of risk and probability this was an undesirable solution.

Earliest contact on this matter on record for Architectural Services is an email from Property to the City Architect dated 15.06.18 regarding the ongoing contractual matters with Balfour Beatty which also mentions the falls and the fact that the solution was under review due to the site's mixed use.

It is understood that DCC Property Section contacted FINA with regards to being advised on suitable compliant solutions.

It was noted that in 2020 the wording of the FINA regulations was amended to include an option for glazed barriers.

## **TIMELINE OF CURRENT PROJECT**

In 2020 the Olympia Refurbishment project came into being and there was an initial briefing and transfer of information to initiate the project from Property to Architectural Services which included work they had been doing on glazed barriers. Work was undertaken to find a technical solution through the supply chain that could adapt or replace the barriers in a manner that complied with the revised standard and came with the appropriate structural testing and certification. As an adaptation to an existing facility the revisions also had to be compatible with the existing fixings and platform edge. The platforms are a specialist structure subject to stringent performance standards as well as specific structural criteria and had originally been design by a specialist in this area. Associated with these considerations was also the issue with the condition of the barriers with respect to surface spotting with corrosion.

The developed proposals therefore took the form of complete replacement with a proprietary glazed barrier system fitted to a specially adapted fixing to suit the existing installation.

LACD site staff first raised concern about this solution with Architectural Services on 26<sup>th</sup> Jan 2022. This conversation was primarily precipitated by a need to chat through the details of the scheme that was being worked on and which was still the solid balustrading option as there were some construction and technical questions to sort out. They raised what was seen as a couple of valid concerns, one is that that a glazed barrier at the dive boards would be difficult to clean whichever position it was in. The other is that there are really very few if any known examples of glazed dive board barriers and that they recognised that this was really a management and supervision matter, which could be helped if there is a design intervention that can be used. The lack of UK or international precedent made the glazed barriers difficult to support.

An objective overview is that the dive structure in its as-built state was fully compliant with FINA regulations. The accidents happened because of the operator's operating practice of allowing queueing on the structure, and in particular Dive classes which gather and are grouped on the 3m landing.

The design evolved based on the following briefing – the barriers needed to be FINA compliant in the area of the platforms used for diving and was cleanable from the platform, was not climbable or could be sat on in the area where the queueing occurred. The hybrid solution adopted was seen as the best balance of minimising the operational risk in the area where behaviours considered to be at risk occurred and compliant with the required regulations outside these areas.

This matter was also updated and reported in this manner at the time of the Scrutiny Committee. In March 2022.

The technical solution in response to the revised briefing was prepared and submitted for approval to LACD management in April 2022. This was approved with one revision, they asked to have the area under the second flight of stairs to also be done in the same fashion as it was reported at that time that one of the falls had occurred in this area.

The amended drawing was then issued for construction to the contractor in May 2022.

## **CONCLUSION**

The Dive Barriers now in place are a highly unusual if not unique solution to the design of dive structure barriers, based on site-specific operating practices. Research shows consistently that throughout the UK and globally there is very little variation in dive barrier design the format following broadly the same format everywhere. Take up of the glazed barrier option now permitted by World Aquatics is still exceptionally unusual probably because of the lack of a safe means of cleaning them at height and over water, most countries having in place regulations similar to our CDM Regulations.

## **RECOMMENDATION**

Given the hybrid nature of the facility and the need to comply with Diving and CDM Regulations it is recommended that LACD review their operational practices with regards to access and queueing at the Dive Boards to provide a safe operational environment that addresses the previous issues to the satisfaction of the EHO.

**ITEM No ...7.....**

**REPORT TO:** CITY DEVELOPMENT COMMITTEE – 6 DECEMBER 2021

**REPORT ON:** OLYMPIA MAINTENANCE PROGRAMME

**REPORT BY:** EXECUTIVE DIRECTOR OF CITY DEVELOPMENT

**REPORT NO:** 336-2021

## **1 PURPOSE OF REPORT**

- 1.1 This report provides an update for members regarding the current closure at Olympia, likely timetable for reopening and planned maintenance works programme for the facility.

## **2 RECOMMENDATION**

- 2.1 It is recommended that the Committee:
- a notes the works undertaken to date to carry out reactive maintenance as detailed within the report;
  - b notes that a planned major refurbishment for the leisure pool is currently being finalised which will necessitate a longer-term closure of the pool facilities at Olympia; and
  - c remits the Executive Director of City Development to submit a tender report to City Development Committee for approval at the earliest possible date.

## **3 FINANCIAL IMPLICATIONS**

- 3.1 Short term reactive maintenance to address current Health and Safety issues within the facility have been carried out at a cost of £49,000 which has been met from the Revenue Budget 2021/2022 for Property Maintenance.
- 3.2 The works programme as set out in the report is anticipated to cost in the region of £3.5m - 4.5m inclusive of fees and contingency. The final sum will be reported at tender stage and may vary as some elements of work are still being scoped, and other maintenance items may be identified as scoping and work on site progresses.
- 3.3 Funding for these works will be met through a combination of borrowing and unapplied capital receipts, details will be included within the forthcoming tender report.
- 3.4 Details of the revenue implications, taking account of the schedule of works and projected impact on income and costs, will be incorporated into the forthcoming tender report.

## **4 BACKGROUND**

### **4.1 Recent Olympia Closure - Reactive Maintenance**

- a A health and safety risk issue was identified at Olympia on 29 September 2021 due to a failure of fixings associated with the light fitting mountings in the pool area. Although secondary fittings ensured that the lighting fittings did not become detached, as a precautionary measure the decision was therefore taken by Officers to close pool facilities.
- b Council Officers instigated inspections and under the Health & Safety contract instructed immediate rectification works to replace the light fixings with the plan to allow the facilities to be reopened, minimising the disruption for the public. The Contractor commenced rectification works on 18 October 2021, with a hoist and specialist lift utilised to reach readily accessible areas around and over the main pool.

- c During this period of closure further inspection works were carried out in other areas of the facilities. As a consequence of a failure being identified with two curtain wall bolt fixings it is prudent to assess the other similar fixings. Since this inspection requires removal and re-assembly of each bolt these will be replaced to ensure the required standard of performance.
- d Based on the findings, the Council have instigated additional survey works comprising technical advice from City Development Officers and engaging with specialist services and pool consultants to assess the overall facility. Once all survey works have been completed and fully assessed, any further works identified will be scoped, designed and incorporated into the works programme outlined below.
- e Due to the ongoing nature of the investigation and surveys the pool facilities will remain closed until all refurbishment works have been completed.

#### 4.2 Refurbishment Works Programme

- a Prior to the light fixing issue occurring, Council Officers had been developing a programme of works to address building fabric issues that have developed during the operational life of Olympia. As an intensively operated facility with complex mechanical and electrical installations, a cyclical approach to component refurbishment and replacement is required, and this necessitates periods of closure to upgrade and replace. The refurbishment works are essentially in relation to surface and superficial corrosion, general refurbishment and upgrading and rectification of water egress within ancillary plant areas.
- b Through discussions with the Council's Specialist Mechanical, Electrical and Structural Engineers and the Director of Leisure and Culture Dundee, it is now recommended that the facility should remain closed until all works are complete on site. These works will include the originally scoped refurbishment programme and take account of all survey work outlined in Section 4.1d. The projected start on site for the works is in the first quarter of 2022.
- c Although the building works are not structural in nature, the requirement to remove, replace and reinstall key public facing equipment, including the flume structure, will require a significant closure.
- d A detailed method for sequencing and phasing the works is currently being developed. The main item within the project relates to the flume deck and refurbishment of the structure and flooring, treating the superficial surface corrosion and applying new protection to each component. This element of work requires a sequenced approach to allow scaffold erection for dismantling the entire structure on a component by component basis. Elements require to be removed off site to allow for refurbishment work and treatment to be carried out, prior to returning to site for the installation process. The complexity and sequential nature of this particular task influences the overall construction programme.
- e The duration for the programme of works is also currently being finalised, however, based on the work content, lead in times for material, plant components and specialist sub-contractors, this is estimated to be around 45 weeks from a start on site.
- f The final contract programme will be approved as part of the tender acceptance, and the Director of Leisure and Culture Dundee will be consulted on the optimum time for the various works to be carried out.

#### 4.3 Procurement and Delivery

- a Using the Places for People procurement hub framework, Robertson Construction Tayside, as the Scotland national sub-contractor for Wilmott Dixon, will procure sub-contract packages to undertake the works. A full tender price will be submitted by the contractor using open book tendering for all work packages, with contractually fixed management fees, overheads and profit for the lead contractor.

- b Community Wealth building is an important part of the Council's procurement approach. Dundee City Council's Community Benefits through Procurement Policy seeks to maximise economic and social benefits from Council procurement within the current legal framework through the inclusion of Community Benefits on all applicable contracts. As part of the main contract for Olympia Refurbishment Work, Dundee City Council's Community Benefits Officer will continually monitor the local spend.

#### 4.4 Life Cycle Replacement, Operational Maintenance and Cleaning

- a The Olympia has long operational hours and high usage within an intensive internal environment and therefore will always require periodic component replacement and regular planned maintenance. As part of this project a review of the operational management will be developed to assist with the protection and longevity of the Olympia. A specialist pool consultant will be appointed to assist and support this exercise.
- b It should be recognised and acknowledged that future works, to varying degrees, will be required on a periodic basis throughout the operational life of this building. Identifying the frequency of planned maintenance and scheduling the requirements going forward will allow Leisure and Culture Dundee and Dundee City Council to prepare for periodic shutdowns throughout the continued life of the Olympia complex.

### 5 **POLICY IMPLICATIONS**

- 5.1 This report has been subject to an assessment of any impacts on Equality and Diversity, Fairness and Poverty, Environment and Corporate Risk. There are no major issues.

### 6 **CONSULTATIONS**

- 6.1 The Council Management Team and the Director of Leisure and Culture have been consulted in the preparation of this report and are in agreement with its content.

### 7 **BACKGROUND PAPERS**

- 7.1 None.

Neil Martin  
Head of Design and Property

Author: Neil Martin

Robin Presswood  
Executive Director of City Development

Dundee City Council  
Dundee House  
Dundee

NM/KM

25 November 2021

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Title:	<b>OPERATIONAL ISSUES UPDATE – POOL WATER TREATMENT SYSTEMS</b>		
Project:	Olympia Leisure Centre	Project No.:	672
Date:	28.01.25	Page:	1 of 4

Data review period: 16<sup>th</sup> March 2024 – 12<sup>th</sup> December 2024, including findings from site visit undertaken on 21<sup>st</sup> January 2025.

In summary, systems are displaying a relatively stable pH value and maintaining the required free chlorine levels, indicators that the systems are providing a water quality in accordance with PWTAG guidelines.

## 1.0 pH set point

### Issue

- In the Covid-19 pandemic, PWTAG recommended that pH was reduced to between 7.0 and 7.2. This has proved difficult for some pools such as Olympia where incoming mains water has a low hardness and alkalinity content, and large amounts of acid are being used.

### Actions undertaken

- pH set point adjusted to between 7.2 and 7.4 (circa mid-March 2024).
- Further adjustment to pH set point to between 7.5 and 7.6 (circa early-November 2024) with the aim to further reduce acid consumption.

### Improvements

- Records indicate a stable pH value is being maintained in all pools.
- The effect on acid usage resulting from adjusting the pH set point to between 7.5 and 7.6 is inconclusive from the data range reviewed due to a period of pool closure for maintenance shortly after adjusting the pH set point.

### Further actions

- The adjusted pH range may be maintained to determine the effectiveness of a higher pH set point regarding acid usage. However, it should be noted that chlorine-based disinfectants are most effective at the lower end of the allowable range. Therefore, a balance between acid usage and effective disinfection should be considered when adjusting the pH set point.

## 2.0 Sodium bicarbonate dosing

### Issue

- Very large amounts of sodium bicarbonate were being added to pools; alkalinity levels fluctuated wildly, and regularly in excess of 150 mg/l. This would have led to a lot of acid being used, which in turn knocks the alkali out (causing the system to ‘chase its tail’).

### Actions undertaken

- Alkalinity target level adjusted to 60 (March 2024).
- Site advised to dose sodium bicarbonate in smaller and frequent quantities. Site operatives have adopted this approach, utilising the dosing pots in the plantroom to dose the sodium bicarbonate.

### Improvements

- Smaller quantities of sodium bicarbonate are being used.

Title:	<b>OPERATIONAL ISSUES UPDATE – POOL WATER TREATMENT SYSTEMS</b>		
Project:	Olympia Leisure Centre	Project No.:	672
Date:	28.01.25	Page:	2 of 4

- Records indicate a stable pH value, and lower alkalinity is being maintained in all pools. However, frequent peaks in alkalinity of between 80-100 are evident above the target level. Site operatives identified challenges in maintaining the target level when manually dosing the sodium bicarbonate, frequently overshooting the alkalinity target in the pools. This may be causing an increase in acid usage.

#### Further actions

- Dosing of sodium bicarbonate from day tanks with dosing pumps would be beneficial.
- Revisit dosing approach to aim for a target level of 60.

### 3.0 UV systems

#### Issue

- UV dosing values were excessive (100-300mJ/cm<sup>2</sup>) causing increased chemicals usage.

#### Actions undertaken

- UV dosing levels have been reduced for all pools. Levels initially adjusted mid-April, indicating levels typically between 65 – 100; levels since mid-May are generally between 60 – 70, more closely aligned with the target of 60mJ/cm<sup>2</sup>. It should be noted that the excess dosing of UV would have resulted in higher chlorine usage and hence higher acid usage.

#### Improvements

- Records indicate a reduction in chemical usage which appears to correlate with the adjustments to UV dosing levels.

#### Further actions

- If no bathers, the UV units may be switched off to reduce chemical usage.

### 4.0 Bayrol chemical controllers and manual water testing

#### Issue

- Operators advised discrepancies between manual and controller readings.

#### Actions undertaken

- Site operators have recalibrated chemical controllers to align with manual probe readings.
- Bayrol technician has undertaken a remote review of the chemical controllers via telecon with Olympia staff (April 2024). The technician believes the controllers are working correctly.

#### Improvements

- Records indicate controllers are maintaining pH and free chlorine set points; there are some fluctuations, but it appears these are being managed.
- Site operatives identified they feel more proficient with operating the new chemical controllers.

#### Further actions

- Regarding any recalibration, this should be in accordance with manufacturers guidelines.

Title:	<b>OPERATIONAL ISSUES UPDATE – POOL WATER TREATMENT SYSTEMS</b>		
Project:	Olympia Leisure Centre	Project No.:	672
Date:	28.01.25	Page:	3 of 4

- Site operatives to review current water testing regime. Information can be referred to within the PWTAG guide.
- Further training could be provided (see below).

## 5.0 Further training

### Issue

- The complexities of the systems warrant additional training for site operatives.

### Actions undertaken

- None.

### Improvements

- Nothing to report.

### Further actions

- Training is provided by a recognised trainer, with Devin in attendance.
- In the longer term, implement a PWTAG recommended frequency for refresher training.

## 6.0 Calcium hypochlorite dosing

### Issue

- Insufficient supply water available from existing break tank.
- Length of dosing lines are at the maximum recommended.
- Review of JAK installation by manufacturer identified snagging issues (March 2024).
- Frequent clogging of chemical dosing lines since completion of refurbishment works (reported 1-2 times a week).

### Actions undertaken

- New break tank installed and operational (April 2024).
- Co-ordination of other water demands from break tank with demands of the JAK units.
- Site operatives flushing dosing lines weekly, and as required to prevent blockages.
- Site operatives changed from Melchlorite to HTH® for calcium hypochlorite supply (circa Sept. – Nov. 2024).

### Improvements

- The records indicate that the JAK units are operating satisfactorily.
- No issues of clogged dosing lines experienced since changing to HTH® supply.

### Further actions

- Attend to snagging and fitting issues identified in JAK report (including rotating units 180° to allow for effective maintenance access). Obtain confirmation from JAK that these have been closed out satisfactorily.
- Installing boosted loops to chemical stores for all pool systems to reduce dosing lines.

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Title: **OPERATIONAL ISSUES UPDATE – POOL WATER TREATMENT SYSTEMS**

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Project: Olympia Leisure Centre

Project No.: 672

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Date: 28.01.25

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## 7.0 Hydrochloric acid dosing

### Issue

- It is understood the amount of acid being used at Practical Completion (before the current revised operation) was similar to use prior to the refurbishment. The volume of chemical delivered is larger because it is a low strength acid.
- As of January 2025, site operative advised 1000 litres of acid is being delivered approximately every 10 days (approx. 3000 litres per month).

### Actions undertaken

- Refinements to the sodium bicarbonate dosing methodology.
- Supply and installation of additional bulk tank. Total maximum storage capacity is circa 3250 litres (considering capacity of bulk tanks and day tanks).
- Adjustments to UV dosing levels.

### Improvements

- The actions undertaken since March 2024 is indicating a significant reduction in acid usage (circa 30-40% reduction).

### Further actions

- Improvements anticipated resulting from actions identified in other sections above.

End of report.

## LEISURE & CULTURE DUNDEE HEALTH & SAFETY AND PROPERTY COMMITTEE

A meeting of the Committee was held on 9 December 2022.

Present: Will Dawson, Trustee, Vice-Chair (Chair of Health & Safety and Property)  
Paul Henehan, Head of Support Services

[REDACTED]  
[REDACTED]  
[REDACTED]  
Judy Dobbie, Managing Director  
[REDACTED]

In Attendance:

[REDACTED]

Apologies:

[REDACTED]  
[REDACTED]  
[REDACTED]

### 1 WELCOME AND APOLOGIES AND DECLARATION OF INTERESTS

The Chair welcomed everyone and there were no declaration of interests.

### 2 MINUTE OF MEETING HELD ON 20 OCTOBER 2022

The Minute of the previous meeting was approved.

### 3 MATTERS ARISING

3.1 [REDACTED] - [REDACTED] - [REDACTED]

[REDACTED]  
[REDACTED]

3.2 [REDACTED]

[REDACTED]

3.3 [REDACTED] - [REDACTED]

[REDACTED]  
[REDACTED]

3.4

[REDACTED]

[REDACTED]

3.5

[REDACTED] - [REDACTED]

[REDACTED]

3.6

[REDACTED] - [REDACTED]

[REDACTED]

[REDACTED]

4

[REDACTED]

[REDACTED]

[REDACTED]

## 5 OLYMPIA REMEDIAL WORKS - UPDATE

Paul confirmed that a progress meeting was to be held the following week. One issue that had been noted by the contractors was water in the hollow balustrades of the spiral staircase and how it got there. Sealing the balustrades will form part of the work on the staircase. There was also a rapid river water leak since the pool had been drained, but there was no immediate concern.

The Chair advised that there was a door smashed beside the Council car park. [REDACTED] to look into this.

6	
6.1	
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7	
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8.2	
8.3	
9	

10

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

11 AOCB

11.1

[REDACTED]

[REDACTED]

11.2

[REDACTED]

[REDACTED]



11.3 



## 12 DATES OF FUTURE MEETINGS

Thursday 9 February 2023  
Thursday 13 April 2023  
Thursday 8 June 2023  
Thursday 10 August 2023  
Thursday 12 October 2023  
Thursday 7 December 2023



Leisure and Culture Dundee  
1 Shore Terrace  
Dundee  
DD1 3AH

Mr Tom Stirling - Head of Community Safety & Protection

Neighbourhood Services  
3 City Square  
Dundee  
DD1 3BA

If calling please ask for: [REDACTED]

Tel: 01382 [REDACTED]

Email: [REDACTED]

Our Ref: [REDACTED]

Your Ref: [REDACTED]

Date: 2<sup>nd</sup> May 2017

Dear [REDACTED]

**Legislation:** The Health and Safety at Work etc. Act 1974 and associated regulations  
Reporting of Injuries Diseases and Dangerous Occurrences Regulations 2013  
HSG 179 - 'Managing health and safety in swimming pools'

**Premises:** Olympia, 3E Whale Lane, Dundee, DD1 3JU

**Accident to :** [REDACTED] on 13<sup>th</sup> April 2017

[REDACTED] on 26<sup>th</sup> June 2016

I refer to the accident report received, via the RIDDOR website, on the 18<sup>th</sup> April 2017. This was in connection with the incident on the 13<sup>th</sup> April 2017, resulting in injury to [REDACTED] a member of the public.

The injured person (IP), a seven year old child, slipped through the 3 metre dive platform railings onto the padded platform supports below before landing on the poolside, resulting in him sustaining a head injury; he was then taken directly to hospital.

I then visited the premises on 18<sup>th</sup> April 2017, with my colleague, [REDACTED] to investigate the incident further and met with [REDACTED]

We discussed the incident and viewed the area on platform where it is believed the IP slipped and fell through to the poolside below. It was believed that the IP has gone onto the 3m dive board with the intention of jumping into the water but changed his mind and stepped off the dive board to make his way along the dive platform to the steps which led back down to the poolside. However the IP slipped and fell through the gap between the lower rail of the guard rail and the floor of the dive platform.

We also discussed a similar incident which occurred in 2016 when an eight year old child also slipped through the railings at the designated waiting area at the 3m platform. See the attached letter dated 20<sup>th</sup> September 2016 sent regarding this incident.

If you have trouble understanding English please contact the address below

اگر آپ کو انگریزی سمجھنے میں مشکل پیش آتی ہے تو براہ کرم میری نیچے درج پتہ پر رابطہ کریں:

સેવાગ્રહકાર: ડિજિટલ સમાજ: વિશ્વ ગ્રામીણી ગુણી છે કે જિલ્લા ગરબે માટે તમારો પોતા સિને પોટે એ સેવાગ્રહકાર.

Jeżeli masz trudności w zrozumieniu języka angielskiego, skontaktuj się na poniżej podany adres:

如果你對英語理解有困難，請聯絡以下地址:

Dundee Translation & Interpretation Service, Mitchell Street Centre, Mitchell Street, Dundee DD2 2JJ.  
Tel: 01382 425025 Fax: 01382 425016

For information about Dundee City Council visit our website - [www.dundee.gov.uk](http://www.dundee.gov.uk)

c:\users\jacqueline.petrie\appdata\local\microsoft\windows\inetcache\content.outlook\31959f2acc07-17-020517x.docx



Following the first incident, **temporary** guarding was put in place on some sections on the 3m and 5m dive platforms to help reduce the risk of a person slipping and falling through the gaps under the bottom railings. However, this was with the understanding that permanent measures would be taken thereafter to reduce the gaps between the bottom rails and the platform floors.

To date no permanent alterations have been made to reduce the aforementioned gaps.

It was not known why the permanent works have not been carried out to reduce the aforementioned gaps even though a quotation for the work had been sought and provided by Metaltech UK in November 2016. **Had the works been carried out at that time then the second incident would have been avoided.**

I indicated during my initial visit that the 3m and 5m diving boards be kept closed until suitable temporary measures could be put in place to reduce any remaining exposed gaps between the lower rails and the dive platform floors along the length of the railings on both platforms.

I also requested that we be told how quickly a permanent fix could be carried out to close the gap between the dive 3m and 5m platform floors and the bottom rails of the barriers.

The dive platforms were then closed until Wednesday 26<sup>th</sup> April 2017 when I was notified by [REDACTED] that the additional temporary barrier had been put in place. I revisited the premises that afternoon and confirmed after viewing the temporary barrier that the dive platforms could reopen.

**Steps must now be taken as quickly as possible to permanently reduce the gaps between the bottom rails and the platform floors so as to prevent anyone falling through the gap.**

**Please provide us with an update within one week of receiving this letter on how quickly this work can be carried out.**

I would advise that my colleagues in Building Standards should be contacted as a building warrant may have to be sought. The Building (Scotland) Act indicates that in respect of a building where the public have a right of access, a material alteration to such a building should not commence without firstly obtaining formal Building Warrant approvals.

The temporary barriers must remain in place until the gap is suitably reduced but I must reiterate that this can only be considered to be a temporary solution.

Failure to progress the works will result in more formal action being taken to secure compliance.

Should you wish to discuss this letter further please do not hesitate to contact me.

Yours sincerely

[REDACTED]  
c.c. [REDACTED]

[REDACTED] by email.

**From:** [REDACTED]  
**Sent:** 09 February 2024 08:51  
**To:** [REDACTED]  
**Cc:** [REDACTED] Neil Martin  
**Subject:** Re: Olympia Issues urgent

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

**Categories:** Olympia

Thanks [REDACTED] agreed. We will get co-ordinated for Tuesday, I assume this will be between myself and [REDACTED]

Thanks  
[REDACTED]



[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]



---

**From:** [REDACTED]  
**Sent:** 09 February 2024 08:31  
**To:** [REDACTED]  
**Cc:** [REDACTED]; Neil Martin <neil.martin@dundee.gov.uk>  
**Subject:** Re: Olympia Issues urgent

Hi [REDACTED]

When (I presume) [REDACTED] called me yesterday afternoon I was in a meeting with Neil and [REDACTED] discussing Olympia. I'm minded that any engineering opinion needs to be from a suitably close vantage point rather than from pool hall level and this is scheduled for Tuesday.

Regards

**From:** [REDACTED]  
**Sent:** 08 February 2024 22:38  
**To:** [REDACTED]  
**Cc:** [REDACTED]; Neil Martin <neil.martin@dundeecity.gov.uk>  
**Subject:** Re: Olympia Issues urgent

[REDACTED]  
 Just to cover each of the points raised by [REDACTED] and your reply plus relevant observations from site on these -

- Ductwork support rods swaying - it was explained to [REDACTED] that this was a normal factor in a flexible support system subject to movement of the air within the duct itself or air movement around it. There is one, possibly more locations where the rods supporting ventilation ductwork are contacting with and rubbing on the delta trusses which will need to be moved. Rectification action on this will be with Robertsons.

It was discussed that these are snagging issues and, to be honest, I'm more concerned about the effect on the painted steelwork than the movement. It may be worth reviewing the extent of movement to verify that it is within tolerance though.

- The tragic event featured in the video shared by their Health and Safety consultant as a teaching material in a training session, for their own sensationalist and provocative ends, appears to be currently under investigation and therefore there are no technical details available on the circumstances of the failure and therefore its relevance or otherwise to this or any other site is currently nil.

Agreed and intend to make no comment on this.

- Rod replacement - there are two sections of containment tray rod replacement at the launch pad which have not been actioned. One has a reasonable degree of accessibility from the launch pad with a few individual rods which are trickier to replace. The other is where the containment tray passes through the end of truss 1, this also has the end of the launch pad structure under it. Access is being assumed to be by rope access at the moment. It may be prudent to take an Engineer's view on the necessary extent and if there is any degree of



redundancy in what has been fitted. A site visit in conjunction with Robersons' PM should resolve.

Agreed and the latter point was also discussed - the spacing between rod supports is quite conservative in a few areas and there may be scope for redundancy. The containment system already has redundancy that prevents a catastrophic failure.

- Flume pipework support - there are two locations where the clamped unistrut detail is incomplete - these are historic and not new. They are being rectified together with the site of the failure by a contractor instructed by the Property team next Tuesday

Agreed, I didn't want to commit to these being historically absent without being within touching distance.

- Flume pipework failure - red flume - we can see that the split pipe now has an offset between its two parts and the neighbouring pipe currently sits at a splay. This suggests that when the start section was relocated after the flume deck was done there is a slight misalignment which has put the pipe under stress, when coupled with high water pressure failure has occurred. I think your theory on this event resulting in water hammer and the loads referred through the structure dislodging what was probably an already loose rod is spot on. We can also see that the green flume pipework is not sitting securely on its shims, similarly when this pipe was reconnected to the green start section the pipe was probably lifted. A visual check of the rest of the pipework from the stair would suggest there are no other visible issues at the moment. The contractor is mobilised to sort these out under snagging and will be on site Tuesday as well whilst access is available. They will be briefed to replace the pipework at the red flume, check and secure the green flume pipework and check the other two flumes.

It's the fact the rod remained intact that points to a lateral force pushing it off its support. It's up for discussion on Tuesday but tightening up these fixings and ensuring there's some edge distance should they become loose again.

Hope this helps your understanding of this and as I suggest it would be useful to meet with an Engineer re a couple of these details.

This is best done when access is available on Tuesday.

Regards



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From: [REDACTED]  
Sent: 08 February 2024 17:46  
To: [REDACTED]  
Cc: Neil Martin <neil.martin@dundeecity.gov.uk>; [REDACTED]  
[REDACTED] Judy Dobbie <judy.dobbie@leisureandculturaldundee.com>;  
Paul Henehan <paul.henehan@leisureandculturaldundee.com>; [REDACTED]  
[REDACTED]  
Subject: Re: Olympia Issues urgent

Hi [REDACTED]

I have one missed call from a private number at 14:43 today, whilst I was in a meeting, and no voicemail left so don't know what the telephony issue was. Reference your photos below, it does appear that a section of Unistrut is absent from the top face of the beam, photograph 2 below. Whether this has previously been absent or somehow detached during the recent pipe fracture won't be clear until platform access is available next week. [REDACTED] [REDACTED] has replied under separate cover on the inspection regime planned for these areas once access is on site.

Regards

---

From: [REDACTED]  
Sent: 08 February 2024 16:14  
To: [REDACTED]  
Cc: Neil Martin <neil.martin@dundeecity.gov.uk>; [REDACTED]  
[REDACTED]; Judy Dobbie <judy.dobbie@leisureandculturaldundee.com>;  
Paul Henehan <paul.henehan@leisureandculturaldundee.com>; [REDACTED]  
[REDACTED]  
Subject: FW: Olympia Issues urgent

Hi [REDACTED]

I've not been able to get you on the phone today.

I've had a walkaround with [REDACTED] and I think that we are in agreement in the key aspects that will need repaired or replaced. I am keen to wait on feedback before extending my red boundary of keeping the flumes, leisure and toddlers pools closed. At the moment there does not seem to be anything likely to substantially move and few people are being allowed access.

However, there are obviously items such as the pins detailed in the photos below that could have been dislodged if we were operating. We are ensuring no one unauthorised is going into the area around the flume tower. It sounds as though a platform lift has been secured to arrive next Tuesday, so we are unlikely to learn much more or need to take any additional actions until then.

### **Issue three:** unsecured joint.

There are two more pins sitting unsecured. There is a missing bracket that should be above the beam which the pins slot into. In orange you can see where Saturdays pin fell and the burst pipe. Suggestion was from discussions with [REDACTED] [REDACTED] that the weight from the lack of support has contributed to the pipe bursting. [REDACTED] recons that its not likely to have done so.









Any feedback would be appreciated. We will hold off on taking any further actions or having a meeting until we hear from you on the basis above.

Kind regards

---

From: [REDACTED]  
 Sent: Thursday, February 8, 2024 11:16 AM  
 To: [REDACTED]  
 Cc: [REDACTED]; Judy Dobbie <judy.dobbie@leisureandculturedundee.com>;  
 Paul Henehan <paul.henehan@leisureandculturedundee.com>; [REDACTED]  
 [REDACTED]

**Subject:** Olympia Issues urgent  
**Importance:** High

Hi [REDACTED]

I spoke to [REDACTED] who has pointed me in your direction for advice. Can you please advise me around these issues?

**Issue One Identified today:** Movement of the supporting pins (approx. 5 inches). At least three sets of these are swaying at the moment when the flume platform is not in use

They support this....

My fear is that this could happen: <https://youtu.be/uFrKmcAkw3o?feature=shared>

Our Safety consultant from [REDACTED] [REDACTED] [REDACTED] briefed us on this yesterday. Those pins appear to have moved in their fixings and there is at least one that is bending.

**Issue two identified today:** supports for electrics

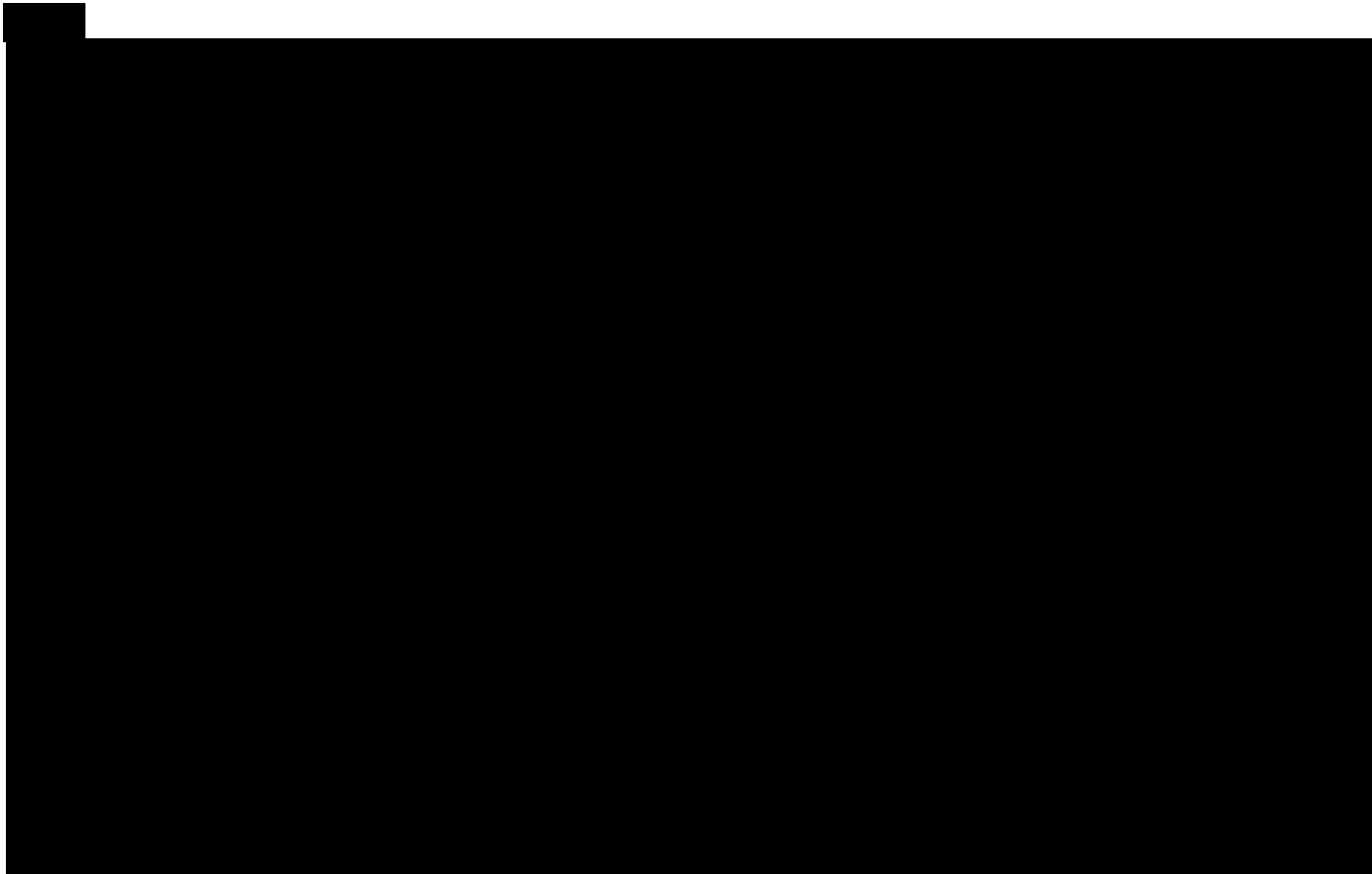






Like the first issue these ducting's are around the pool hall and not just restricted to the flume tower area.

Kind regards,



**From:** [REDACTED]  
**Sent:** 19 April 2024 12:23  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: 672 Control units  
**Attachments:** 672-240419 pool analysis charts.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Categories:** Olympia

Hi [REDACTED]

Regarding the site managers observations in the email below, I wouldn't consider the chemical controllers to be the root cause of the issue. There have been significant improvements in the water sample and acid usage results prior to the Bayrol technicians review and any subsequent recalibration exercises undertaken. However, there is a discrepancy between the pool and controller sample readings which requires further investigation/action. The concentration of disinfectant residual within the pool can vary in different areas of the pool, so it may be beneficial to take samples from different parts of the pool to see what impact this may have on the pool readings.

The daily report data has been populated into a series of charts in the attached document to provide a visual representation of the results from the past month to accompany my latest observations below.

From a review of the information received on the water test reports since our meeting in March, and the Bayrol technicians report, my observations are as follows:

- Following adjustment of the alkalinity target level to 60mg/l on 14/03, the records show a consistent trend in maintaining a stable pH value.
- The acid usage indicated a noticeable improvement from 02/04 onwards, providing a reduction of 40% usage compared to the data prior to this date. This could be attributed to the reduction in sodium bicarb and lower alkalinity levels.
- Records since the meeting indicate controllers are maintaining pH and free chlorine set points.
- From the Bayrol review on 08/04, the technician believes the controllers are working correctly.
- Records indicate discrepancies between pool sample readings and controller sample readings.
  - Further clarification/instruction may be required from the Bayrol technician to verify the site operatives have interpreted any calibration instructions correctly.
  - Current water testing regime to be reviewed. Information can be referred to within the PWTAG guide.
  - Further training by a recognised trainer recommended.

Kind regards,  
[REDACTED]  
Project Engineer

[REDACTED]  
[www.devin-consulting.com](http://www.devin-consulting.com)

9



Response	Percentage
Yes, the U.S. should take action to address climate change	95%
No, the U.S. should not take action to address climate change	5%



Regards,



Please consider the environment before printing this email message.

From: [REDACTED] >

Sent: Thursday, April 18, 2024 4:21 PM

To: [REDACTED]

Cc: [REDACTED]

Subject: FW: Control units

Possibly worth a comment from the Bayrol engineers from last week on the assessment below from [REDACTED]

Are his statements below correct assessment of what has been happening with the Bayrol units calibration impacting on the whole system and operational response?

Thanks,



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



From: [REDACTED]

Sent: 18 April 2024 16:05

To: [REDACTED]

Cc: Judy Dobbie <[judy.dobbie@leisureandcuturedundee.com](mailto:judy.dobbie@leisureandcuturedundee.com)>; Neil Martin <[neil.martin@dundee.gov.uk](mailto:neil.martin@dundee.gov.uk)>; [REDACTED]

Subject: Re: Control units

Hi

Going forward it might be better to speak to myself or in matters such as this.

So far so good. We have been carrying out the "install" process and the results are noticeable with us using 40%+ less acid in the last week. The figures for the prior week were a bit off as we were running on fumes waiting for a delivery. You will be able to see the day last week on the pool tests that we ran out before the delivery the following day.

This exercise brought the readings closer than it has ever been since the install of the new system. ***With the machine having not been set up right from the start it completely explains why the readings were never close.*** I am happy to discuss this in more detail.

It's a slow process as I detailed in my original email. Bayrol suggesting we should see a difference after a couple of weeks.

It gets to the root of the problem going on. ***The control units were not reading properly so they have been dosing inaccurately. Confirmed by the manufacturers of the control units Bayrol.*** That's the cause of the merry go round effect and excessive acid use.

***Until that was addressed our manual efforts were not going to matter. The system was dosing too much acid despite the bicarb reduction.***

You will be able to refer to my previous emails on the "yo-yo" effect and how the pH readings were completely out.

***Normal calibrations could not resolve the issue.*** This change is us acting as though control units are new out the wrapper to draw a line on the control issues. Each day there are noticeable differences as we edge towards having the control that is required.

There will continue to be issues perhaps for a couple more weeks i.e. this morning we had too much chlorine in the competition pool. I propose it's another factor in it adjusting.

The chlorine levels are much better in general. Last week they bounced as the controllers got to grips with the readings. It's about line of sight. Suddenly the controllers can see the water standards and can dose accordingly.

Happy to go through anything with you.

Kind regards

Sent from [Outlook for Android](#)

From:

Sent: Thursday, April 18, 2024 3:38:13 PM

To:

Cc: Judy Dobbie <[judy.dobbie@leisureandculturaldundee.com](mailto:judy.dobbie@leisureandculturaldundee.com)>; Neil Martin <[neil.martin@dundeecity.gov.uk](mailto:neil.martin@dundeecity.gov.uk)>;

Subject: RE: Control units

Thanks

I've copied in and to see if they can help re this week.

Enjoy your holiday.



[Redacted text block]



From: [Redacted]

Sent: 18 April 2024 15:29

To: [Redacted]

Cc: Judy Dobbie <[judy.dobbie@leisureandculturaldundee.com](mailto:judy.dobbie@leisureandculturaldundee.com)>; Neil Martin <[neil.martin@dundee.gov.uk](mailto:neil.martin@dundee.gov.uk)>; [Redacted]

Subject: RE: Control units

Hi

Last week myself and [Redacted] were doing 2 point calibration on Toddlers and Leisure pools and slowly getting the unit and samples from the unit to come together, this week I'm on holiday so don't know what's happening, your message will have just missed [Redacted] and he is now off till Monday I think.

[Redacted] or [Redacted] may be able to help regarding this week and how the readings are progressing.

Regards

[Redacted text block]

From: [REDACTED]

Sent: 18 April 2024 14:19

Cc: Judy Dobbie <[judy.dobbie@leisureandculturaldundee.com](mailto:judy.dobbie@leisureandculturaldundee.com)>; Neil Martin <[neil.martin@dundeecity.gov.uk](mailto:neil.martin@dundeecity.gov.uk)>; [REDACTED]

Subject: RE: Control units

Afternoon [REDACTED] / [REDACTED]

10 days on from the call with the Bayrol Engineer, can you update on how the controllers are performing, and how the gradual recalibration is going?

Thanks,

[REDACTED]



[REDACTED]

---

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



From: [REDACTED]

Sent: 09 April 2024 16:43

To: [REDACTED]

Cc: [REDACTED] Judy Dobbie <[judy.dobbie@leisureandculturaldundee.com](mailto:judy.dobbie@leisureandculturaldundee.com)>; Paul Henehan <[paul.henehan@leisureandculturaldundee.com](mailto:paul.henehan@leisureandculturaldundee.com)>; Neil Martin <[neil.martin@dundeecity.gov.uk](mailto:neil.martin@dundeecity.gov.uk)>

Subject: Control units

Hi

We had a successful call with the Bayrol Control Unit specialist. It appears that we have been given a reasonable explanation about what the control units are not matching up with actual readings.

The solution is to take small steps to the recalibration. Essentially this is related to the range of the units.

They suggested that we should be able to do the small steps and see a positive difference and a stabilising of the PH balance.

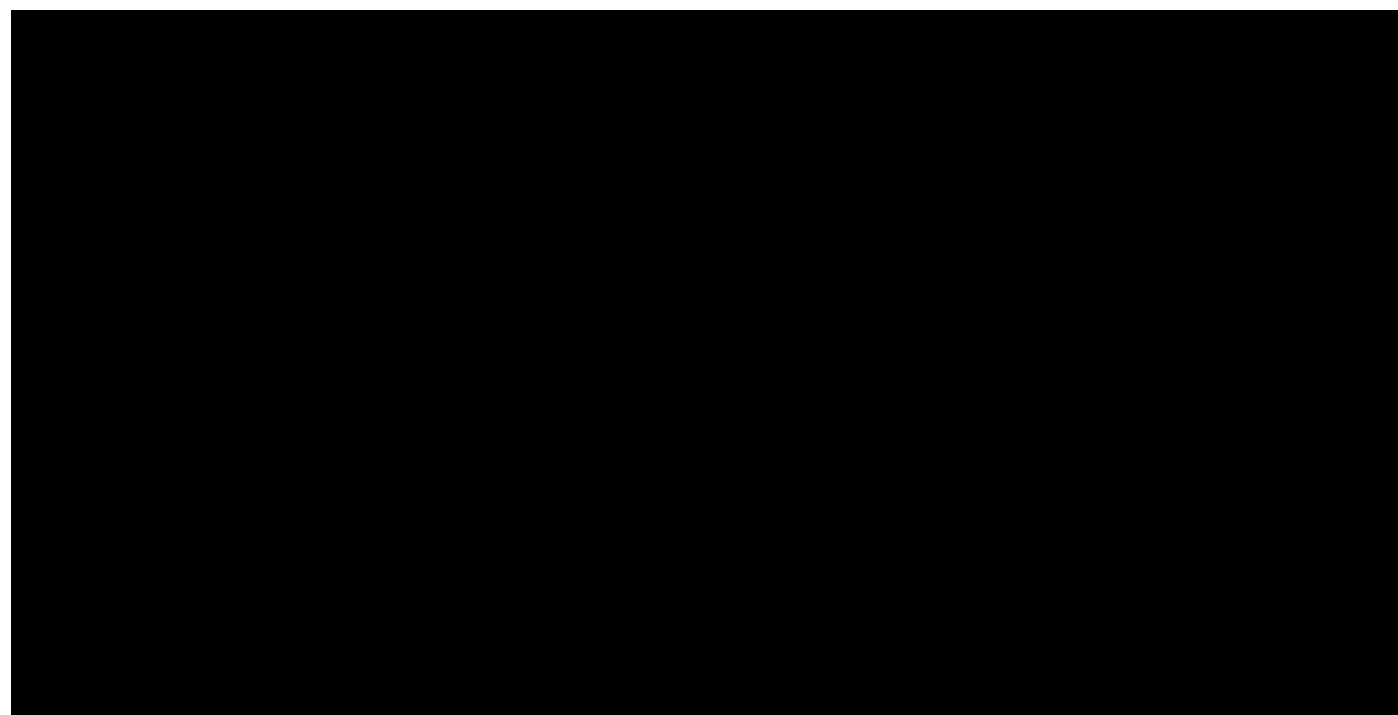
I've instructed [REDACTED] to do this until the end of her working week, then it will be done by one of the plant ops until we balance things out.

The advice we received was we should see a difference in the readings within a couple of weeks.

I would suggest after that we would hope to see a reduction in chemical use as the control units will be able to read the results and dose more accurately.

Kind regards

[REDACTED]



---

**From:** [REDACTED]  
**Sent:** Monday, April 22, 2024 16:01  
**To:** [REDACTED]  
**Cc:** Judy Dobbie <judy.dobbie@leisureandculturedundee.com>; Neil Martin <neil.martin@dundeecity.gov.uk>; [REDACTED]  
[REDACTED]  
[REDACTED]; Judy Dobbie <judy.dobbie@leisureandculturedundee.com>; Paul Henehan <paul.henehan@leisureandculturedundee.com>; [REDACTED]  
[REDACTED]  
**Subject:** Re: Control units

Hi [REDACTED]

I note your comments however in the interest of transparency I will be sharing what I have found to Judy who in turn will discuss with Neil Martin. I believe you will find this information helpful.

I believe that Devin have been indicating that they are confident in that the conditions are improving including the reduction of acid use by over 40%. I would hope that Bar & Wrays adjustment to the UV filters will also help going forward.

As a consequence of the improvements in the last couple of weeks with the dosing levels stabilising we intend to test the dosing "timing" settings to see if the system can be operated as designed. My intention is to reinstate this on Thursday the 25<sup>th</sup> of April to put the system back into normal settings. If you have any reservations about the dosing controls being reverted to normal safety settings please let me know before the end of play on Wednesday the 24<sup>th</sup> of April.

Kind regards,

[REDACTED]

---

**From:** [REDACTED]

**Sent:** 22 April 2024 14:49

**To:** [REDACTED]

**Cc:** Judy Dobbie <judy.dobbie@leisureandculturedundee.com>; Neil Martin <neil.martin@dundeecity.gov.uk>; [REDACTED]

**Subject:** RE: Control units

Afternoon [REDACTED]

I hope this finds you well.

I note your request that going forward it might be better to speak to yourself or [REDACTED] in matters such as this. Further to your point on the *root of the problem going on*, I have further consulted with Devin on this matter. They have reiterated, as have Barr & Wray and the Bayrol engineer that, other than some slight calibration adjustment, the Bayrol Controls have been and are working as intended.

The calibration adjustments being undertaken by pool plant team now after consultation with Bayrol engineer, settling down the occasional minor reading discrepancies.

From their ongoing detailed analysis of pool data, Devin have confirmed that root of the problem going on has been the pools chemical management and high pool alkalinity target.

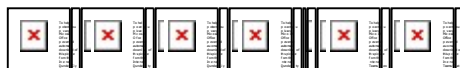
With pool water alkalinity targets brought down, allowing for better pH control, adjustment to quantities and methods of bicarb dosing, these have all contributed to, reduction in chemical quantities, flattening of the spikes and gradual improved stability in the pools chemicals, which has been demonstrated by the analysis of reported pool data being taken in the weeks prior to the Bayrol/L&CD review of the controllers.

This is for clarification and to ensure that we are all of the same understanding that the issues being experienced were not of the making of the controllers.

Best regards,



[Redacted text block]



**From:** [Redacted]

**Sent:** 18 April 2024 16:05

**To:** [Redacted]

**Cc:** Judy Dobbie <judy.dobbie@leisureandculturedundee.com>; Neil Martin <neil.martin@dundeecity.gov.uk>; [Redacted]

**Subject:** Re: Control units

Hi [Redacted]

Going forward it might be better to speak to myself or [Redacted] in matters such as this.

So far so good. We have been carrying out the "install" process and the results are noticeable with us using 40%+ less acid in the last week. The figures for the prior week were a bit off as we were running on fumes waiting for a delivery. You will be able to see the day last week on the pool tests that we ran out before the delivery the following day.

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It gets to the root of the problem going on. The control units were not reading properly so they have been dosing inaccurately. Confirmed by the manufacturers of the control units Bayrol. That's the cause of the merry go round effect and excessive acid use.

Until that was addressed our manual efforts were not going to matter. The system was dosing too much acid despite the bicarb reduction.

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Normal calibrations could not resolve the issue. This change is us acting as though control units are new out the wrapper to draw a line on the control issues. Each day there are noticeable differences as we edge towards having the control that is required.

There will continue to be issues perhaps for a couple more weeks i.e. this morning we had too much chlorine in the competition pool. I propose it's another factor in it adjusting.

The chlorine levels are much better in general. Last week they bounced as the controllers got to grips with the readings. It's about line of sight. Suddenly the controllers can see the water standards and can dose accordingly.

Happy to go through anything with you.

Kind regards

[REDACTED]

Sent from [Outlook for Android](#)

---

From: [REDACTED]

Sent: Thursday, April 18, 2024 3:38:13 PM

To: [REDACTED]

Cc: Judy Dobbie <[judy.dobbie@leisureandculturedundee.com](mailto:judy.dobbie@leisureandculturedundee.com)>; Neil Martin <[neil.martin@dundeecity.gov.uk](mailto:neil.martin@dundeecity.gov.uk)>; [REDACTED]

Subject: RE: Control units

Thanks [REDACTED]

I've copied in [REDACTED] and [REDACTED] to see if they can help re this week.

Enjoy your holiday.

[REDACTED]



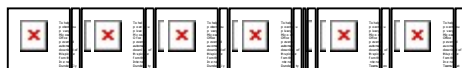
[REDACTED]

---

[REDACTED]

[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]



---

**From:** [REDACTED]  
**Sent:** 18 April 2024 15:29  
**To:** [REDACTED]  
**Cc:** Judy Dobbie <[judy.dobbie@leisureandculturaldundee.com](mailto:judy.dobbie@leisureandculturaldundee.com)>; Neil Martin <[neil.martin@dundeecity.gov.uk](mailto:neil.martin@dundeecity.gov.uk)>; [REDACTED]  
[REDACTED]  
**Subject:** RE: Control units

Hi [REDACTED]

Last week myself and [REDACTED] [REDACTED] were doing 2 point calibration on Toddlers and Leisure pools and slowly getting the unit and samples from the unit to come together, this week I'm on holiday so don't know what's happening, your message will have just missed [REDACTED] and he is now off till Monday I think.

[REDACTED] or [REDACTED] may be able to help regarding this week and how the readings are progressing.

Regards [REDACTED]

[REDACTED]

---

**From:** [REDACTED]  
**Sent:** 18 April 2024 14:19  
**To:** [REDACTED]  
**Cc:** Judy Dobbie <[judy.dobbie@leisureandculturaldundee.com](mailto:judy.dobbie@leisureandculturaldundee.com)>; Neil Martin <[neil.martin@dundeecity.gov.uk](mailto:neil.martin@dundeecity.gov.uk)>; [REDACTED]  
[REDACTED]  
**Subject:** RE: Control units

Afternoon [REDACTED] [REDACTED]

10 days on from the call with the Bayrol Engineer, can you update on how the controllers are performing, and how the gradual recalibration is going?

Thanks,



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]




---

**From:** [REDACTED]  
**Sent:** 09 April 2024 16:43  
**To:** [REDACTED]  
**Cc:** [REDACTED] Judy Dobbie  
[judy.dobbie@leisureandculturedundee.com](mailto:judy.dobbie@leisureandculturedundee.com); Paul Henehan <[paul.henehan@leisureandculturedundee.com](mailto:paul.henehan@leisureandculturedundee.com)>; Neil Martin <[neil.martin@dundeecity.gov.uk](mailto:neil.martin@dundeecity.gov.uk)>  
**Subject:** Control units

Hi

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The solution is to take small steps to the recalibration. Essentially this is related to the range of the units.

They suggested that we should be able to do the small steps and see a positive difference and a stabilising of the PH balance.

I've instructed [REDACTED] to do this until the end of her working week, then it will be done by one of the plant ops until we balance things out.

The advice we received was we should see a difference in the readings within a couple of weeks.

I would suggest after that we would hope to see a reduction in chemical use as the control units will be able to read the results and dose more accurately.

Kind regards

[REDACTED]

**From:** [REDACTED]  
**Sent:** 05 February 2024 14:01  
**To:** [REDACTED]; Neil Martin; [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: Steel Rod  
**Attachments:** Rods 1.jpg; Rods 2.jpg; Rods 6.jpg; Rods 11.jpg; Rods 12.jpg; Rods 13.jpg  
**Categories:** Olympia

Further photos, and tomorrows inspection should show more.

Agree with your assessment [REDACTED] of the dynamic nature.

Couple of these photos may suggest some other issues with components to be picked up tomorrow.

[REDACTED]



[REDACTED]  
 [REDACTED]  
 [REDACTED]  
 [REDACTED]  
 [REDACTED]  
 [REDACTED]



**From:** [REDACTED]  
**Sent:** 05 February 2024 09:16  
**To:** [REDACTED]; Neil Martin <neil.martin@dundeecity.gov.uk>; [REDACTED]  
**Subject:** RE: Steel Rod

Thanks [REDACTED]  
 [REDACTED] has advised that we can get a cherry picker up to replace the tie. He will liaise with [REDACTED] and [REDACTED] on site.  
 Will keep you posted.  
 Regards  
 [REDACTED]

**From:** [REDACTED]  
**Sent:** Monday, February 5, 2024 9:01 AM  
**To:** Neil Martin <[neil.martin@dundeecity.gov.uk](mailto:neil.martin@dundeecity.gov.uk)>; [REDACTED]

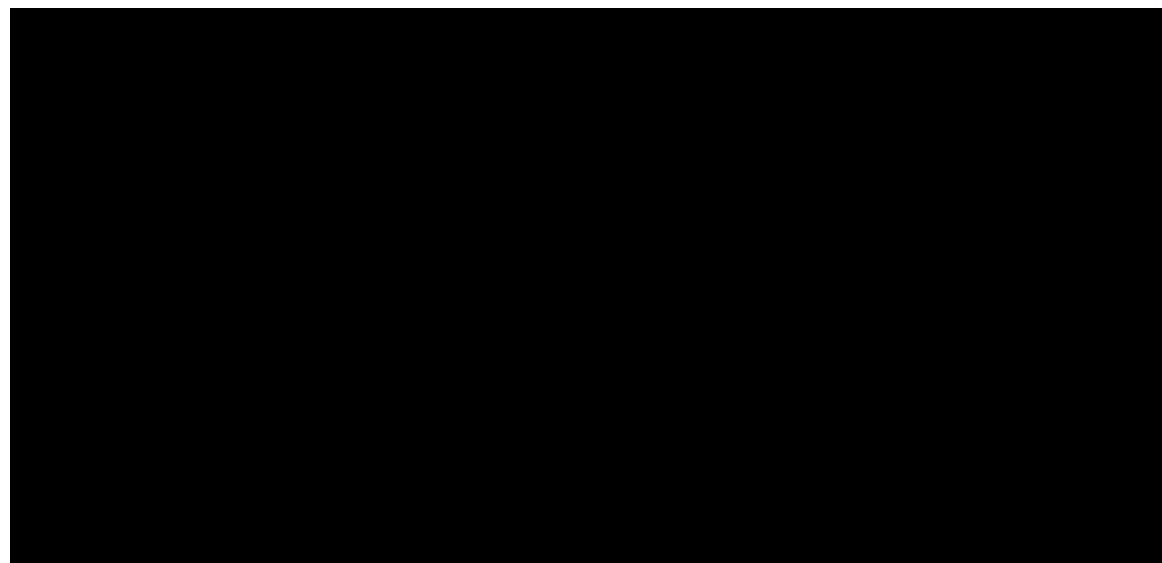
**Subject:** Re: Steel Rod

Hi Neil,

Photos aren't great quality but it's happened at an elbow in the pipe which also coincides with a reduction in pipe diameter. I can see how, if flow was disrupted, water hammer, either during the disruption or when flow was restored, could jolt the pipe and bracket out of their supports. This absolutely hasn't happened due to static loads so would consider it to be a localised issue to the recent burst rather than a pool-wide issue.

I suggest that pipe fittings on the runs affected by the burst are reviewed with particular attention to elbows and tee pieces. [REDACTED] subsequent photos show the problems of trying to inspect from pool level.

Regards



---

**From:** Neil Martin <[neil.martin@dundeecity.gov.uk](mailto:neil.martin@dundeecity.gov.uk)>

**Sent:** 05 February 2024 08:39

**To:** [REDACTED]

**Subject:** Fw: Steel Rod

Hi All,

Photos from Judy. Apparently they heard an explosion type noise as it fell.

Regards

Neil

Neil Martin  
Head of Design & Property  
City Development Department  
Dundee House

Tel 01382 433711

E-Mail [neil.martin@dundeecity.gov.uk](mailto:neil.martin@dundeecity.gov.uk)

---

**From:** Judy Dobbie <[judy.dobbie@leisureandculturaldundee.com](mailto:judy.dobbie@leisureandculturaldundee.com)>

**Sent:** 05 February 2024 08:25

**To:** Neil Martin <[neil.martin@dundeecity.gov.uk](mailto:neil.martin@dundeecity.gov.uk)>

**Subject:** FW: Steel Rod

---

**From:** [REDACTED]

**Sent:** Saturday, February 3, 2024 12:53 PM

**To:** [REDACTED]

**Cc:** [REDACTED]

Judy Dobbie <[judy.dobbie@leisureandculturaldundee.com](mailto:judy.dobbie@leisureandculturaldundee.com)>; [REDACTED]

**Subject:** Steel Rod

Hi,

We have had a steel rod fall from underneath the flume tower( please see attach steel rod), fortunately it never struck a member of staff or public.

On further investigation I think this has came from under the flume tower possibly loosened by the burst pipe on the Red slide. Please see pic water pipe.

Regards [REDACTED]

[REDACTED]



Leisure and Culture Dundee  
1 Shore Terrace  
Dundee  
DD1 3AH

Mr Tom Stirling - Head of Community Safety & Protection

Neighbourhood Services  
3 City Square  
Dundee  
DD1 3BA

If calling please ask for: [REDACTED]  
Tel: 01382 [REDACTED]  
Email: [REDACTED]

Our Ref: [REDACTED]  
Your Ref: [REDACTED]

Date: 2<sup>nd</sup> May 2017

Dear [REDACTED]

**Legislation:** The Health and Safety at Work etc. Act 1974 and associated regulations  
Reporting of Injuries Diseases and Dangerous Occurrences Regulations 2013  
HSG 179 - 'Managing health and safety in swimming pools'

**Premises:** Olympia, 3E Whale Lane, Dundee, DD1 3JU

**Accident to :** [REDACTED] on 13<sup>th</sup> April 2017  
[REDACTED] on 26<sup>th</sup> June 2016

I refer to the accident report received, via the RIDDOR website, on the 18<sup>th</sup> April 2017. This was in connection with the incident on the 13<sup>th</sup> April 2017, resulting in injury to [REDACTED] a member of the public.

The injured person (IP), a seven year old child, slipped through the 3 metre dive platform railings onto the padded platform supports below before landing on the poolside, resulting in him sustaining a head injury; he was then taken directly to hospital.

I then visited the premises on 18<sup>th</sup> April 2017, with my colleague, [REDACTED] to investigate the incident further and met with [REDACTED]

We discussed the incident and viewed the area on platform where it is believed the IP slipped and fell through to the poolside below. It was believed that the IP has gone onto the 3m dive board with the intention of jumping into the water but changed his mind and stepped off the dive board to make his way along the dive platform to the steps which led back down to the poolside. However the IP slipped and fell through the gap between the lower rail of the guard rail and the floor of the dive platform.

We also discussed a similar incident which occurred in 2016 when an eight year old child also slipped through the railings at the designated waiting area at the 3m platform. See the attached letter dated 20<sup>th</sup> September 2016 sent regarding this incident.

If you have trouble understanding English please contact the address below

اگر آپ کو انگریزی سمجھنے میں مشکل پیش آتی ہے تو براہ مہربانی نیچے درج پتے پر رابطہ کریں:

সেবার ভাষা অনুবাদ সেবার জন্য যোগাযোগ করুন।

Jeżeli masz trudności w zrozumieniu języka angielskiego, skontaktuj się na poniżej podany adres:

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Following the first incident, **temporary** guarding was put in place on some sections on the 3m and 5m dive platforms to help reduce the risk of a person slipping and falling through the gaps under the bottom railings. However, this was with the understanding that permanent measures would be taken thereafter to reduce the gaps between the bottom rails and the platform floors.

To date no permanent alterations have been made to reduce the aforementioned gaps.

It was not known why the permanent works have not been carried out to reduce the aforementioned gaps even though a quotation for the work had been sought and provided by Metaltech UK in November 2016. **Had the works been carried out at that time then the second incident would have been avoided.**

I indicated during my initial visit that the 3m and 5m diving boards be kept closed until suitable temporary measures could be put in place to reduce any remaining exposed gaps between the lower rails and the dive platform floors along the length of the railings on both platforms.

I also requested that we be told how quickly a permanent fix could be carried out to close the gap between the dive 3m and 5m platform floors and the bottom rails of the barriers.

The dive platforms were then closed until Wednesday 26<sup>th</sup> April 2017 when I was notified by [REDACTED] that the additional temporary barrier had been put in place. I revisited the premises that afternoon and confirmed after viewing the temporary barrier that the dive platforms could reopen.

**Steps must now be taken as quickly as possible to permanently reduce the gaps between the bottom rails and the platform floors so as to prevent anyone falling through the gap.**

**Please provide us with an update within one week of receiving this letter on how quickly this work can be carried out.**

I would advise that my colleagues in Building Standards should be contacted as a building warrant may have to be sought. The Building (Scotland) Act indicates that in respect of a building where the public have a right of access, a material alteration to such a building should not commence without firstly obtaining formal Building Warrant approvals.

The temporary barriers must remain in place until the gap is suitably reduced but I must reiterate that this can only be considered to be a temporary solution.

Failure to progress the works will result in more formal action being taken to secure compliance.

Should you wish to discuss this letter further please do not hesitate to contact me.

Yours sincerely

[REDACTED]  
c.c. [REDACTED]  
[REDACTED] by email.



---

**From:** [REDACTED]  
**Sent:** Tuesday, February 6, 2024 16:56  
**To:** [REDACTED]  
**Subject:** Re: Arrange a visit to Olympia re: Public Entertainment Licence renewal

Hi [REDACTED]

When I saw your name, I wondered if it was you... [REDACTED]  
[REDACTED]

Yes, Wednesday, 28<sup>th</sup> February 10am would be fine. There will be two of us though. One will be looking at the plant room(s) and another the swimming pools - pool-side, so can you please arrange for the right people for these areas to take us around (if not yourself)?

Have the issues with the stainless steel rust been resolved? I'll also be looking at the hand rails on the dive platform where previously Olympia were supposed to install railing that would prevent small children from falling from the platform (issue identified from past accidents).

See you in 3 weeks.

[REDACTED]



[REDACTED]

---

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



---

**From:** [REDACTED]  
**Sent:** 05 February 2024 11:28  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** Re: Arrange a visit to Olympia re: Public Entertainment Licence renewal

Hello [REDACTED]

Long time no see.

I propose Wednesday the 28<sup>th</sup> of February. Would 10am work for you?

Kind regards,

[REDACTED]

[Redacted]

---

**From:** [Redacted]  
**Sent:** 05 February 2024 09:53  
**To:** [Redacted]  
**Cc:** [Redacted]  
**Subject:** RE: Arrange a visit to Olympia re: Public Entertainment Licence renewal

Hi [Redacted]

I have copied in [Redacted] [Redacted] [Redacted] [Redacted] to make suitable arrangements for you.

Regards [Redacted]

[Redacted]	[Redacted]
[Redacted]	[Redacted]
[Redacted]	[Redacted]

---

**From:** [Redacted]  
**Sent:** 02 February 2024 17:26

To: [REDACTED]  
**Subject:** Arrange a visit to Olympia re: Public Entertainment Licence renewal

Hi [REDACTED]

**Re: Arrange a visit to Olympia re: Public Entertainment Licence renewal**

With regards to Olympia's PEL application, can you please let me know a suitable date and time for the visit starting the week of the 26<sup>th</sup> February 2024.

Regards,

[REDACTED]

---

**From:** [REDACTED]  
**Sent:** Wednesday, February 28, 2024 18:10  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** Re: Visit today

Hi [REDACTED]

**The Health and Safety at Work etc. Act 1974 and associated regulations**  
**HSG 179 - 'Managing health and safety in swimming pools'**  
**Olympia, 3E Whale Lane, Dundee, DD1 3JU**

Thank you for your update below sent following my visit to the swimming pool this morning with my colleague [REDACTED] [REDACTED] [REDACTED] [REDACTED] when I met with you and [REDACTED]. The purpose of our visit was to carry out a swimming pool health and safety intervention and for Olympia's public entertainment license renewal application.

During this visit a number of issues were identified and discussed with you.

Of most concern was the 3m & 5m dive platform barriers. I noted that there still remains a significant gap between the dive platform floor and the lowest guardrails. The gap on both platforms is such that it could allow a small child to slip through and fall a significant height.

As you are aware this department investigated an accident in 2017 where a child slipped and fell through the gap to the right of the 3m diving board. The child had been standing on the 3m diving board, but changed his mind and stepped off onto the dive platform, then slipped and fell through the gap to the pool side 3m below.

Following our accident investigation, steps were taken to put in place temporary barriers to prevent a similar accident from reoccurring until such time as a permanent solution could be found. I have attached the letter sent to Olympia following the accident investigation in 2017 for your information.

However the temporary barriers remained in place up until the pool closed in 2020.

When we visited today I noted that corrective action had been taken in terms of the installation of the vertical barriers at the waiting area on the dive platform where another accident occurred in 2016, however no action had been taken to decrease the gap between the safety barrier and both dive platforms.

Following discussion with my manager I contacted you after the visit to advise that due to the significant risk of injury, access to the dive platform should be prevented until such times as the risk of injury from slipping through the gaps can be mitigated.

You agreed to immediately close the dive platforms during the call and I would ask that you confirm this in writing to me as soon as possible.

A more detailed letter will follow regarding this matter and the other issues identified during the visit.

Regards,

[REDACTED]



[REDACTED]

---

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



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**From:** [REDACTED]  
**Sent:** 28 February 2024 15:46  
**To:** [REDACTED]  
**Subject:** Visit today

Hi [REDACTED]

I appreciate you giving us your time today.

The key points that I noted and have raised with the Council include:

- Chemical dosing (must work before reopening)
- Additional Acid Bulk Tank (must be installed before reopening)
- Diving board bars (you are going to enquire into previous requirements)
- Up to date schematic drawings must be added to the plant room to reflect the changes made during the refurb
- High level inspections & repairs to be finished before reopening.

If I have missed anything please let me know.

The Leisure & Culture Head Office is at Wellgate Shopping centre, Level 3, Central Library, The, Dundee DD1 1DB.

I am managed by Judy Dobbie who is our Managing Director. I've briefed her on the visit and we will await your report.

Kind regards,

[REDACTED]

[REDACTED]

---

From: [redacted]  
Sent: Tuesday, March 5, 2024 16:19  
To: [redacted]  
Cc: [redacted]  
Subject: Fw: Diving Boards at the Olympia

Hi [redacted]

Thank you for your email sent following our telephone call this morning.

I would also refer you to the discussions that [redacted] and [redacted] had with Judy Dobbie and Neil Martin last Thursday, and also the subsequent email sent by [redacted] to them confirming not only the issue relating to the diving platforms detailed below but the other points identified during our visit to the pool on Wednesday 28th February 2024 (covering chemical dosing, etc.) - see attached email.

I would advise that we have already offered for ourselves to meet with the Olympia management on-site to go through the physical details of the measures proposed.

We will make ourselves available to meet with you as soon as you have formulated a solution, I would therefore suggest that we arrange to meet at a mutually convenient time to discuss your proposed solutions.

[redacted]



[redacted]

[redacted]

- [redacted]
- [redacted]
- [redacted]
- [redacted]
- [redacted]





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**From:** [REDACTED]  
**Sent:** Tuesday, March 5, 2024 16:19  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** Fw: Diving Boards at the Olympia

Hi [REDACTED]

Thank you for your email sent following our telephone call this morning.

I would also refer you to the discussions that [REDACTED] and [REDACTED] had with Judy Dobbie and Neil Martin last Thursday, and also the subsequent email sent by [REDACTED] to them confirming not only the issue relating to the diving platforms detailed below but the other points identified during our visit to the pool on Wednesday 28th February 2024 (covering chemical dosing, etc.) - see attached email.

I would advise that we have already offered for ourselves to meet with the Olympia management on-site to go through the physical details of the measures proposed.

We will make ourselves available to meet with you as soon as you have formulated a solution, I would therefore suggest that we arrange to meet at a mutually convenient time to discuss your proposed solutions.

[REDACTED]



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From: [Redacted]

Sent: 05 March 2024 11:02

To: [Redacted]

**Cc:** [REDACTED]  
**Subject:** Diving Boards at the Olympia

Morning [REDACTED]

Thank you for your call today.

As we discussed I had a meeting this morning with Judy Dobbie (L&CD Managing Director) to follow up on discussions she was having with City Development. At the core of the issue that you have identified is that you feel that there is a potential risk of someone (particularly of child size) being able to slip and fall under the bottom spar of the high board. Judy and myself completely understand the position having now been given the history around this of the two previous accidents.



### The history

I shared the letter you sent me for [REDACTED] [REDACTED] [REDACTED] [REDACTED]. She was not aware of it but now is. Looking into the history of this from records such as our Property and Safety Committee I believe that [REDACTED] did act upon your instructions. There were two proposals which had been costed and proposed. The first was a partition such as a plastic / glass barrier similar to the balcony that we discussed last week. The second was an additional cross bar within the gap which was the idea we had come to independently as well. We proposed this idea to City Development last week and commented that this is what L&CD had previously proposed based on what had been instructed. The impression that I have been given is that they are proposing additional lifeguarding instead to Marshall that risk. From our conversation additional lifeguarding would not be enough to reduce the risks that you have identified, and we do in fact need a physical barrier.

I believe a misunderstanding of the previous instructions has occurred which led to the additional bars on the central area of the platform and did not lead to the changes you & line manager instructed. I believe with Covid, a series of managers moving on and retiring has led to our side not being aware of this. I wondered whether City Development had also received the written instruction, I believe they would have been aware due to the content of minutes of meetings. If you have not done so already, I believe that Neil Martin the Head of Property & City Designs needs to be engaged to make sure we get this right. I can certainly do this based on feedback that you give me, however I wondered if some direct communications would be appropriate to ensure nothing is missed in translation. Looking at this objectively I think that there has been a missing step and that is the engagement with yourselves before making the changes on the middle of the structure.

Having discussed this with you again today that it was neither suitable nor sufficient to mitigate the risk of slipping / falling under the bottom rung of these platforms. As pictured above.

### **What I propose for the 3m and 5m boards**

The issue is the gap between the lower bar and the platforms on the 3m and 5m boards. It requires a physical barrier.

- **Temporary measure:** To that end in the short term I have a second proposal that we utilise scaffolding bars and fixings to form a barrier into that space.
- **The fix:** This would then be replaced by City Development with a set of fixed bars in those low gaps.



This would have to take a physical weight, with assurances around if someone impacted upon it. The bolts would have to be positioned so that they cannot be unintentionally kicked on the way past. It cannot fail due to being hit or braced against. I stress this would be a temporary measure until the horizontal fixed bars are welded onto the gaps at the 3m and

5m boards. I think from our conversation on the phone that this is appropriate, however could you please give me feedback now you have visuals to complement the concept. For the longer term option, I appreciated the comments about getting the property team to investigate how long a welded joint is likely to last in this type of environment. I will make amendments to our risk assessments to reflect these changes.

### **1m low board**

I also thank you for agreeing that we can utilise the 1m diving board which is not on the main structure. This will allow us to reinstate the diving club. I can assure you that a physical barrier and restrictions to the main structure will continue to be in place until we have resolutions for those platforms.

I can assure you that having been made aware of the history of this that we are keen to ensure that this is resolved to ensure that the risk that you identified from the two previous accidents is mitigated.

Kind regards,

■■■■ ■■■■  
■■■■ ■■■■

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**From:** [REDACTED]  
**Sent:** Friday, May 3, 2024 15:56  
**To:** [REDACTED]  
**Subject:** Re: Olympia - diving boards

Hi [REDACTED]

I've pencilled a revisit in for Monday, 6<sup>th</sup> May for 10:30am if that's ok?

[REDACTED]



[REDACTED]

---

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



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**From:** [REDACTED]  
**Sent:** 03 May 2024 15:35  
**To:** [REDACTED] Judy Dobbie  
<judy.dobbie@leisureandculturaldundee.com>; Neil Martin <neil.martin@dundeecity.gov.uk>  
**Cc:** Paul Henehan <paul.henehan@leisureandculturaldundee.com>; [REDACTED]  
[REDACTED]  
Gregory Colgan <gregory.colgan@dundeecity.gov.uk>  
**Subject:** Re: Olympia - diving boards

Good afternoon

We have positive news.

- 1) Diving boards: works to be completed tonight. Our colleagues at City Development are very positive about the progress. I propose a Monday morning inspection however they should be ready to operate after tonight.
- 2) Chemical dosing: significant progress made. We will monitor and continue to adjust over the weekend. We will open with actions planned of how to react. We have restrictions on bather loads from reopening.
- 3) Bulk tank: plans are underway to put this in place. With the configuration work on the dosing controls based on the manufacturers advice we are dosing less chemicals. I believe this will reduce the need to utilize emergency hand dosing measures.
- 4) Schematics: City Development are chasing these for us.
- 5) high level inspection and repairs: my understanding from city development is the work is complete. They have a watching brief on other potential works however I have been told everything necessary has been completed.



Kind regards

[REDACTED]

---

**From:** [REDACTED]  
**Sent:** Monday, March 11, 2024 11:23:59 AM  
**To:** [REDACTED] Judy Dobbie  
 <judy.dobbie@leisureandculturaldundee.com>; Neil Martin <neil.martin@dundeecity.gov.uk>  
**Cc:** Paul Henehan <paul.henehan@leisureandculturaldundee.com>; [REDACTED]  
 [REDACTED]  
 [REDACTED]  
 Gregory Colgan  
 <gregory.colgan@dundeecity.gov.uk>  
**Subject:** Re: Olympia - diving boards

All - further to our discussions on-site last Friday (08/03/2024), and also referring to the points in my earlier email (29/02/2024) I would advise as follows:

**Diving Platforms** - It was agreed to add a further section (tubular hollow-section stainless steel) into the lower gap of the rails which run parallel with the diving platform. I have attached an image which provides an outline of the proposed modification for reference.

This is a very minor modification, and whilst an interim/temporary measure (e.g. use of plastic barriers) was suggested, this may draw attention to the issue, and I would suggest therefore it would be better to move directly and quickly to the permanent modification agreed.

**Chemical Dosing** - As I now understand it, there are serious concerns with the effectiveness / performance of the newly installed chemical dosing system and this is currently under discussion between the operators / designers and contractors. The leisure and toddlers pools are currently closed accordingly. We would be grateful to be kept informed of any progress with this.

**Additional Acid Bulk Tank** - This issue is directly linked to the above. If the coinciding current practice of handling high amounts of chemicals is to continue, every effort must be made to ensure that staff safety is not compromised.

**Up-to-date Schematic Drawings** - Whilst this would not in itself delay any reopening of the pools, these should be in place as soon as practicable.

**High Level Repairs and Inspections** - I understand that various methods have been / are in the process of being carried out to check on the integrity of the internal structure. I also understand that the findings of this work are to be reported back to [REDACTED] [REDACTED]. I would be grateful to also be provided with a copy of these findings when they are available.

Regards

---

**From:** [REDACTED]  
**Sent:** 09 March 2024 16:02  
**To:** Judy Dobbie <judy.dobbie@leisureandculturaldundee.com>; [REDACTED] Neil Martin <neil.martin@dundeecity.gov.uk>  
**Cc:** Paul Henehan <paul.henehan@leisureandculturaldundee.com>; [REDACTED]  
 [REDACTED]  
 [REDACTED] Gregory Colgan <gregory.colgan@dundeecity.gov.uk>  
**Subject:** Olympia - diving boards

Hello all,

My apologies for not being able to get this message to you on Friday as promised.

Firstly, thank you to [REDACTED] for suggesting and organising the site meeting, and to [REDACTED] and her team in Environmental Health for attending and providing useful background and context. It was extremely helpful to be able to physically see the issues and to discuss these.

For everyone's information and to provide some of that context, Environmental Health's involvement in this matter is in their capacity as statutory enforcers for health and safety at Olympia. All advice provided by them is in pursuance of that role.

The issues highlighted with the diving boards were raised initially in 2016/2017, following 2 no notified incidents on the 3m platform, where young children fell from the landing for the 3m platform in one instance and from the side of the diving board on the 3m platform in the

other. The issues were again flagged by EH in 2020 during a routine inspection when no permanent remediation had been carried out to address this fall from height risk, although temporary barriers had been put into place.

Whilst the guard railing for the entire diving tower follows the parameters of sector guidance and is similar to installations in other swim centres, it does, in this case, leave a fall from height risk from under the bottom rail. This is due to the height of the bottom rail above the platform deck; for clarity, this is not a fall from height risk where the mechanism of the fall is a stumble or fall direct against the barrier, it is a 'chuting' risk whereby a person slipping is able to fit under, and through, the gap between the platform deck and the bottom rail. This is the mechanism by which both falls from height of the young children happened.

Vertical rails have now been fitted at the landing to the 3m platform which has addressed this risk in that location. This is where a child from a diving club fell under the bottom rail. However, the guard rails along the sides of the 3m platform and the top platform still have this gap present. A child fell under the bottom rail at the far side of the 3m platform when stepping down from the diving board after deciding not to dive. These gaps leave a clear and reasonably foreseeable risk of similar incidents happening in these areas.

The installation of vertical rails along the side of the dive platforms would not be appropriate, as this would impede the view of the platform for both supervision by lifeguards (or coaches during club sessions) and by judges during competitions. A alternative solution to reduce the gap between the platform deck and the bottom rail should be sought. Any such solution should be robust enough in it's construction and fixing to remain in place when taking the force of a falling/slipping person. This solution should be installed to both sides of the 3m and top platforms, including the return detail to the front edge of the 3m platform. Until such a solution can be identified and put into place, the diving boards should remain out of use. It would be prudent to discuss any proposed solution with [REDACTED] and [REDACTED] before proceeding, to ensure that the risk is judged to be suitably mitigated.

Once a solution is in place, the risk assessment for the management of this part of the facility by Olympia staff should also be reviewed to reduce the risk from divers waiting/queuing to as low a level as possible. This reviewed risk assessment must be communicated to let holders (dive clubs, competition organisers) when a let is agreed and compliance with controls set out therein monitored.

I hope this information is of assistance but please do let me know if you have any queries or require further detail.

Kind regards,

[REDACTED]



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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**From:** [REDACTED]  
**Sent:** Friday, May 24, 2024 16:43  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** Olympia Dive Platforms

Dear [REDACTED]

Following on from my visit with [REDACTED] [REDACTED] on 6<sup>th</sup> May 2024, I would confirm that the matters relating to the dive platforms have now been addressed.

We also noted that changes have been made, and will continue to be made, within the pool plant room which has resulted in improvements in the pool water quality readings. These readings will be closely monitored by yourselves as the bathing load within the pool is gradually increased over the forthcoming period.

As advised it is essential that you follow your standard operating procedures (SOP) should the water quality readings start to fluctuate again.

Regards

[REDACTED]



[REDACTED]

---

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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**REPORT TO:** CITY GOVERNANCE COMMITTEE – 22 SEPTEMBER 2025

**REPORT ON:** STRATEGIC REVIEW OF LEISURE AND CULTURE DUNDEE

**REPORT BY:** CHIEF EXECUTIVE

**REPORT NO:** 289-2025

## **1. PURPOSE OF REPORT**

- 1.1 This report presents the strategic review of Leisure and Culture Dundee (LACD), conducted by EKOS. This comprehensive review was commissioned by Dundee City Council (DCC) to ensure that LACD meets the current and future needs of our local communities, aligns with best practices, maximises resource utilisation, is financially sustainable, and provides value for money.

## **2. RECOMMENDATIONS**

- 2.1 It is recommended that members:
- i) consider the contents of the full report attached as Appendix 2;
  - ii) note the proposed key actions summarised in Appendix 1 which will be discussed and developed more fully in conjunction with LACD; and
  - iii) remit officers (DCC and LACD) to develop a prioritised action plan with timescales and include any additional recommendations proposed by LACD.

## **3. FINANCIAL IMPLICATIONS**

- 3.1 There are no immediate financial consequences arising from this report.

## **4. BACKGROUND**

- 4.1 Following consideration of report 171-2024 at the meeting on 26 June 2024 of the Scrutiny Committee, the Convener agreed to refer the executive summary of the internal audit report on LACD Financial Sustainability to the City Governance Committee for review by all elected members.
- 4.2 The subsequent report 210-2024 to City Governance Committee on 19 August 2024 (Article X of the minute refers) considered additional context and recommended working with Leisure and Culture Dundee that the Chief Executive be remitted to undertake a fuller review of agreements, priorities, funding and options for Leisure and Culture Dundee. It was also agreed that external support for the review would be sought.
- 4.3 The high-level remit set out was that a comprehensive review of leisure and cultural services be carried out to ensure these offerings are aligned with current and future community needs. The driving factors behind the review were the growing financial pressures on public services, the need to optimise resources, and the importance of ensuring services are sustainable, cost-effective, and aligned with the city's priorities. Additionally, the Council and LACD were looking to identify new opportunities for revenue generation and service improvement.

## **5. REVIEW PROCESS**

- 5.1 The strategic review was conducted by EKOS (supported by Integratis Consulting, and Creative Services Scotland) between November 2024 and June 2025. The consultants employed a comprehensive and systematic approach to ensure the review was thorough and aligned with best practices. The review considered the full cost of delivery of leisure and cultural services, including the costs borne by Dundee City Council, in addition to core management fee.

5.2 The key processes they undertook to complete the review are summarised as follows:

- Inception: Establishing a shared understanding of the review's aims, objectives, and expectations through an inception meeting with DCC and LACD.
- Data Collection: Gathering and reviewing all available data and background documentation related to LACD's plans and performance over an agreed time. This included contextual review and data collection. The analysis included a detailed examination of income and expenditure trends, service area performance, and usage patterns across various facilities.
- Consultation and Engagement: A critical component of the review was consultation with a wide range of stakeholders. This included DCC officers and elected members, LACD officers and trustees, and external partners and stakeholders. The consultants conducted interviews, focus groups, and surveys to gather insights and feedback on LACD's operations, governance, and service delivery. This engagement ensured that the review captured diverse perspectives and identified key areas for improvement.
- Benchmarking: Using a wide range of data for comparator organisations and services to benchmark LACD's performance against measures such as income generation, cost management, and service usage.
- Analysis and Assessment: Conducting a thorough analysis of the data to identify inefficiencies and opportunities. This includes financial analysis, service utilisation assessment, and exploration of new revenue streams.
- Option Development and Appraisal: Developing and appraising a series of options for cost-saving measures, revenue generation, and changes in governance and management practices.

5.3 The key data provided to EKOS was for all financial years up to and including 2023/24, with LACD providing their financial, staffing and usage information and DCC providing the property other costs that are borne by the Council, to allow understanding of the full cost of delivering these services. Other background information e.g. strategy plans was also provided by DCC.

5.4 The output of this review is a detailed report attached as Appendix 2. The report includes the following sections:

Executive Summary (page i)

Section 1: Introduction – review objectives, process and limitations (page 1)

Section 2: About LACD – core services provided, governance, finance and monitoring (page 5)

Section 3: Operational and Policy Context – socioeconomic snapshot and policy drivers (page 11)

Section 4: Review of Current Operations – financial overview, service performance and usage, memberships, accessibility and KPIs (page 21)

Section 5: Governance – management and governance structures (page 46)

Section 6: Strategic Realignment – role of leisure and culture in Dundee and strengthening the services agreement (page 52)

Section 7: Operational Improvements – options for consideration (page 55)

Section 8: Conclusions (page 86)

Appendix A: Description of LACD Services

Appendix B: Strategies, Policies and Documents reviewed

Appendix C: LACD Customer Surveys

Appendix D: Data Tables



## 6. SUMMARY OF KEY FINDINGS

### Financial Overview

- 6.1 One of the primary findings of the review is the financial performance and cost of delivery of services of leisure and culture services. Section 4 of the full report sets this out more fully over pages 21-28.
- 6.2 The total expenditure has increased by £2.2 million (9.7%) from £22.67 million in 2019-2020 to £24.87 million in 2023-2024, driven by rising staff costs (up 19% to £15.27 million) and property costs (up 69% to £5.24 million). The core Management Fee provided by the council has risen from £7.18 million in 2019-2020 to a projected £9.68 million in 2025-2026, a 34.9% increase.
- 6.3 Income, on the other hand, has declined by 4.1%, indicating a need for financial restructuring. The review highlights the significant financial challenges faced by LACD, including reliance on DCC funding and additional financial support.

### Service Area Performance

- 6.4 The review provides a detailed analysis of the performance of LACD's core service areas: Sport and Leisure, Libraries, and Culture. This is set out in detail in the full report covering usage, expenditure, incomes and deficits.
- 6.5 LACD's usage performance in 2023-2024 reflects a mixed recovery from the challenges posed by COVID-19, with visitor numbers showing signs of improvement in Sport and Leisure while Libraries and Culture have yet to return to pre-pandemic levels.
- Sport and Leisure: usage is up 3.64% compared to pre-pandemic levels.
  - Libraries: usage remains below pre-pandemic levels, with total visits at 692,650 in 2023-2024, down 36% from 2019-2020. The Central Library (391,635 visits) remains the busiest facility, accounting for 56% of total library visits, but it is still 21% below its 2019-2020 levels.
  - Culture: venue visits reached 281,800 in 2023-2024, showing improvement but still 18% below 2019-2020 levels. McManus (122,078 visits, -27%) and Caird Hall (113,909 visits, -10%) remain the most visited cultural venues, together accounting for 83% of all cultural visits.
- 6.6 The financial performance of these areas varies, with some showing mixed recovery post-COVID and others yet to return to pre-pandemic levels. The review also highlights the growth potential in health and fitness memberships, with LACD's fitness membership penetration rate currently at 4.5%, below the national benchmark of 6.5%.
- 6.7 Financial performance per service area is summarised below:
- Sport and Leisure: This is the largest service area for both income at £6.06m (73% of the total) and expenditure at £14.4m (59%).
  - Libraries: The second largest area by expenditure is the libraries service, £4.8 million (20% of total expenditure). Income reduced from £340k to £189k. This has led to the net costs of the service increasing by 13% (£538k).
  - Culture: The smallest area by expenditure at 14% of the total. Expenditure rose significantly by 37% to £3.4 million. Income increased from £762k to £837k.
- 6.8 Financial performance varies across different service areas, with some venues operating at significant deficits. The largest operating deficits in 2023-2024 were at the Central Library (-£2.57m), Ice Arena (-£2.31m), Olympia (-£2.10m) and McManus Galleries (-£1.75m).

## **Governance and Strategic Realignment**

- 6.9 As part of this work, DCC should take the opportunity to set out more clearly its expectations of LACD in terms of the services that will be provided, but more importantly the outcomes that should be achieved aligned with the priorities set out in the City Plan 2022-32 (1 to 3) and the Council Plan 2022-27 (1 to 5) below:
1. Reduce child poverty and inequalities in incomes, education and health.
  2. Deliver Inclusive Economic Growth.
  3. Tackle Climate Change and reach Net Zero emissions by 2045.
  4. Build resilient and empowered communities.
  5. Design a Modern Council.
- 6.10 This can then feed into a revised Services Agreement which can strengthen the governance and accountability between DCC and LACD. The review emphasises the need for strategic realignment to enhance LACD's financial sustainability and service quality. Key recommendations include:
- revising the Services Agreement between DCC and LACD;
  - monitoring and review processes to be clear; and
  - performance management framework to be developed.
- 6.11 Implementing the recommended improvements will enhance operational efficiency, strengthen accountability, and ensure the long-term sustainability of services. A revised approach - aligned with DCC's strategic priorities and Scotland's public sector objectives - will ensure that LACD services continue to contribute meaningfully to community wellbeing, economic sustainability, and cultural enrichment. With that in place, LACD could then implement workforce realignment, explore investment opportunities, consider alternative delivery models, adjust pricing policies, and improve marketing and business development.

## **Operational Improvements**

- 6.12 Section 7 of the report suggests several operational improvements, expanding fitness facilities at key locations, exploring community asset transfer or commercial operation for specific centres, and adopting a more commercial approach to sports classes and swimming lessons.
- 6.13 Additionally, changing marketing services and establishing a Development Unit for fundraising and business development are recommended to enhance operational efficiency and increase external funding.

## **Staffing Changes**

- 6.14 Due to this being the highest of LACD's costs, the EKOS report suggests there could be staffing re-alignment and/or reductions in staffing levels as result of service changes. However, they highlight the importance of noting that the top-level figures in the report are indicative rather than definitive at this stage, and care will be required to ensure that any realignment does not prevent genuine areas for service and income growth and improvement. It should also be noted that the staffing costs provided and discussed in the EKOS report do not include the cost of casual workers, which was circa £0.5m in 2023/24.
- 6.15 Any changes to the operating models would also be dependent on what options, service changes and/or efficiencies suggested in the report were ultimately taken forward. Aligning staffing, operating hours and usage of services across sports, libraries and cultural services is a key area to be explored further.

## 7. OTHER WORK LACD IS PROGRESSING

- 7.1 As noted in the EKOS report, LACD had senior management changes during 2024 so has only been at its full complement since then but noted that the new management team have been working to make changes alongside the EKOS review being carried out. This section sets out the updates provided by LACD on the progress being made.

### Cultural and Library Services

- 7.2 A summary of work being developed in this area is detailed below:

#### Caird Hall

- Business plan prepared by independent consultancy IPW.
- Restructure of staffing including replacing the manager and deputy manager with an operations manager and programme manager, ensuring that the venue has a clearer and more income focused future.
- Tender being developed for a new food and beverage offer which will enhance the venue and increase income.
- New signage inside to update the interior, new bar in Marryat Hall which will increase bookings.
- Developing new partnerships and programming relationships to improve the offer at the Caird Hall including Scottish Album of the Year.
- New marketing support to increase attendances and to ensure that it remains competitive in the city.

#### McManus

- New ambitious exhibition programme for next two years and beyond.
- Increased focus on income generating events such as weddings, parties, talks.
- New café provider which will increase footfall with a refreshed offer and lower prices for customers.
- New McManus Monday offer which will include paid for craft and creativity sessions while also giving a home to the Dundee choir, Loadsaweemin Singing to rehearse.

#### Libraries

- Working with each library to identify individual strengths that will allow us to clearly focus on key areas (climate change, democracy) and develop USPs for each.
- Develop new areas for key user groups in Central Library including new products such as the Dundee Book Festival to reconnect with lost audiences and bring them back to Central Library.
- Continue a focus on the new community libraries at Kirkton and Drumgeith and to be a key resource for schools across Dundee, including new library resources for children with additional needs.
- Work with partners to strengthen the offer across the city.

#### General

- Develop new national partnerships across all venues including with the Southbank Centre (June 2026, Poetry in Every Port) and the National Gallery in London (Art for All, across the city in 2027). Also Scottish partnerships such as Jupiter Artland coming to the city (September 2025) and Scottish Album of the Year (November 2025).
- Increase visibility across the organisation with awards such as finalist in Chambers Business Awards (September 2025) and Courier Business Awards (October 2025).
- Increased marketing and social media – e.g. Mills Observatory.

### Sports, Leisure and Physical Activity Services

- 7.3 Since 1 April 2025, the strategic focus for 2025/2026 has been to transition Active Dundee from recovery to growth. This shift prioritises financial sustainability, innovation, and community well-being, all underpinned by clear functional plans that ensure alignment and accountability across every team and individual.

- 7.4 This direction is guided by the Leisure & Culture Dundee Strategic Plan 2025–2029, developed collaboratively with input from managers and staff. The aim is to deliver high-quality, inclusive, and sustainable leisure and physical activity services across Dundee. The key priorities stated:
- Our Offer: Develop sustainable leisure and physical activity opportunities, contribute to city plans, refresh strategic approaches, and explore new revenue streams.
  - Our Infrastructure: Maintain facilities, update health and safety policies, enhance digital services, and strengthen cross-team collaboration.
  - Our People: Promote staff engagement, learning and development, flexibility, well-being, and build a robust volunteer network.
  - Our Brand: Strengthen brand identity, improve customer communications, and introduce a customer charter.
  - Our Finances: Deliver savings, review pricing and concessionary schemes, manage performance, and invest in innovation.
- 7.5 Each section of Active Dundee is developing its own functional plan, tailored to support these priorities. There are currently 15 functional plans covering areas such as arenas, business development, outdoor centres, sports, aquatics, health & wellbeing, school facilities, and more. Progress is tracked using business-critical KPIs, enabling regular review by the Board and Dundee City Council.
- 7.6 Several recommendations from the EKOS report have already been incorporated into these plans. Below is a summary of recent developments:

#### **Ancrum Outdoor Centre**

A staffing structure review has led to a new operating model. A formal paper outlining the revised structure, anticipated efficiencies, and mitigation strategies is under development for the next LACD Board meeting.

#### **Sport and Leisure Venues – Management Structure Review**

A comprehensive review has been completed to align leadership frameworks with operational needs and service goals. Phase one of structural changes is underway, with phase two scheduled later this financial year to further refine the model.

#### **Camperdown Wildlife Centre**

Strategic options are being assessed to improve operational sustainability and visitor experience. A paper is under development for the next LACD Board meeting.

#### **Membership Growth and Service Expansion**

Following a strategic revision in January, membership has grown by nearly 30%, reflecting strong community engagement. A recent change launched ACTIVE 9BX, is a HYROX-affiliated training facility at RPC, and initiated a feasibility study for additional gym space.

#### **Learn to Swim Programme**

A multi-phase expansion is underway to increase access and inclusivity:

- Phase 1: Expanding capacity at Grove, St Paul's, and Olympia, including enhancements to the Learn to Dive offer.
- Phase 2: Extending access to additional wetside venues, prioritising underserved areas.

#### **Douglas Sport Centre**

Developing and evaluating sustainable operational models for Douglas Sports Centre that respond to the needs of the local community, align with strategic priorities, and remain financially viable. The aim is to ensure the centre continues to deliver meaningful impact while adapting effectively to future challenges. This will form part of the options being considered when considering the options for Douglas Community Centre which will now be progressed.

### **Dundee Ice Arena (DIA)**

- 7.7 An independent review has been commissioned by Dundee City Council (DCC) and Leisure & Culture Dundee (LACD) to undertake a feasibility study to consider how the existing Dundee Ice Arena (DIA) offer can be developed to grow audiences for ice sports and ensure that all Dundee Ice Arena functions and services can take advantage of this growth. This will explore improving the overall commercial performance of DIA, including maximised use of the ice, catering and bar facilities and the potential to widen the offer.
- 7.8 LACD are finalising their 2024/25 Annual report for the Board and this will be reflected in the annual report on LACD's performance and impact presented to City Governance Committee later this year.

### **8. NEXT STEPS**

- 8.1 The key areas to explore further from the report are summarised into a draft high level Action Plan attached as Appendix 1, including the areas where EKOS provided options to be considered further. Officers from LACD and DCC would need to explore these further and prioritise any that were being recommended for implementation. This may require additional resources.
- 8.2 An officer's working group is to be set up and will review the high-level action plan and this further work is to ensure that any proposed changes are well-informed, viable, and aligned with our strategic goals. This approach should also mitigate risks, optimise resource utilisation, and enhance the overall effectiveness of leisure and culture services in Dundee.
- 8.3 As part of any implementation of agreed actions the appropriate DCC and LACD officers will also ensure that all actions agreed within the internal audit report on LACD Financial Sustainability originally reported in June 2024 are also completed.
- 8.4 Any strategic change and/or investment proposals would need to be brought back for committee approval. There may also need to be public consultation on changes to service provision.

### **9. POLICY IMPLICATIONS**

- 9.1 This report has been subject to the Pre-IIA Screening Tool and does not make any recommendations for change to strategy, policy, procedures, services, or funding, so has not been subject to an Integrated Impact Assessment.

### **10. CONSULTATIONS**

- 10.1 The Council Leadership Team was consulted in the preparation of this report.

### **11. BACKGROUND PAPERS**

- 11.1 None.

GREGORY COLGAN  
CHIEF EXECUTIVE

DATE: 10 SEPTEMBER 2025

ANDREA CALDER  
HEAD OF CHIEF EXECUTIVE'S SERVICE

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## HIGH LEVEL ACTION PLAN

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### 1. STRATEGIC REALIGNMENT

#### 1.1 Strengthening the Services Agreement

- **Action:** Revise the Services Agreement to focus on outcomes based on city priorities (poverty, health and wellbeing, inclusive economic growth and net zero).
- **Objective:** To articulate clearly DCC's priorities and expectations of leisure and culture services to be provided by LACD including clarifying and agreeing roles and responsibilities and decision making, and empowering LACD.
- **Responsible:** DCC and LACD

#### 1.2 Performance Management

- **Action:** Develop and implement a performance management framework aligned with the revised Services Agreement. This would be linked to action 1.3 also.
- **Objective:** Align to the revised Services Agreement and the outcomes that it targets and also to enable more effective financial and operational management and planning.
- **Responsible:** DCC senior officers

#### 1.3 Data Management and Performance Measurement

- **Action:** Assess the feasibility of implementing a comprehensive data and performance measurement model for both LACD and DCC to use. This would look at the model EKOS used.
  - **Objective:** Enhance the accuracy and consistency of data to support strategic decision-making and ongoing performance monitoring.
  - **Responsible:** DCC senior officers
- 

### 2. OPERATIONAL IMPROVEMENTS

#### 2.1 Possible Expansion Opportunities

- **Action:** Explore more fully the expansion of fitness facilities at one or more of the following: Douglas Sports Centre, Regional Performance Centre, and/or Menzieshill Community Hub. This would involve developing an appropriate business case for any options.
- **Objective:** To determine the potential return on investment, community benefits, and alignment with strategic priorities.
- **Responsible:** DCC and LACD

#### 2.2 Alternative Delivery Models

- **Action:** Explore other options for Camperdown Wildlife Centre, Ancrum Outdoor Centre and the Ice Arena. This may include community asset transfer or commercial operation.
- **Objective:** Assess the financial sustainability, community engagement, and potential risks associated with alternative delivery models.
- **Responsible:** DCC and LACD

#### 2.3 Commercialisation and Pricing

- **Action:** Do an option appraisal of the commercialisation and pricing strategies for sports classes, swimming lessons, and membership models.

- **Objective:** Identify the most effective pricing strategies to increase revenue while maintaining accessibility for the community.
- **Responsible:** DCC and LACD

## 2.4 Libraries

- **Action:** Consider further consolidation into more efficient library hubs (for example, Drumgeith).
- **Objective:** Identify a modern and sustainable library provision for the City. This would reduce operational costs as there are limited income generation options. This may include better alignment of operating hours and usage.
- **Responsible:** LACD Management

## 2.5 Cultural Services

- **Action:** Consider the report findings alongside the work being undertaken by LACD in relation to Caird Hall, McManus, Mills Observatory and Broughty Ferry Castle.
- **Objective:** Ensuring that the operating models within each venue are efficient to reduce running costs and any subsidy needed, particularly if commercialisation and revenue generation is more limited.
- **Responsible:** DCC and LACD

## 2.6 Improved Operations

- **Action:** Explore the options of adapting the current marketing services and/or establishing a Development Unit for fundraising and business development.
- **Objective:** Determine the potential benefits, cost savings, and impact on operational efficiency.
- **Responsible:** DCC and LACD

## 2.7 Capital Projects

- **Action:** Update the list of proposed capital projects in line with the revised strategy and operational plans and conclusion of 2.1 & 2.3.
- **Objective:** Ensure that capital projects align with strategic objectives and provide value for money.
- **Responsible:** DCC and LACD

## 2.8 Workforce Realignment

- **Action:** Assess the impact of workforce realignment on operational efficiency and cost savings.
  - **Objective:** Ensure that workforce changes do not negatively impact service delivery and that the proposed savings are achievable.
  - **Responsible:** DCC and LACD
-





# Strategic Review of Leisure and Culture Dundee

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# Executive Summary

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## Introduction

Leisure and Culture Dundee (LACD) was established in 2011 to deliver Leisure and Sports Services, Library and Information Services, and Cultural Services on behalf of Dundee City Council. A Services Agreement between the Council and LACD sets out the activities that LACD must deliver on behalf of the Council in exchange for a Management Fee. The Council also meets costs relating to property repair and maintenance for the buildings under LACD's management.

LACD's activities include the management of 21 sports and leisure facilities, a wide range of sports and physical activity classes, including injury and illness rehab services, 14 libraries and a library outreach service, a range of culture and heritage venues and facilities and cultural programmes in the community.

In light of the growing financial constraints facing local authorities across Scotland, Dundee City Council (DCC) commissioned a strategic review of LACD to ensure the organisation meets the current and future needs of local communities, aligns with best practice, maximises resource utilisation, is financial sustainable, and provides value for money.

The review work combined very detailed analysis of financial and performance data with consultation with LACD staff and board members, DCC officers and elected members and a range of external partners. Key findings are summarised below.

## Financial Performance

LACD's financial performance reflects increasing reliance on DCC funding, rising operational costs, and shifting income patterns. The core Management Fee has risen from £7.18 million in 2019-2020 to a projected £9.68 million in 2025-2026, a 34.9% increase.

Since 2021-2022, additional financial support averaging £1.4 million per year has been crucial in addressing financial pressures, particularly post-COVID and in response to the temporary closure of facilities such as Olympia.

Total revenue declined by 4.1% between 2019-2020 and 2023-2024. The largest sources of income in 2023-2024 were:

- Fees (£1.88 million, 22.7% of total income) – down 27% from 2019-2020.
- Membership Fees (£1.25 million, 15%) – down 14%.
- Other Grants (£1.08 million, 13%) – up 63%.

- DCC Education Income (£678k, 8.2%) – up 12.5%.

While casual facility usage (-27%) and membership fees (-14%) remain below pre-pandemic levels, external grants (+164%) and coaching programme fees (+203%) have grown significantly, indicating a shift toward funding through partnerships and structured programmes.

Key income-generating venues include the Ice Arena (£697k), Regional Performance Centre (£578k), and Active Schools (£555k). Active Schools, however, is grant funding for delivery of those services.

Total expenditure in 2023-2024 reached £24.87 million, an increase of £2.2 million (9.7%) compared to 2019-2020 levels (£22.67 million). The main areas of expenditure growth are:

- Property Costs - increased by £2.1m (68%) to £5.2 million in 2023-2024 (21% of total expenditure) likely due to increased utility costs, maintenance, and asset management expenses associated with LACD facilities. As noted, these costs are borne by DCC.
- Staff Costs - increased by 19% to £15.27m (80.2% of LACD costs).
- Supplies and Services - increased by 3% to £3.05m (12% of total expenditure).

LACD's financial performance has been impacted by a difficult period as a result of the pandemic and post-COVID recovery, the closure of key facilities like Olympia, loss of senior management staff and the post-pandemic period of high inflation. New appointments at senior management level are having a positive impact, along with a strengthening of the Board of Trustees.

However, this is not a sustainable trajectory, and points towards a need for transformational change.

## Service Performance

The review found LACD's overall recovery from the pandemic to be mixed with significant disparities between service areas. While some sports venues and libraries have rebounded strongly, others, particularly Olympia (which was closed for an extended period but has been operational again since May 2024), Development Services, and the main cultural venues have further to go to reach pre-pandemic levels. Core venues are now operating with significant financial challenges.

Library footfall remains significantly below pre-pandemic levels, indicating shifts in user behaviour, and this is consistent with wider trends across the sector.

LACD's fitness membership base (a key driver of revenue) is strong but falls short of national population penetration benchmarks (4.5% compared to 6.5%), presenting a clear opportunity for expansion.

Overall, LACD is emerging from a difficult post-COVID five-year period where it has shared the national characteristics of increased operational costs, reduced income, variable levels of participation and usage, and a consequent increasing financial reliance on DCC at a time of difficulty for public services generally. This combination of circumstances has placed additional pressure on the relationship between LACD and DCC and, consequently, has revealed some stress-lines in current practice and communications.

On the positive side, the services still retain reasonable (and in some areas excellent) levels of usage and a generally high level of customer/user satisfaction. However, there is a need for more efficiency across the organisation and, arguably more importantly, an acknowledgement that some re-focusing of operational practice and skillsets is required to make the service provision more effective and future-facing.

Some of this will be achieved by staff re-training and/or redeployment, some through investing to grow income, and some through introducing new working practices both frontline and in terms of operational support. A more developmental ethos needs to be introduced and supported in some working areas to maximise and grow income streams and, primarily, to improve the quality of service to users.

## Governance Review

While recent appointments to the Board and senior management team of LACD have been beneficial, the review found scope for improvements in the governance arrangements for the organisation.

In particular, the review identified questions around management, leadership and accountability culture and the relationship between DCC and LACD relationship is at times challenging particularly in relation to property issues. At the same time, DCC could be clearer about its expectations for culture and leisure in the city, and more direct in its requirements of LACD.

The current Service Agreement is out of date and lacks alignment with public sector reform principles (prevention, partnership and outcomes) and with Council priorities. It also lacks flexibility to review and change service provision.

There is also scope to improve data collection and monitoring and to improve digital strategy, including the use of artificial intelligence (AI).

There is an opportunity to reassert the role that culture and leisure play in the future of the city – a refreshed vision for Dundee, and for LACD. This should assert clearly the contribution that leisure and culture can make to key city priorities such as poverty and deprivation and health and wellbeing, but also as a driver of civic pride and quality of life.

One option proposed in the review is to reframe membership as citizenship in which all citizens of Dundee, from birth to death, are automatically members of Leisure and Culture Dundee – no signup, no barriers – with a view to:

- Embedding culture and leisure as a civic right, not a consumer choice.
- Making public services feel personal, social, and lifelong.
- Encouraging early and sustained engagement (from birth, rather than later life).
- Strengthening LACD’s legitimacy and visibility as a civic institution, not a contractor.

Membership would entitle citizens to specific services, summarised as:

- Free core access to public cultural services: libraries, archives, exhibitions, parks, observatories, and digital collections.
- Tiered or discounted access to enhanced services (e.g. premium classes, ticketed events, facility hire).
- Participation rights in civic cultural planning, feedback, and community-led programming.

This is an illustrative idea for a different approach at this stage and would require further development.

## Agenda for Change

The overarching conclusion is that change is needed at LACD. How dramatic the change is, or how quickly it needs to be achieved, will be driven by DCC priorities. If savings are a priority, then the review has indicated where these can largely be found. Similarly, there are recommendations to improve current operations with positive financial and social impact. There are also positive and potentially exciting developments for the city and for LACD.

At its root, there are some practical elements that need to be addressed, and getting these right should have a short- and medium-term impact on both service quality and financial sustainability. The current Service Agreement is at the heart of this – there is a suggestion for a strategic re-focussing of how this is framed, however, even if that is not favoured, a mutually negotiated new Service Agreement with key objectives, specific KPIs, and a clear process for monitoring and reporting is essential. Some communication routes between DCC and LACD seem to have been disrupted in the post-COVID period, which may have led to tension and misunderstanding – again, greater clarity in this area is a prerequisite going forward.



The opportunity for much greater inter-disciplinary and cross-sectoral operation needs more attention, not only for cost-effective reasons, but more importantly as a means of addressing policy issues such as health and poverty more effectively. This extends beyond LACD-DCC services (although there are still areas there to exploit) to health providers and the third sector in the city.

One intangible aspect that requires cultivation is a corporate one of development – the ethos of innovation that characterised much of LACD’s work had dissipated post-COVID due to capacity issues. A Development Unit within LACD could help drive and support some of these ambitions, but ultimately the culture of entrepreneurialism needs to be encouraged from the Board and senior management.

It is worth saying that LACD is not an organisation with terminal difficulties – it has had a particularly challenging five-year period for macro and micro reasons, and it now appears to be more stable than it perhaps had been during that period. There are significant assets within the organisation – staff skillsets, experience, and commitment; a generally good and varied built estate; goodwill from users and public – but these have not been, and require to be, exploited to a much greater extent.

In relation to an agenda for change, these are split into the strategic and the operational.

## Strategic

- DCC should articulate clearly its expectations of culture and leisure for the city, and subsequently for LACD including clarifying and agreeing roles and responsibilities and decision making, and empowering LACD. This should also seek to develop a refreshed vision for culture and leisure services that is firmly rooted in the future ambitions for Dundee.
- the Services Agreement should be revised to focus on outcomes based on civic priorities (poverty, health and wellbeing, net zero, inclusive economic growth) – perhaps underpinned by the Civic Membership model.
- governance and leadership structures and arrangements should be reviewed and revised to improve clarity, communications and transparency and enable the Board of LACD to focus on strategic rather than operational matters.
- performance measurement should be improved both to align to the revised Services Agreement and the outcomes that it targets and also to enable more effective financial and operational management and planning.
- there may be merit in establishing a Working Group or Transition Board – a small group comprising officers from DCC and LACD, to work through the governance and revised Services Agreement.

- all LACD activities should then be refocused and targeted around civic priorities and the outcomes specified in the Services Agreement.

## Operational

In relation to the operational opportunities that have been identified, some decisions will be needed as to the priorities and relative emphasis between short term savings and longer term investment. We have grouped these as follows:

- **efficiency savings:** workforce realignment creating opportunities for efficiencies of circa £1.5-£3.5m (depending on other decisions made in relation to facilities).
- **alternative delivery models:** alternative delivery for Wildlife Centre (or closure) and Ancrum Outdoor Centre.
- **Investment opportunities:** fitness facilities at Douglas Sports Centre, Regional Performance Centre and Menzieshill; marketing and programming and food and beverage offer at Caird Hall.
- **Commercialisation:** commercialising sports classes and swimming lessons and reviewing membership models and wider pricing structures.
- **Operational improvements:** outsourcing marketing, establishing a Development Unit with clear fundraising and business development targets (and possibly identifying new flagship projects where opportunities arise).

# 1 Introduction

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This report presents the findings of a strategic review of Leisure and Culture Dundee (LACD) to ensure the organisation meets the current and future needs of local communities in Dundee City, aligns with best practice, maximises resource utilisation, is financially sustainable, and provides value for money. The strategic review was commissioned by Dundee City Council (DCC) in partnership with LACD and was undertaken by EKOS together with Integratis Consulting and Creative Services Scotland between November 2024 and April 2025.

## 1.1 Context

LACD was established as a Scottish Charitable Incorporated Organisation (SCIO) in 2011 and is responsible for the delivery of a range of services which are at the very heart of local communities in Dundee City. This includes Leisure and Sports Services, Library and Information Services, and Cultural Services. In addition to the three core service areas LACD is funded by DCC to deliver or oversee other initiatives and agreements on behalf of the Council and Dundee Partnership, including Active Schools, Outdoor Education, and the School Library Service.

A Services Agreement (see **Appendix A**) between DCC and LACD has been in place since 2011 which sets out the activity that LACD must deliver on behalf of the Council in exchange for a management fee. The Services Agreement has not changed in any material or significant way over the last 14 years with the exception of some recent updates, including updates to the opening hours of facilities and to reflect current activity.

It is widely recognised that there is an urgent need to transform how councils in Scotland deliver services - DCC, like all councils in Scotland, face a challenging situation. Local government budgets are constrained and increasing demand and cost pressures continue to put council finances under strain. DCC has made, and will continue to make, significant savings and take difficult decisions about spending priorities to ensure financially sustainable service provision over the long-term.

[The Best Value: DCC](#) report (Audit Scotland, 2023) notes that the Council has reported savings of over £147 million including through its transformation programme since 2008 but that DCC has a projected cumulative funding gap of £38 million for the period 2024-2027. The Council's transformation programme is currently in its sixth phase of delivery - this has a focus on property rationalisation, digital service provision, service re-design, shared services, and payments and income generation - and will result in further savings for the Council over the next few years.

The recent [Internal Audit Report on LACD Financial Sustainability](#) (2024<sup>1</sup>), notes that the Services Agreement is out of date and recommended, among other things, that a fuller external review should be undertaken of LACD agreements, priorities, funding and options for the future. Indeed, other authorities are undertaking, or have recently undertaken, similar reviews.

It is within this wider context that the current review has been commissioned - DCC recognises that most value and insight will come from a comprehensive strategic review of the whole organisation rather than considering individual LACD service areas in isolation.

## 1.2 Review aims and objectives

The overall aims of the review were to assess LACD's delivery of services against the Services Agreement with the Council, identify areas for improvement, and develop strategies to optimise costs while maintaining or enhancing service quality. As such, the review is intended to provide actionable recommendations for service improvement, cost efficiencies, growth opportunities, and a sustainable operational model which delivers on the city, Council and LACD priorities.

The detailed objectives of the strategic review were to:

- assess LACD's performance against the Services Agreement identifying the extent to which the organisation is meeting its obligations to the Council and/or over- or under-performing.
- provide an evaluation for each service LACD provides (whether part of the Service Agreement or additional to it) considering:
  - utilisation including the number of users and their demography.
  - the cost of delivering the service and how this is funded.
  - the staffing required to support the service.
  - the extent to which the service supports delivery of the [Dundee City Plan](#).
  - how the service benchmarks against comparator providers.
- identify opportunities to improve the efficiency and effectiveness of the service delivery including in relation to property, staffing, management, and charging.
- provide recommendations for LACD to maintain services at a reduced cost.

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<sup>1</sup> The internal audit was undertaken during 2023 and the report was considered by the Council Scrutiny Committee in 26 June 2024 and by the City Governance Committee on 19 August 2024.

- identify potential revenue-generating opportunities, including partnerships, sponsorships, and innovative service offerings including spend to save proposals, to support increased footfall, use and income.
- propose services that could be delivered for less cost by reducing service standards or services that should stop (that is, not contributing to city/Council priorities and/or are too expensive to deliver).
- propose marketing and communication strategies to maximise outreach, attract diverse audiences, and increase revenue streams.
- identify a suite of appropriate measures against which the future performance of LACD against the City Plan can be assessed.
- develop an implementation roadmap outlining prioritised recommendations, cost-saving initiatives, and timelines for executing strategic changes.

## 1.3 Review process

The review process comprised a number of interconnected stages, as follows:

- an initial inception meeting with DCC to agree the review objectives and methodology and arrange access to relevant background information and documentation.
- early engagement with LACD and DCC staff to arrange access to necessary financial and performance data.
- extensive analysis of financial and performance data and the development of a data model that can be used by LACD and DCC to inform future decision making (this is provided as a separate output of the review).
- consultation with a range of stakeholders, including DCC staff and elected members, LACD staff and trustees and external partners and stakeholders.
- initial feedback meeting and discussion with DCC to review emerging findings and identify any areas of concern.
- production of draft and final review reports.

## 1.4 Limitations

Throughout the LACD review process, several data-related limitations emerged, impacting the strategic insight and planning capabilities. The central system, MRM, provided inconsistent and erratic data, necessitating manual intervention and coding to achieve any meaningful analysis.

Notably, the lack of uniformity in system usage – such as some venues bypassing MRM entirely for club bookings – complicated efforts to obtain an accurate picture of venue utilisation and performance.

Additionally, critical information gaps such as detailed hour-by-hour usage data for major venues, including the Regional Performance Centre and McTaggart Gymnastics Centre, severely restricted the ability to understand actual demand patterns. The complete absence of detailed usage and staff rota data across all Cultural and Library venues further exacerbated this issue, preventing an evidence-based assessment of staffing alignment with actual service demand.

Consequently, strategic decisions on operational efficiency, service provision, and access are hindered by inadequate and fragmented data.

Lastly, the absence of comprehensive condition surveys for LACD venues creates uncertainty regarding long-term asset management and investment planning. Without this foundational information, DCC faces constraints in effectively prioritising capital investment and proactively managing maintenance liabilities, potentially leading to unforeseen reactive expenditure and reduced strategic agility.

## 2 About LACD

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### 2.1 The establishment of LACD

LACD was established as an arms-length external organisation (ALEO) of the Council and SCIO in 2011, primarily to benefit from charity relief from non-domestic rates.

The inaugural meeting of the LACD Board was held on 1 July 2011. It is an independent Scottish Charity with responsibility for the delivery of Leisure and Sports Services, Library and Information Services, and Cultural Services in the city of Dundee.

The [constitution of LACD](#) sets out the charitable purposes of LACD as to:

- advance the arts, heritage, culture, and science.
- advance public participation in sport.
- provide recreational facilities and organise recreational activities with such facilities/activities available to members of the public with the object of improving their conditions of life.
- advance education.
- advance health.
- advance citizenship and/or community development (which may include the promotion of civic responsibility, volunteering, the voluntary sector and/or the effectiveness or efficiency of charities).
- relieve those in need by reason of age, ill health, disability, financial hardship, or another disadvantage.
- promote, establish, operate and/or support other similar schemes and projects which further charitable purposes.

The constitution notes that LACD delivery against its charitable purposes would be achieved through the provision of services (including those entrusted to it by DCC), which contribute to advancing wellbeing, primarily the wellbeing of residents of Dundee, including:

- the operation, management and development of galleries, museums and other facilities which provide public access to collections of works of art, antiquities, and objects of scientific interest.
- the development and delivery of arts and cultural activities and events, artistic programmes, and educational projects.

- the operation, management and development of libraries and provision of library and archive services.
- the operation, management, and development of indoor and outdoor sports facilities (including arrangements to facilitate access to such facilities by those on lower incomes or having special needs and to encourage wider participation in healthy exercise).
- the development and delivery of sports activities and events directed towards wider participation in sport.
- the development and delivery of community learning and adult learning initiatives.
- the delivery of services focused on social renewal and the needs of young people.

The LACD [Purpose Statement](#) notes that the role of LACD is:

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*"To deliver, for the citizens of Dundee, and those who visit the city, high quality Leisure, Sporting, Cultural and Learning Experiences which contribute to their quality of life."*

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## 2.2 Core service areas

Each of the three core service areas has its own statement of principles which sit below the overarching organisational values of LACD which include commitments to: service quality and excellence; being empowered and accountable; actively share knowledge and skills; ensure equality and promote diversity; and practice corporate and social responsibility.

**Appendix A** sets out a high-level description of services based on latest version of the Services Agreement. A critical review of the Services Agreement is provided at **Chapter 5**.

### Overview of Services

In terms of sport and leisure, LACD operates the following:

- **Sport and leisure venues** – LACD manages 21 public facilities on behalf of DCC. This includes gyms and swimming pools to wellbeing programmes and leisure spaces. The main venues include Ancrum Outdoor Centre, Olympia, Douglas Sports Centre, Dundee Ice Arena, The Regional Performance Centre and Lochee Swimming and Leisure Centre.
- **Activities** – a wide range of sports and physical activities including fitness classes, Learn to Swim, gymnastics, dance, racket sports, netball, athletics, disability sports and holiday activities.



- **Active Schools** – LACD delivers the Active Schools programme in Dundee. Active Schools is a nationwide sportscotland-led partnership with all 32 Scottish local authorities that places dedicated coordinators in every school cluster. Since 2003 it has created free or low-cost sport and physical activity sessions before, during and after school, linking pupils to community clubs and volunteers so they stay active for life.
- **Health and wellbeing** – LACD also work in partnership to provide a range of prehab and posthab activities and services targeting those with existing medical conditions. In addition they also provide antenatal programmes, health walks and exercise referral programmes.
- **Training opportunities** – LACD also offer a range of training courses including First Aid, National Pool Lifeguard and Child Wellbeing and Protection in Sport courses.

LACD operates a network of libraries across Dundee, offering:

- **Public libraries** – including the Central Library (based in The Wellgate Centre), which is a major hub for lending books, archives, digital resources, and community learning.
- **13 community libraries** – smaller branches that provide local access to books, digital resources, public computers, free Wi-Fi, and community programmes.
- **Digital services** – including eBooks, audiobooks, magazines, newspapers, and access to research tools and databases.
- **Local and family history services** – based in the Central Library, offering archives, maps, directories, and expert support for heritage research.
- **Children and young people's services** – reading schemes like the Summer Reading Challenge, Bookbug sessions for early years, and homework clubs.
- **Outreach services** – including home delivery for people unable to visit a library in person.

LACD also manages several key cultural facilities and services, including:

- **Caird Hall** – the city's main concert and events venue, hosting a wide range of cultural performances from classical music to popular concerts.
- **McManus: Dundee's Art Gallery and Museum** – collections of fine and decorative art, natural history, archaeology, local history and special exhibitions.
- **Broughty Ferry Castle** – displays on military and social history, as well as the whaling industry.
- **Mills Observatory** - Britain's first purpose-built public astronomical observatory, designed to make astronomy accessible to the public.
- **Exhibitions and Galleries** – LACD coordinates visual arts programmes in civic spaces, libraries, and community venues.
- **Cultural outreach and community programmes** – supporting participation in the arts, creative industries development, and events across the city.

In addition to direct service delivery, LACD plays a role in the citywide cultural strategy, partnership working (including with V&A Dundee, Dundee Contemporary Arts, Dundee Rep and Dundee Heritage Trust), and helping implement Dundee's status as a UNESCO **City of Design**.

## 2.3 Governance and management and delivery structure

### Governance structure

The Board of LACD, which meets on a bi-monthly basis, sets the overall strategic direction for LACD and is responsible for monitoring and controlling the financial position of LACD. The Board can comprise 13 charity trustees, including three elected members, two DCC officers, and eight independent trustees. The roles of Chair and Vice Chair are to be held by an independent trustee and a Council appointee.

The LACD Board now has its full complement of 13 members. This includes three elected members nominated by the Council (two from the Administration and one major opposition). There are also two executives being the Director of Leisure and Culture and Executive Director of Corporate Services.

The governance structure was reviewed during 2019, and three sub-committees in place continued with delegated authority to deal with business issues on behalf of the Board. In 2023, the Audit, Risk and Compliance Committee was established. The current structure includes a:

- Finance Committee (meets quarterly).
- HR and Equalities Committee (meets every third month).
- Health and Safety and Property Committee (meets every third month).
- Audit, Risk and Compliance Committee (meets five times per year).

### Staffing structure

The Senior Management Team of LACD comprises the:

- Director (reports to the DCC Chief Executive).
- Head of Corporate Services.
- Head of Leisure, Sport and Physical Activity Services.
- Head of Library and Cultural Services.

The Director of Leisure and Culture is a council employee and reports to the DCC Chief Executive – costs with this post are met by the Council.

There are a number of managers responsible for specific service areas, as detailed in the LACD Purpose Statement referred to earlier.

## Volunteers

The LACD [Business Plan 2019-2024](#) notes that at any given time LACD supports on average 600 volunteers. Active School Coordinators and the Library and Information Service Volunteer Coordinator, among others play a key role in providing support for volunteers.

## 2.4 Funding and finance

The Services Agreement between DCC and LACD sets out the activity that LACD must deliver on behalf of the Council in exchange for a management fee.

The management fee has increased in recent years but is now a flat funding position. The council has also provided LACD with additional funding to deal with impact of the COVID-19 pandemic, as the organisation experienced considerable shortfalls in income as a result of lockdowns and operating restrictions. LACD has had to delivery savings each to balance its budget.

**Table 2.1: DCC financial support to LACD**

Financial year	Management fee	COVID support	Total funding from DCC
2019-2020	£7,180,939	£0	£7,180,939
2020-2021	£7,327,378	£0	£7,327,378
2021-2022 (actual)	£7,896,000	£1,313,369	£9,996,000
2022-2023 (actual)	£8,476,000	£1,298,974	£9,290,000
2023-2024 (projected)	£9,176,000	£1,581,602	£10,764,000
2024-2025 (planned) <sup>1</sup>	£9,796,000	£0 agreed as yet	£9,796,000
2025-2026 (forecast)	£9,683,000	-	£9,683,000

Source: LACD

<sup>1</sup> DCC agreed to underwrite LACD to 30 June 2025. Loss of income for closure of Olympia for Q1 is £244k which DCC should cover. There may also be additional management fee for the year as a result in the increase in the pay award of around £243k. No agreement with DCC has been made yet but figures have been submitted to DCC.

In addition to the management fee, DCC also meets the building maintenance and energy costs, and capital costs for the properties under LACD management. This is covered in more detail in the financial analysis in **Chapter 4**. LACD also generates income by charging for the provision of services and the operation of leisure and cultural facilities.

## 2.5 Monitoring and review

LACD must also comply with the performance reporting requirements identified by the Council. In addition, LACD provides an annual performance report to DCC which is focussed on a limited range of performance indicators which includes Cost Per Visit, Satisfaction Rates, Attendance, and Volunteering Hours (Cultural Services). The report also provides a summary narrative which explains how each service area contributes to DCC strategic priorities which are outlined within the City Plan.

The Internal Audit Report on LACD Financial Sustainability (2024) notes that

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“The scope of the performance monitoring arrangements which are in place currently encompass only a small part of the overall activity of LACD, being primarily concerned with attendance at facilities as opposed to the efficiency and effectiveness of the services being provided. Accordingly, they provide only limited assurance as to LACD performance, the value for money obtained in exchange for the management fee, and how LACD activity contributes to achievement of the Council’s priorities and objectives”.

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## 3 Operational and Policy Context

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### 3.1 Introduction

This chapter provides an overview of the context in which LACD operates, including the prevailing policy priorities and guidance at city level. This helps identify and consider the:

- main challenges (and opportunities) facing culture and leisure services.
- ways in which culture and leisure services play a pivotal role in enhancing the quality of life and wellbeing of individuals, fostering social cohesion, and contributing to the overall development of people and places.

**Appendix B** provides wider list of documents reviewed, including weblinks.

### 3.2 Socioeconomic snapshot

The Dundee City local authority is the smallest in Scotland by geographic area, covering just 60 square kilometres. With a population of just over 150,000, Dundee is second only to Glasgow in population density, with 2,375 people per square km - the Scottish average is 70 people per square km. While the city population is ageing, this is less stark than the national trend, and the working age population is growing. Combined with a higher than average student population, this gives the city a **younger overall demographic profile**.

The city has made significant progress in **regeneration** following the decline of traditional industries. The city adopted a plan to reinvent itself as a cultural centre, and in 2001 began the 30 year, £1 billion Waterfront Regeneration project to reconnect the city centre with the River Tay. The arrival in 2018 of the V&A Dundee provided the Waterfront project with its centrepiece. At the same time, the city has developed international strengths in technology, medicine and life sciences, and became in 2014 the UK's first UNESCO City of Design, recognising design excellence in computer games and medicine.

Over a period of 40 years, the city has prioritised signature capital developments to raise its profile nationally and amenity locally. This began with the return of the Discovery in 1986, the development of Dundee Contemporary Arts in 1999, redevelopment of the McManus in the noughties, arrival of the V&A in 2018, and the proposed siting of the Eden Project in 2020s/30s, amongst others.

This tradition of flagship investment has sometimes appeared at odds with the city's prevailing economic health. However, it has contributed significantly to the re-framing of the city as a contemporary destination for visitors, businesses, and students, and should not be overlooked when considering how LACD might contribute to this.

Throughout this period, the tertiary education sector has often been the key driver for new developments, employment, and economic growth, and the student body consistently rates the city as providing the best student experience in Scotland.

However, Dundee continues to face significant issues with **poverty** and **deprivation**. Economic activity in Dundee is 3.7 percentage points lower than the national average, with a higher proportion of people in Dundee unemployed, and a lower number in employment, than across Scotland.

### Economically Active

Dundee: 72.9%  
Scotland: 76.6%



### In Employment

Dundee: 66.6%  
Scotland: 74.0%



### Unemployed

Dundee: 5.0%  
Scotland: 3.3%

Source: [ONS Annual Population Survey \(2024\)](#)

Gross weekly earnings in Dundee are approximately 9% lower than across Scotland, and there is a greater proportion of workless households than nationally.

Dundee also has the second highest rate of child poverty in Scotland with 28.2% of children living in poverty after housing costs. This compares to a national average rate of 21.8%, with only Glasgow having a higher rate of child poverty than Dundee.



### Child poverty after housing costs in 2022/23

Dundee = 28.2%  
Scotland = 21.8%

Source: [LGBF \(2024\)](#)

A significant portion of the city falls within some of the most deprived areas in Scotland. According to the 2020 Scottish Index of Multiple Deprivation (SIMD) Dundee City had the 5th highest proportion of deprived areas among Scotland's local authorities, with 38% of its data zones falling within the 20% most deprived in Scotland. Life expectancy is also lower, and more children are at risk of having poor physical health.

Successive Cultural and Sports Strategies for the city have consistently identified as a major priority the connection between those activities and their benefits for physical and mental health and wellbeing. However, the city's health challenges are endemic and generational and require to be addressed cross-sectorally. In that regard, while there have been some examples of good and successful one-off projects and initiatives that bring together the cultural and sports sectors with those of social work and health – there is no consistent approach or integrated services.

Addressing inequalities is likely to remain a city priority for many decades to come, so there is an opportunity to consider how a more effective inter-disciplinary infrastructure could be established that roots leisure and culture provision more centrally within their collective agendas. The city has relatively recent precedent to indicate how this might work in practice: the two bids for City of Culture status in the last 12 years brought together planning and delivery oversight groups that comprised the private, public, academic, and third sectors to devise programmes that would meet a broad range of social and economic objectives. The scale of the city enables it to work in this cross-sectoral way arguably more effectively than any other in Scotland as many of the key partners and individuals are known to one another and there is a collegiate feel to how the city operates.

### 3.3 Policy drivers

The social challenges summarised above are very much at the heart of the [Dundee City Council Plan 2022-2027](#). The Plan identifies five main priorities for the city, namely to:

- reduce child poverty and inequalities in incomes, education and health.
- tackle climate change and reach net zero emissions by 2045.
- deliver inclusive economic growth (including Community Wealth Building).
- build resilient and empowered communities.
- design a modern council.

These priorities are intended to drive all council activity, including the work of LACD.

## Reducing poverty and inequality

Tackling poverty (in particular child poverty) and inequality remains a top priority at all levels, and there is recognition that some population groups and families have a far greater risk of poverty (for example, lone parents, low-income families, disabled people, etc.). Poverty, of course, can act as a significant barrier to an individual's access to, and engagement in, cultural and leisure activities. Evidence from the Scottish Household Survey (SHS) indicates that:

- rates of cultural engagement were lower among households with lower net annual household income, adults living in the 20% most deprived areas, disabled adults, and older people. The most frequently cited factors limiting or preventing people from attending cultural events and places, were a 'lack of time' and the 'cost of tickets' (both are higher in Dundee City).
- rates of participation in a cultural activity were also lower among households with lower net annual household income, adults living in the 20% most deprived areas, men, and older people. The most frequently cited factor limiting or preventing people from participation in a cultural activity was a 'lack of time'.
- participation rates in physical activity and sport were lower among adults living in the 20% most deprived areas, women, older people, and disabled adults. Again, a 'lack of time' was the most common factor that made participation challenging.

At the same time, there is growing evidence to demonstrate the individual and community benefits of engaging in culture and in sport and leisure in terms of health and wellbeing, education, employability and prosocial behaviour<sup>2</sup>. Thus, targeting participation within those groups in the community most at risk from poverty and deprivation can be a powerful tool for tackling inequality.

Specifically, the role of greenspaces may currently be underestimated. NatureScot's most recent Scotland's People and Nature Survey (SPANS)<sup>3</sup> quantifies the level of engagement of different demographic groups with their local greenspace.

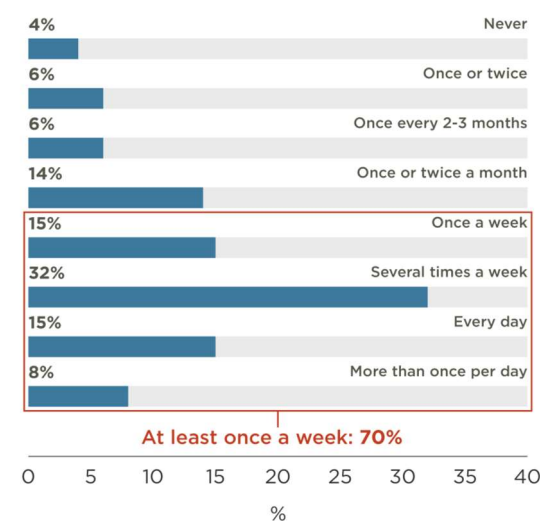
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<sup>2</sup> Scottish Government, [Cultural engagement in Scotland: what is it and why does it matter?](#) (2024); and COSLA, [The Positive Contribution of Physical Activity and Sport to Scotland](#).

<sup>3</sup> Stewart, D. and Eccleston, J. 2024. SPANS Scotland's People and Nature Survey 2023/24 - headline report. NatureScot Research Report 1361.



Figure 3.1: Frequency of Visiting or Passing Through Local Greenspace in the last 12 months



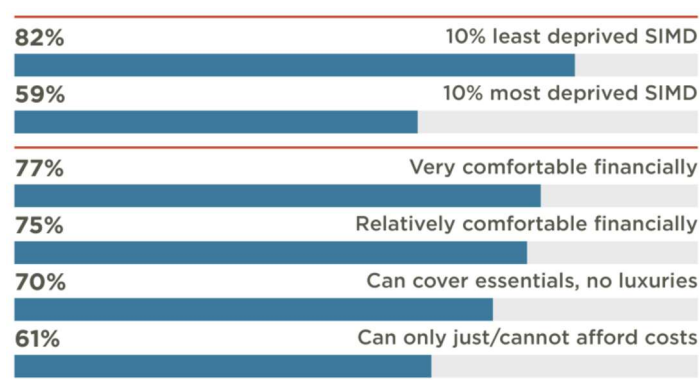
SPANS data underlines the importance of local greenspaces: 96% of people stated that they had either visited or passed through (for example, on their way to work or shops) their local greenspace areas at least once during the last 12 months, with 70% normally doing so at least once a week. There is a relatively consistent spread across age ranges who are accessing the spaces.

Figure 3.2: Proportion of Population Visiting Local Greenspace in last 12 Months: Age



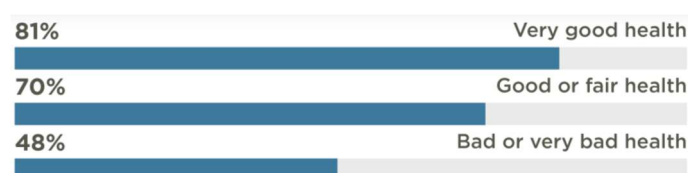
When attendance is broken down further, it suggests that many of the 'hard-to-reach' groups are disproportionately drawn to use of local greenspace. Economically, almost 6 in 10 people from the lowest SIMD decile currently use local greenspace, with a similar percentage for those who 'can only just/cannot afford costs'.

Figure 3.3 Proportion of Population Visiting Local Greenspace in last 12 Months: Income



In terms of health, almost 50% of those in 'bad or very bad health' access their local greenspace, which suggests there are opportunities for some services (DCC, LACD, and other public providers) to consider a more direct presence and intervention in these spaces as a means of engaging with some often-elusive demographic categories, including racial diversity.

**Figure 3.4: Proportion of Population by Visiting Local Greenspace in last 12 Months: Health**



**Figure 3.5: Proportion of Population Visiting Local Greenspace in last 12 Months: Diversity**



Greenspace, therefore, is an asset for the city that is well used by the citizens but, arguably, could be exploited to a greater extent by public agencies (such as DCC and LACD) to help them meet health and access objectives more effectively.

## Tackling climate change and transition to net zero

Tackling the climate emergency is a top priority of the Scottish Government – the focus is to reduce emissions and the country's vulnerability to the future impacts of climate change and restore the natural environment. The long-term vision set out in the Council Plan 2022-2027 is for Dundee to become a Sustainable City that plays a leading role in Scotland's goal to achieve net-zero greenhouse gas emissions by 2045 or sooner. The city's culture and leisure organisations and its facilities have an important contribution to make towards the DCC and Scottish Government ambition to transitioning to a net zero emissions economy, for example, by reducing emissions from energy use, transport, and waste, not least as some of the assets operated by LACD may be significant contributors to emissions.

## Inclusive Economic Growth and Community Wealth Building

Culture and sport and leisure are of course important components of the city economy in their own right (LACD is a significant employer) and extend far beyond the facilities and services provided by DCC and LACD. However, LACD has a wider role in economic development through, for example:

- ongoing development of the visitor offer and visitor economy of Dundee – a growing part of the city's economic development.

- enhancing individuals' employability through the skills and aptitudes developed through volunteering and participation in culture and sport.
- improving health and wellbeing, which in turn contributes to economic activity rates and economic productivity.

One area of LACD's portfolio that could arguably be exploited to a greater economic extent is its **UNESCO designation**. Currently, a very small team work on an interesting but comparatively 'under-the-radar' range of projects and exchanges. However, the rarity of such a designation, and the positive association with an established international brand, do not appear to be fully exploited – either to broker trade and services exchange with an established global network of cities, or in basic marketing of the city and contributing to its international profile. Later, we will explore areas in which current skills and assets can be redeployed or enhanced to have greater overall beneficial impact on the city, and on LACD, and UNESCO designation is certainly one that has this potential.

Community Wealth Building (CWB), which supports the Scottish Government and DCC priority of inclusive economic growth, is a people-centred approach to local economic development which redirects wealth back into the local economy and places control and benefits into the hands of local people. At a national level, the Scottish Government in its [Programme for Government 2024-2025](#) made a commitment to bringing forward a CWB Bill and develop a local authority led practice network to aid consistency and practice sharing. Some examples of the CWB in practice identified with the Council Plan 2022-2027 includes the role of anchor organisations including DCC and LACD in:

- creating entry level employment opportunities by supporting employability programmes aimed at different population groups, especially those left behind by the current labour market.
- ensuring that the procurement of goods and services supports CWB principles.

## Communities and 20-minute neighbourhoods

The premise of [local living and 20-minute neighbourhoods](#) is to provide people with the opportunity to meet the majority of their daily needs within a reasonable distance of their home (that is, a 20-minute walk, wheel, or cycle from home). This includes to safely access and participate in cultural and leisure activities, spend time outdoors, etc. By doing so this can help to deliver the healthy, sustainable, and resilient places, as well as support a good quality of life and balance environmental impact. In Dundee, the 20-minute neighbourhood concept is being incorporated into the forthcoming Local Development Plan (LDP) and it will require to be taken into account when the Council considers any development proposals, in line with the fourth [National Planning Framework](#) (NPF4).

## Council transformation programme

The Council Plan 2022-2027 outlines DCC's ongoing commitment to more radical transformational change across all its services, including culture and leisure - to meet the current and future needs of the city while also maintaining the financial sustainability of its services. The Council Plan recognises that the city needs to re-design services to meet changing demographics/demands, environment and technology, community empowerment and embracing new ways of working. It also indicates that ongoing savings and efficiencies will be largely driven by transformation and service prioritisation and that resources will be prioritised to improve outcomes for all.

The Council's current transformation programme - Transforming Dundee - identifies five areas of focus over the period to 2027, including:

- **property rationalisation** - savings from the disposal of surplus assets, operational cost savings from vacant buildings and income from accommodation rented to third parties. The Council will implement the 365 schools' model (now referred to as Community Hubs) to redesign the delivery of support, education, and leisure to local communities to achieve better outcomes for communities, to deliver city priorities and to rationalise the cluster of other buildings in a community.
- **digital Council** - accelerating the move towards being a digital by default council, increasing the scope of customer services and improving the range and accessibility of online services and reducing the need for face-to-face contact.
- **service re-design** - including the structure of the Council, Children and Families Service - Waste Services, and LACD (see below for more detail).
- **city and regional shared services** - working with neighbouring councils, partners and the third sector on collaborative projects, initiatives, and opportunities to deliver efficiencies across the city and region.
- **payments and income generation** - the Council will review all third-party payments in light of the new city and Council priorities, as well as explore any new or additional income generating opportunities.

While LACD does not itself have a transformation plan, the following Council transformation projects are of relevance:

- **Kirton Community Hub** - as part of the council's aspirations to implement a Community Hubs model, consultation and planning was undertaken in relation to the development of an enhanced Community Hub model in Kirton to improve community access to facilities. An agreement has subsequently been reached between DCC and Kirkton Community Centre SCIO. Following the closure of the current ageing Kirkton Community Centre, the charity intends to build and run a new centre on the same site. The activities and services

being delivered from that location will complement the city council's Community Hub model for the area, which will be based at the nearby Baldragon and St Paul's academies. The Hub model will see community activities provided at the two local secondary schools, including the relocation of Kirton Library to St Paul's Academy.

- **Drumgeith Community Campus** - the circa £100 million community campus is scheduled to open in August 2025. It will allow for two secondary schools to merge and create a modern school and community facility. A consultation was undertaken on proposals to relocate services from existing buildings in Whitfield, Linlathen, and Douglas to the new Community Campus (if they are deemed surplus to requirements) as part of the council's Community Hub model, and which could combine community sports and activities, advice services, digital inclusion, adult learning, and community development as well as health related services to integrated care for children and families. This includes both council and LACD run services from the following facilities:
  - The Hub Library and Community Facilities.
  - Whitfield Library (The Crescent).
  - Douglas Community Centre and Library.
  - Douglas Sports Centre.

The consultation explored options for the future of the above properties and views on whether any are deemed surplus to requirements. Options explored included: using them for other purposes; transferring them to community organisations; selling the buildings; and closing the buildings. The consultation closed on 15 December 2024, analysis completed early in 2025, and findings shared with the Officer Oversight Group, and a [report](#) shared with the Committee in April 2025 to consider any recommendations.

The Committee: approved the closure of The Hub Library and Community facility and redistribution of services within a timeframe of six months for the services and building to be closed after the opening of the Drumgeith Campus; approved the closure of Whitfield Library (The Crescent) and redistribution of services with a timeframe of six months after the opening of the Drumgeith Campus; and deferred a decision on the closure of Douglas Sports Centre remitting the Chief Executive to further review the operations and report back to a future committee meeting.

- **School swimming pools** - this was one of circa 40 options which formed part of the DCC budget consultation which closed on 29 December 2024. The school swimming pools proposal considered was the closure of the swimming pools in Baldragon Academy, Grove Academy, Harris Academy, St Johns RC High School, and St Pauls RC High School. This

could result in possible savings of £180,000 (2025-2026) and £440,000 (2026-2027). This option was not taken forward for 2025/26 budget setting.

## 4 Review of Current Operations

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### 4.1 Introduction

This chapter provides a summary review of LACD's operations and performance based on data provide by LACD and DCC. The analysis compares current performance against pre-COVID levels and considers:

- financial performance and changes in income and expenditure overall and by service area.
- trends in usage and membership.
- performance of individual facilities.
- accessibility of facilities across the service areas.

The analysis provides a series of insights which are developed further in the sections that follow.

### 4.2 Financial overview

The LACD financial accounts are structured around distinct categories of income and expenditure, reflecting the wide range of activities and services provided. Income is recorded through numerous individual codes, each representing specific sources such as memberships, bookings, grants, and sales. However, the current structure includes an excessive number of detailed income codes that are not effectively grouped around major activity areas. This scattered approach complicates the analytical process, making it challenging to accurately assess and manage revenue streams strategically.

Expenditure accounts are similarly structured but categorised clearly into major groups such as capital charges, staffing costs, property maintenance, supplies and services, transport costs, and miscellaneous expenses. This categorisation facilitates more straightforward monitoring and control of operational spending, aiding in effective budgeting and financial management

As noted earlier, the costs relating to the maintenance of LACD managed facilities along with related insurance and energy costs are met directly by DCC and are therefore not included within LACD's own accounts. However, in order to provide a more complete analysis we have included the relevant DCC costs to provide an analysis of the total costs of delivering LACD's services.

## LACD financial performance overview

LACD's financial performance has been shaped by increasing reliance on DCC funding, rising operational costs, and shifting income patterns. The core Management Fee has risen steadily from £7.18 million in 2019-2020 to a projected £9.68 million in 2025-2026, reflecting a 34.9% increase.

Since 2021-2022, additional financial support averaging £1.4 million per year has been crucial in addressing financial pressures, particularly post-COVID and in response to facility closures such as Olympia. However, with no additional support confirmed for 2025-2026, financial sustainability remains uncertain.

## LACD financial position

### Summary

**Table 4.1** provides a summary including all DCC property related costs but excludes the current contract management fee. LACD's overall expenditure has increased from £22.67 million in 2019-2020 to £24.87 million in 2023-2024, driven by staff costs (+19%) and property costs (+68%), largely due to inflation, pay awards, and rising utility expenses. Some reductions in professional fees and capital charges have provided partial mitigation. Income overall has reduced by 4.1%.

**Table 4.1: Summary of Financial Performance**

Cost Centre	2019-20	2020-21	2021-22	2022-23	2023-24	2019/20 v 2023/24
<b>Income</b>	£8,677,515	£7,276,867	£7,315,827	£7,295,494	£8,319,411	-4.1%
<b>Expenditure</b>	£22,672,407	£17,252,111	£19,951,744	£20,987,280	£24,869,018	9.7%
<b>Net</b>	£13,994,892	£9,975,244	£12,635,917	£13,691,786	£16,549,607	18.3%

### Income

From an income perspective, total revenue declined by 4.1% between 2019-2020 and 2023-2024.

The largest sources of income in 2023-2024 were:

- **Fees** (£1.88 million, 22.6% of total income) – down 27% from 2019-2020.
- **Membership Fees** (£1.25 million, 15%) – down 14%.
- **Other Grants** (£1.08 million, 13%) – up 63%.
- **DCC Education Income** (£678k, 8.2%) – up 12.5%.

Areas in which revenues have declined include:

- **Booking Fees**: down £136k (36%).
- **Artificial Pitch Fees**: nearly eliminated.



- Sponsorship Income: down 41% (£20K to £8K).

Areas of revenue growth include:

- Other Grants: up £421k (63%).
- Events Income: up 86%. (mainly due to UNESCO)
- Public Skating: up 17%.

While casual facility usage (-27%) and membership fees (-14%) remain below pre-pandemic levels (the closure of Camperdown Golf Course in April 2020 impacted memberships), external grants (+164%) and coaching programme fees (+203%) have grown significantly, indicating a shift toward funding through partnerships and structured programmes.

Key income-generating venues include the Ice Arena (£697k), Regional Performance Centre (£578k), and Active Schools (£555k). Active Schools, however, is grant funding for delivery of those services. However, Olympia's revenue has plummeted by 86% due to closure, significantly impacting overall income. Perhaps notable by its absence is the Caird Hall – given the scale of the building and its revenue-generating opportunities, it should be a net income contributor but currently is not.

## Expenditure

Total expenditure in 2023-2024 reached £24.9 million, an increase of £2.2 million (9.7%) compared to 2019-2020 levels (£22.7 million).

The most significant increases are in property costs, professional fees, and capital charges, indicating rising facility-related expenses, and in staff costs (which account for almost 80% of LACD's direct costs (that is, not including the DCC property related costs).

It should be noted that staff costs as reported here do not include casual staff. Based on information provided by LACD, the cost of casual staff in 2023/24 was c.£0.564m, the majority of which relates to Sport and Leisure.

Expenditure fell sharply in 2020-2021 due to COVID-19 closures but has since rebounded beyond pre-pandemic levels.

The main areas of expenditure growth are:

- **Property Costs** - increased by £2.1m (68%) to £5.2 million in 2023-2024 (21% of total expenditure) likely due to increased utility costs, maintenance, and asset management expenses associated with LACD facilities. As noted, these costs are borne by DCC.
- **Staff Costs** - increased by 19% to £15.27m (80.2% of LACD costs).

- **Supplies and Services** – increased by 3% to £3.05m (12% of total expenditure).

Areas in which expenditure has reduced include:

- **Professional Fees Paid** – reduced by £2.91 million (75%) compared to 2019-2020 (£3.87 million).

## Implications

The message from the summary analysis of LACD's financial performance is clear. Costs have been rising substantially, particularly in relation to property and staffing, while income has fallen (particularly when the impact of inflation is considered).

Over this period there has been a significant increase in core funding from DCC (see **Chapter 2**), as well as additional costs borne by the Council particularly in relation to building costs (LACD has been partly protected from inflationary pressures in relation to building costs, although the cost of staff and supplies and services have risen). The LACD Management Fee has increased by 34.9% since 2019/20, reflecting rising costs in service delivery and staffing.

There is also evidence of some reliance on additional support. Since 2021-2022, LACD has required an average of £1.4 million per year in additional funding, highlighting financial pressures that may not be fully covered by the core Management Fee, although much of this will be related to the pandemic and the recovery period.

There are mitigating factors here. In particular, the consultation identified a consistent view that LACD was emerging from a difficult period as a result of the pandemic and post-COVID recovery, the closure of key facilities like Olympia, loss of senior management staff and the post-pandemic period of high inflation. In particular, new appointments at senior management level were seen as having a positive impact, along with a strengthening of the Board of Trustees.

However, in a financial sense this is not a sustainable trajectory, and points towards a need for transformational change. This was also recognised by those that we interviewed. This means effort in relation to diversifying income streams, improving operational efficiency, and reducing reliance on ad-hoc financial support.

There are also areas of financial under-performance that could be addressed with better management (for example, Caird Hall) and more focussed activity (for example, fundraising from independent sources for development work and capital projects). Both of these could help significantly offset some of the current additional expenditure burden.

## 4.3 Service area performance

This section looks in more detail at LACD's financial performance in each of its service areas: Culture, Libraries, Special Projects, Sport and Leisure and Support Services.

**Table 4.2: Financial Performance by Service Area (includes DCC costs)**

Service	Cost Centre	2019-20	2020-21	2021-22	2022-23	2023-24
<b>Culture</b>	Income	-£761,897	-£205,594	-£707,440	-£765,099	-£837,258
	Expenditure	£2,653,204	£2,445,117	£3,146,407	£3,037,406	£3,424,423
	<b>Net</b>	<b>£1,891,307</b>	<b>£2,239,523</b>	<b>£2,438,967</b>	<b>£2,272,307</b>	<b>£2,587,165</b>
<b>Libraries</b>	Income	-£340,198	-£154,027	-£203,347	-£204,417	-£188,702
	Expenditure	£4,493,543	£3,803,005	£4,113,496	£4,276,533	£4,879,839
	<b>Net</b>	<b>£4,153,345</b>	<b>£3,648,978</b>	<b>£3,910,149</b>	<b>£4,072,116</b>	<b>£4,691,137</b>
<b>Special Projects</b>	Income	-£174,752	-£295,651	-£401,026	-£460,980	-£670,680
	Expenditure	£252,517	£208,891	£327,284	£452,240	£653,257
	<b>Net</b>	<b>£77,765</b>	<b>-£86,760</b>	<b>-£73,742</b>	<b>-£8,740</b>	<b>-£17,423</b>
<b>Sport &amp; Leisure</b>	Income	-£7,084,050	-£1,941,471	-£4,894,226	-£5,626,170	-£6,061,384
	Expenditure	£14,734,992	£10,126,478	£11,036,841	£12,157,992	£14,443,825
	<b>Net</b>	<b>£7,650,942</b>	<b>£8,185,007</b>	<b>£6,142,615</b>	<b>£6,531,822</b>	<b>£8,382,441</b>
<b>Support Services</b>	Income	-£316,618	-£4,680,124	-£1,109,788	-£238,828	-£561,387
	Expenditure	£538,151	£668,620	£1,327,716	£1,063,109	£1,467,674
	<b>Net</b>	<b>£221,533</b>	<b>-£4,011,504</b>	<b>£217,928</b>	<b>£824,281</b>	<b>£906,287</b>
<b>Total</b>		<b>£13,994,892</b>	<b>£9,975,244</b>	<b>£12,635,917</b>	<b>£13,691,786</b>	<b>£16,549,607</b>

Source: LACD/ DCC

### Sport and Leisure

Sport and Leisure is the largest service area by both income (73% of the total) and expenditure (58%). The net cost of the service (deficit) has increased since 2019-2020 by £732k (10%) to £8.4 million. This has been driven by a reduction in income of £1.02 million (-14%) since 2019-2020, highlighting the financial pressure on leisure operations and ongoing competition. It also reflects the closure of Olympia.

### Libraries

The second largest area by expenditure is the libraries service at £4.9m (20% of total expenditure). A reduction in income over the period since 2019-2020 has been combined with an increase in expenditure over the same period, mainly driven by increased staff costs. This has led to the net costs of the service increasing by 13% (£538k).

## Culture

Culture accounts for 10% of LACD's total income (£837K) and 14% of expenditure (£3.42m). The net cost of the service has increased by 37% since 2019-2020 due mainly to an increase in costs of 29% (£771K).

## Special Projects

Income from special projects has increased significantly since 2019-2020 (£496K, 284%) while expenditure has also grown by £401k (159%), reflecting investment in special initiatives.

## Support Services

Support services costs have more than doubled since 2019-2020 and now account for 6% of overall expenditure (£1.47m). This reflects significant increases in financial charges, legal and insurance and staff costs. Income has also increased but at a lower rate than costs leading to a net cost increase of £685K (309%).

## Observations

The overall rise in expenditure (particularly in Culture and Support Services) suggest a need for operational efficiencies and rising property-related costs mean that a strategic review of facilities and asset utilisation is also required. However, we also found areas (for example, McManus) where reductions could actively harm the visitor experience and limit the operation, so the picture is nuanced.

## Venues and Facilities

### Expenditure

**Table 4.3** sets out the top 10 venues and services by expenditure between 2019-2020 and 2023-2024. The supporting data model gives a detailed breakdown of the expenditure lines.

**Table 4.3: Top 10 Venues/ Services by Expenditure**

Venue/Service	2019-20	2020-21	2021-22	2022-23	2023-24	% of Total Expenditure	Change to Pre Covid
Ice Arena	£1,244,634	£956,763	£1,266,302	£1,682,602	£3,007,308	11.9%	142%
Central Library	£2,571,054	£2,326,430	£2,287,634	£2,297,358	£2,731,693	10.8%	6%
Olympia	£2,674,172	£1,985,417	£2,008,979	£1,553,554	£2,382,370	9.4%	-11%*
McManus Galleries	£1,474,081	£1,433,981	£1,529,040	£1,360,127	£1,877,836	7.4%	27%
Regional Performance Centre	£390,485	£734,730	£652,101	£1,071,557	£1,129,106	4.5%	189%
Support Services	£233,281	£481,918	£1,083,190	£832,022	£1,118,265	4.4%	379%
Camperdown - Wildlife Centre	£796,518	£723,196	£833,073	£937,454	£1,019,341	4.0%	28%
Overheads	£866,078	£1,014,166	£635,422	£759,100	£905,547	3.6%	5%
Ancrum Outdoor Centre	£653,230	£537,048	£697,908	£893,744	£888,951	3.5%	36%
Menzieshill Community Hub Sports Facility	£137,364* *	£137,665	£224,599	£231,422	£292,834	1.2%	113%

\*Olympia significant reduction in expenditure compared to pre-covid is attributed to the impact of closure.

\*\*2019-20 figures for Menzieshill include £3.26m of professional fees that are not repeated in future years, therefore we have removed these from this analysis.

The top five venues and service areas by total expenditure in 2023-2024 were:

- Ice Arena – £3,007,308 (11.9% of total expenditure) – 142% increase from 2019-2020.
- Central Library – £2,731,693 (10.8%) – 6% increase.
- Olympia – £2,382,370 (9.4%) – 11% decrease.
- McManus Galleries – £1,877,836 (7.4%) – 27% increase.
- Regional Performance Centre for Sport – £1,129,106 (4.5%) – 189% increase.

Together, these five venues account for 37% of total expenditure, highlighting their major cost contributions.

## Deficits

**Table 4.4** sets out the top 10 venues and services by deficit between 2019-2020 and 2023-2024.

**Table 4.4: Top 10 Venues/ Services by Deficit**

Venue/ Service	2019-20	2020-21	2021-22	2022-23	2023-24	% of Total Deficit	Change to Pre Covid
Central Library	£2,395,808	£2,173,865	£2,135,363	£2,134,756	£2,570,682	10.2%	7%
Ice Arena	£684,543	£799,926	£729,837	£1,074,357	£2,310,099	9.1%	237%
Olympia	£674,618	£1,834,244	£1,588,144	£1,491,409	£2,098,830	8.3%	211%
MaManus Galleries	£1,305,414	£1,369,313	£1,475,201	£1,213,130	£1,751,493	6.9%	34%
Support Services	£124,542	-£3,989,296	£373,075	£819,875	£1,062,730	4.2%	753%
Overheads	£727,553	£986,765	£512,906	£668,340	£852,837	3.4%	17%
Camperdown- Wildlife Centre	£409,125	£558,653	£403,629	£472,111	£625,259	2.5%	53%
Caird Hall	£343,220	£513,115	£808,600	£527,150	£597,228	2.4%	74%
Regional Performance Centre	£221,092	£694,192	£266,763	£415,882	£550,661	2.2%	149%
Creative Services	£447,866	£400,916	£471,161	£444,151	£470,165	1.9%	5%

The largest operating deficits in 2023-2024 were at the Central Library (£2.57m), Ice Arena (£2.31m), Olympia (£2.10m) and McManus Galleries (£1.75m), collectively comprising 51% of total deficits. The most significant deficit increases since 2019-2020 include Support Services (753%), Ice Arena (237%) and Olympia (211%), highlighting cost escalations and reduced income streams. Expenditure growth at the Regional Performance Centre (149%) further underscores the challenge of balancing rising costs with sustainable revenue.

Culture is clearly under increasing financial strain, but there is scope to improve income generation particularly at the Caird Hall and work is already underway to do so.

The turn-around in visitor numbers at Mills Observatory now has demonstrated how quickly and effectively positive results can be achieved through changing several aspects of how it is managed and promoted. This type of operational change is likely to be possible in other properties.

## 4.4 LACD usage performance overview

LACD's usage performance in 2023-2024 reflects a mixed recovery from the challenges posed by COVID-19, with visitor numbers showing signs of improvement in Sport and Leisure while Libraries and Culture have yet to return to pre-pandemic levels.

**Table 4.5: Summary of Service Usage**

Service	2019-20	2020-21	2021-22	2022-23	2023-24	Pre and Post Covid Difference
Sport & Leisure	1,569,754	185,171	1,104,289	1,392,714	1,626,906	3.64%
Libraries	938,312	32,229	243,993	517,520	692,650	-26.18%
Culture	342,866	54,267	251,030	279,440	281,800	-17.81%

### Sport and Leisure

**Table 4.6** shows the usage across sport and leisure facilities from 2019-2020 to 2023-2024.

**Table 4.6: Usage at Sport and Leisure Facilities**

Venue	2019-20	2020-21	2021-22	2022-23	2023-24	Pre and Post Covid Difference
Ancrum	33,612	0	32,537	35,549	35,849	6.66%
Baldragon	26,883	3,910	33,584	49,193	59,464	121.20%
Craigie	4,742	0	14,652	17,490	17,310	265.04%
Craigowl	3,440	0	7,000	11,190	8,630	150.87%
Development	66,658	3,859	21,507	16,827	16,272	-75.59%
DISC	218,355	19,536	114,449	141,812	172,510	-21.00%
Douglas	81,800	11,860	50,098	84,638	113,627	38.91%
Fintry	2,164	0	4,320	6,260	5,010	131.52%
Grove	34,912	0	24,938	40,351	50,515	44.69%
Harris	40,066	0	20,174	34,065	32,427	-19.07%
Ice Arena	132,524	25,059	129,320	174,161	197,024	48.67%
Lochee	65,316	7,702	44,581	95,253	104,559	60.08%
McTaggart	95,145	0	51,868	64,333	73,787	-22.45%
Menzieshill	26,877	6,170	27,528	50,163	65,660	144.30%
Olympia	463,141	38,508	113,671	12,130	72,232	-84.40%
RPC Dundee	154,220	36,395	274,410	398,883	442,879	187.17%
St. Andrew's	1,750	0	5,180	6,730	7,252	314.40%

St. John's	7,718	0	23,752	22,793	29,140	277.56%
St. Paul's	36,674	0	25,487	53,066	57,188	55.94%
WLC	73,757	32,172	85,233	77,827	65,571	-11.10%
<b>Total</b>	<b>1,569,754</b>	<b>185,171</b>	<b>1,104,289</b>	<b>1,392,714</b>	<b>1,626,906</b>	3.64%

Total usage across sport and leisure facilities reached 1.63 million in 2023-2024, reflecting mixed recovery trends. The Regional Performance Centre saw the highest increase in visits (442,879, +187%), benefitting from its relatively new status since opening in 2019 (it should be noted that a significant proportion of reported usage is spectators rather than participants). Other facilities showing strong growth include Baldragon (+121%), Craigie (+265%), and St. John's (+278%), suggesting renewed demand for sports participation.

In contrast, Olympia (-84%) saw a major decline due to its period of closure, while Development Services (-76%) and DISC (-21%) also reported lower numbers. The closure of Olympia likely displaced demand to other facilities, while some sites, such as McTaggart (-22%) and Harris (-19%), have not yet returned to pre-pandemic levels.

LACD sport and leisure participation data (see **Table 4.7**, below) shows that sports halls (25.1%), Astro/3G pitches (14.6%), and swimming (12.6%) account for over half of total usage, though swimming is likely underrepresented due to the closure of Olympia pool.

Fitness-related activities, including gym usage (7.3%) and fitness/coaching classes (9.4%), make up only 16.75% of participation – less than half of what is typically seen in other sport and leisure trusts – suggesting potential limitations in facilities, programming, or pricing structures.

Notably, swimming lessons do not rank among the top 10 activities, an unusual trend given their prominence in other trusts, indicating possible capacity or accessibility issues.

**Table 4.7: Sport and Leisure Usage by Activity**

Activity Group	% of Usage	Cumulative %
Sports Hall	25.13%	25.13%
Astro / 3G Pitches	14.58%	39.71%
Swimming	12.61%	52.32%
Activity/Fitness/Coaching Classes	9.44%	61.76%
Gym	7.31%	69.08%
Ice Hockey	5.42%	74.49%
Athletics Track (Indoor & Outdoor)	3.89%	78.38%
Ice Skating	3.30%	81.68%
General Admission (inc. Reward)	3.25%	84.94%
Meeting Rooms	2.96%	87.90%



These insights highlight growth opportunities for LACD, particularly in expanding fitness programmes and reinstating a robust swimming lesson programme to align with sector trends and community demand.

## Libraries

As shown in **Table 4.8**, below, Library usage remains below pre-pandemic levels, with total visits at 692,650 in 2023-2024, down 36% from 2019-2020. The Central Library (391,635 visits) remains the busiest facility, accounting for 56% of total library visits, but it is still 21% below its 2019-2020 levels. Other well-attended libraries include Broughty Ferry (78,775 visits, -30.6%), Blackness (47,811, -16.2%) and Lochee (27,355 visits, -63.4%).

While some libraries continue to struggle, several have demonstrated strong recovery, including Menzieshill, Coldside, and Blackness compared to their pandemic-era lows. However, the potential closure or relocation of libraries such as Douglas, Hub, and Whitfield could significantly impact accessibility, particularly for early years literacy programmes, digital services, and vulnerable communities. Additionally, concerns exist around relocating libraries into school buildings, as this may create accessibility barriers for some residents.

**Table 4.8: Usage at Libraries**

Venue	2019-20	2020-21	2021-22	2022-23	2023-24	Pre and Post Covid Difference
Ardler	14,469	308	3,915	10,969	13,968	-3.5%
Arthurstone	31,272	330	4,562	8,890	11,596	-62.9%
Blackness	57,084	1,247	20,514	37,203	47,811	-16.2%
Broughty Ferry	113,471	2,883	33,679	66,996	78,775	-30.6%
Central	495,512	23,380	123,736	267,183	391,635	-21.0%
Charleston	36,745	360	5,384	12,872	14,263	-61.2%
Coldside	11,436	720	6,432	15,841	21,114	84.6%
Douglas	16,081	354	4,410	11,928	14,936	-7.1%
Fintry	11,702	446	5,603	11,788	11,635	-0.6%
Hub	18,338	184	6,867	12,361	14,403	-21.5%
Kirkton	15,516	174	3,344	8,178	10,247	-34.0%
Lochee	74,690	951	13,225	26,116	27,355	-63.4%
Menzieshill	20,645	892	7,537	17,977	25,282	22.5%
Mobile	4,916					n/a
Whitfield	16,435	0	4,785	9,218	9,630	-41.4%
<b>Total</b>	<b>938,312</b>	<b>32,229</b>	<b>243,993</b>	<b>517,520</b>	<b>692,650</b>	<b>-26.2%</b>

Overall, while there are positive signs of recovery, library engagement remains well below pre-pandemic levels, reinforcing the need for sustained investment and strategic planning to maintain their role as vital community resources.

Indeed, our consultation suggests a clear need for a refreshed strategic approach to libraries that reimagines the library service for the present day. We return to this later in the report.

## Culture

Cultural venue visits reached 281,800 in 2023-2024, showing improvement but still 18% below 2019-2020 levels. McManus (122,078 visits, -27%) and Caird Hall (113,909 visits, -10%) remain the most visited cultural venues, together accounting for 83% of all cultural visits.

Broughty Castle (39,132 visits, -7%) has nearly recovered, while smaller venues like Mills Observatory (6,654 visits) and the Collections Unit (27 visits) continued to see low engagement. The Steeple recorded no visitors, suggesting an ongoing challenge in accessibility or programming. The latter two venues are not open to the public on a regular basis.

**Table 4.9: Usage/ Attendance at Cultural Venues**

Venue	2019-20	2020-21	2021-22	2022-23	2023-24	Pre and Post Covid Difference
Broughty Castle	42,149	0	11,008	35,513	39,132	-7.2%
Caird Hall	126,959	33,887	146,386	103,544	113,909	-10.3%
Collections Unit	353	0	0	0	27	-92.4%
McManus	167,702	20,380	88,766	132,891	122,078	-27.2%
Mills Observatory	5,601	0	4,870	7,424	6,654	18.8%
Steeple	102	0	0	68	0	n/a
<b>Total</b>	<b>342,866</b>	<b>54,267</b>	<b>251,030</b>	<b>279,440</b>	<b>281,800</b>	<b>-17.8%</b>

We are aware that recent changes in management for culture (and Caird Hall) are already highlighting opportunities and areas for improvement and our recommendations reflect this progress. This is discussed later in the report.

## Observations

LACD's overall recovery is mixed with significant disparities between service areas. While some sports venues and libraries have rebounded strongly, others, particularly Olympia (which was closed for an extended period but has been operational again since May 2024), Development Services, and the main cultural venues have further to go to reach pre-pandemic levels.

Library footfall remains significantly below pre-pandemic levels, indicating shifts in user behaviour, and this is consistent with wider trends across the sector. Strategic investment in high-growth venues, targeted support for underperforming facilities, and efforts to attract users back to libraries and cultural spaces will help sustained recovery and long-term engagement.

Public affection demonstrated in surveys and TripAdvisor reviews for the McManus and the library service is not yet reflected in their visitor numbers. While this is consistent with national trends, it suggests that a different approach to both these services is required which anticipates the post-COVID public appetite or expectation for what a 21<sup>st</sup> century library or cultural venue should provide, where it should be located, or what it should look like. This challenge certainly creates an opportunity for LACD and DCC to be more strategic and longer-term in their thinking. Cultural venues, and libraries in particular, remain one of the most trusted public services and perceived safe spaces – both these qualities could be explored and capitalised on to a greater extent with a new approach.

## 4.5 Health and fitness membership

Regular participation in health and fitness activities is a key driver of improved public health outcomes, supports income generation for LACD, and presents a significant opportunity for future growth as demand for these services continues to rise. Fitness memberships are a core element of LACD's offering, providing sustained engagement with users and contributing to financial sustainability. Understanding membership levels, penetration rates, and latent demand is critical for shaping strategic investment and marketing efforts to expand participation.

### 4.5.1 Membership penetration rate

LACD currently has 7,717 active health and fitness members, with the vast majority residing in Dundee City (82.88%). Despite this strong local base, the overall membership penetration rate is 4.5%, which falls significantly below the 6.5% national benchmark. This highlights a substantial opportunity for growth through facility improvements, expanded services, and targeted marketing.

#### Variation by ward

Looking at membership by ward, the highest penetration rate is in the East End Ward (5.83%) – the only ward approaching the national benchmark. The lowest penetration rate is the West End, which at 2.94% is significantly below the city and national averages. Other key areas such as The Ferry (4.94%) and Maryfield (4.75%) perform relatively well, while Coldside (3.84%) and Lochee (4.59%) remain below the city average.

#### Latent demand

If all Dundee City wards achieved the 6.5% benchmark penetration rate, membership would increase to 9,238, revealing a latent demand of 2,842 additional members. This is a significant opportunity both for driving up participation and improving health outcomes and for increasing income.

## Wards with the highest growth potential

The wards with the greatest growth potential are:

- **West End:** +649 members.
- **Coldside:** +491 members.
- **Lochee:** +368 members.
- **Strathmartine:** +355 members.

These areas represent the greatest opportunities for investment in facility expansion, service enhancements, and promotional campaigns to attract new members.

### Comment

LACD's fitness membership base is strong but falls short of national penetration benchmarks, presenting a clear opportunity for expansion. By investing in high-growth areas, improving facility offerings, and enhancing engagement strategies, LACD can significantly increase participation, drive income generation, and contribute to improved community health outcomes. Unlocking this latent demand will be crucial for the long-term sustainability and impact of LACD's health and fitness services.

## 4.6 Accessibility

Ensuring equitable access to swimming pools, sportshalls, fitness facilities, and libraries is crucial for promoting physical activity, improving health outcomes, and supporting community engagement. Accessibility levels vary across Dundee depending on transport mode and location, with school facilities playing a key role in supplementing public provision. This analysis highlights trends in accessibility across different service areas and the impact of changes in facility availability. The supporting data model allows for analysis across multiple transport modes and times but the examples in this report are all based on a 15 minute travel time.

### Swimming pools

Access to swimming pools in Dundee is generally high for those who drive or cycle, with nearly universal coverage within 15 minutes. However, access for those relying on walking and public transport is significantly lower, with only 34% of residents able to reach a swimming facility within 15 minutes on foot and 48% within 15 minutes via public transport.

**Impact of school pools:** The removal of school swimming pools drastically reduces accessibility. Walking access within 15 minutes drops from 34% to 15%, while public transport access within 10 minutes falls from 48% to 23%. Cycling access within 15 minutes also drops from 99% to 73%,

highlighting the importance of school pools in providing equitable access, especially for those without private transport.

## Sportshalls

Access to sportshalls is similarly strong for those who drive, with 100% of residents able to reach a facility within 15 minutes. Cycling access is also high at 99.7% within 15 minutes, but walking and public transport access remain limited.

**Impact of school sportshalls:** The exclusion of school sportshalls significantly reduces accessibility in that:

- walking access within 15 minutes drops from 32% to 13%.
- public transport access within 15 minutes declines from 40% to 20%.
- cycling access within 15 minutes falls from 99.7% to 76.6%.

The most affected areas are Strathmartine, The Ferry, and the West End, where public sportshall provision is lower, making school facilities essential for maintaining accessibility.

## Fitness facilities

Fitness facility access varies across Dundee, with 100% of residents able to drive to a facility within 15 minutes. However, only 50.9% can walk to a facility within 15 minutes, and just 57.7% can reach one using public transport.

**Impact of the Regional Performance Centre:** Although the Regional Performance Centre has fitness facilities, these are not available to the public. This means that accessibility figures may overstate actual public access, particularly in North East (DC).

**Potential improvements:** developing new fitness facilities at the Regional Performance Centre and Menzieshill Community Hub would significantly enhance accessibility, particularly for those relying on walking and public transport. For example:

- Lochee's public transport access within 15 minutes would increase from 53.3% to 82.6%.
- walking access in Lochee would increase from 31.3% to 76%.
- overall public transport access within 15 minutes would improve from 11.1% to 19.7%.

## Libraries

Library access is high for those who drive or cycle, with nearly universal access within 10-15 minutes. However, public transport and walking access vary significantly by ward. When compared

to other cities however Dundee's levels of accessibility for libraries is one of the highest as shown in **Table 4.10**.

**Table 4.10: Libraries Accessibility**

	% Population Accessibility				
Transport Time/Mode	Aberdeen City	City of Edinburgh	Dundee City	Glasgow City	Stirling
10 Minutes Cycling	93%	99%	99%	100%	85%
10 Minutes Driving	97%	99%	100%	100%	88%
10 Minutes Walking	23%	31%	41%	33%	34%
15 Minutes Cycling	100%	100%	100%	100%	88%
15 Minutes Driving	100%	100%	100%	100%	96%
15 Minutes Walking	63%	62%	74%	60%	55%
20 Minutes Cycling	100%	100%	100%	100%	90%
20 Minutes Driving	100%	100%	100%	100%	97%
20 Minutes Walking	67%	84%	87%	84%	70%

**Impact of removing Whitfield and Hub Libraries:**

- public transport access within 15 minutes drops from 83.6% to 76.8%.
- walking access within 15 minutes declines from 73.7% to 66.7%.
- East End Ward sees the largest impact, with 15-minute walking access falling from 70.1% to 42.8%.

This highlights the critical role of these libraries in maintaining accessibility, particularly for those without private transport.

## Conclusion

Accessibility across LACD facilities is generally strong for those who drive but varies significantly for those reliant on walking, cycling, and public transport. School facilities play a vital role in maintaining access, and their removal disproportionately affects low-mobility populations.

To ensure equitable access, investment in alternative public facilities, active travel routes, and public transport improvements is recommended. Targeted interventions in areas with lower accessibility – such as North East (DC), West End, and The Ferry – could help bridge gaps and improve access to essential sport, fitness, and library services.

## 4.7 Key Performance Indicators (KPIs)

### Sport and Leisure KPIs

The analysis of sport and leisure venue KPIs provides key insights into financial sustainability, operational efficiency, and service delivery.

While some venues demonstrate strong financial performance, others face significant challenges in generating income relative to expenditure. The closure of Olympia has notably skewed some figures, and "School Facilities" is an outlier in this dataset due to its significantly different operating model. These insights have critical implications for the future sustainability and strategic planning of LACD and its relationship with the Council. The data is presented in **Table 4.11**, over.



Table 4.11: Sport and Leisure KPIs

Venue	Income as a % of Expenditure	Venue	Income per user	Venue	Deficit per user	Venue	Staff Costs per user
School Facilities	429.74%	Ancrum	£12.21	Olympia	£29.06	Ancrum	£17.61
Douglas	137.50%	WLC	£6.01	Ice Arena	£13.59	Olympia	£17.48
Harris	109.41%	Ice Arena	£4.86	Ancrum	£12.59	WLC	£8.37
Grove	99.69%	Lochee SC	£3.96	WLC	£9.54	Lochee SC	£4.68
St. Paul's	96.83%	Olympia	£3.93	Menzieshill SC	£8.10	Ice Arena	£3.65
DISC	76.99%	Douglas	£3.04	McTaggart	£3.48	Grove	£2.25
Lochee SC	59.10%	Menzieshill SC	£2.84	Lochee SC	£2.74	DISC	£2.16
RPC Dundee	51.23%	DISC	£2.78	RPC Dundee	£1.24	Menzieshill SC	£2.10
Ancrum	49.23%	Grove	£2.32	DISC	£0.83	St. Paul's	£2.05
WLC	38.66%	Harris	£2.10	St. Paul's	£0.07	Harris	£1.75
McTaggart	37.29%	McTaggart	£2.07	Grove	£0.01	RPC Dundee	£1.58
Ice Arena	26.35%	St. Paul's	£2.01	Harris	-£0.18	McTaggart	£1.56
Menzieshill SC	25.94%	RPC Dundee	£1.31	Douglas	-£0.83	Douglas	£1.40
Olympia	11.90%	School Facilities	£1.16	School Facilities	-£0.89	School Facilities	£0.16



## Financial performance (income as a proportion of expenditure)

- Douglas (137.5%) and Harris (109.41%) generate income exceeding their expenditure, indicating strong financial sustainability.
- Grove (99.69%), St. Paul's (96.83%), and DISC (76.99%) are close to financial self-sufficiency but may require additional efficiencies or revenue enhancement.
- Venues like Regional Performance Centre Dundee (51.23%) and Lochee SC (59.10%) operate with a significant funding gap, suggesting a need for revenue diversification or cost control.
- Olympia (11.90%) shows extremely low income generation, largely due to its closure, making year-on-year comparisons unreliable.

## Income per user

- Ancrum (£12.21) has the highest income per user, suggesting strong revenue streams through its specialist provision. However, this has to be balanced against their relatively low level of usage and very high costs.
- WLC (£6.01) and Ice Arena (£4.86) perform moderately well, reinforcing their value as revenue-generating facilities.
- Venues like Lochee SC (£3.96), Douglas (£3.04), and DISC (£2.78) have lower income per user, indicating affordability but potential revenue improvement areas.
- Regional Performance Centre Dundee (£1.31) has the lowest income per user, highlighting underutilisation and an operating/ pricing model that does not align with operational costs.

## Deficit per user

- Olympia (£29.06), Ice Arena (£13.59), and Ancrum (£12.59) show the highest deficits per user, with Olympia's figures heavily impacted by its closure.
- Menzieshill SC (£8.10) also records a high deficit, but this figure may be influenced by property cost allocations.
- conversely, Douglas (-£0.83) and Harris (-£0.18) operate with a small or no deficit, reinforcing their financial viability.
- Grove (£0.01) and St. Paul's (£0.07) have near break-even figures, positioning them as more cost-efficient operations.

## Staff costs per user

- Ancrum (£17.61) and Olympia (£17.48) report the highest staff costs per user, suggesting a higher resource intensity.
- WLC (£8.37) and Lochee SC (£4.68) have moderate staffing costs, aligning with their income per user figures.

- venues like Regional Performance Centre Dundee (£1.58), McTaggart (£1.56), and Douglas (£1.40) operate with significantly lower staff costs per user, reflecting leaner operational models or venue specific staffing requirements.

### Implications for LACD and the Council

- high-performing venues such as Douglas and Harris should be leveraged as examples of models for operational efficiency.
- venues with lower financial performance (for example, Regional Performance Centre Dundee, Lochee SC, Menzieshill SC) require intervention to improve sustainability through cost control, additional income generation, pricing strategies, or service diversification.
- the impact of Olympia's closure on previous financial performance must be considered. The remaining estate did not have the capacity to accommodate Olympia users and therefore the previous closure meant total loss of income and a larger financial impact.
- venues with lower revenue per user should explore pricing adjustments or new programming to enhance financial performance.
- investment in cost-efficient venues such as Douglas and Harris can maximise service accessibility while maintaining financial viability.
- staff costs per user vary significantly across venues, suggesting the potential for workforce optimisation to align resource allocation with usage patterns.
- facilities with high deficit per user should undergo operational reviews to assess potential cost-saving measures without compromising service quality.
- a targeted approach to improving underperforming venues will help reduce reliance on council subsidies while maintaining community access.

### Conclusion

The KPI analysis highlights a diverse financial and operational landscape across LACD's sport and leisure venues. While some venues demonstrate strong performance, others operate with significant financial challenges. Improving cost recovery, optimising staffing models, and exploring new revenue opportunities will be crucial in ensuring long-term sustainability. Strategic decisions should focus on enhancing financially viable venues, addressing operational inefficiencies, and making data-driven investments to ensure that leisure services remain accessible and financially sustainable for the City of Dundee.

## Library KPIs

The analysis of KPIs for library venues in Dundee highlights significant variations in financial performance, staff costs, and user engagement. Understanding these disparities is critical for LACD and the Council to inform strategic decisions on service sustainability, resource allocation, and operational efficiency.

**Table 4.12: Library KPIs**

Venue	Deficit per user	Venue	Staff Costs per user	Venue	Users per Opening Hours
Arthurstone	£14.12	Whitfield	£11.16	Central	142
Whitfield	£11.92	Arthurstone	£8.51	Douglas	58
Coldside	£10.11	Kirkton	£8.43	Broughty Ferry	30
Kirkton	£9.33	Coldside	£5.47	Blackness	22
Ardler	£9.15	Ardler	£5.43	Menzieshill	13
Charleston	£8.70	Charleston	£5.01	Lochee	11
Fintry	£7.36	Lochee	£4.78	Coldside	10
Central	£6.56	Central	£4.55	Ardler	7
Hub	£6.31	Fintry	£4.37	Hub	7
Lochee	£6.22	Menzieshill	£3.85	Charleston	6
Menzieshill	£4.17	Hub	£3.33	Fintry	6
Blackness	£3.03	Blackness	£1.79	Arthurstone	5
Broughty Ferry	£2.10	Broughty Ferry	£1.48	Kirkton	5
Douglas	£0.38	Douglas	£0.33	Whitfield	5

### Financial performance: deficit per user

- the highest deficit per user is recorded at Arthurstone (£14.12), Whitfield (£11.92), and Coldside (£10.11), indicating these libraries are operating at a substantial financial deficit.
- the lowest deficits are seen at Douglas (£0.38) and Broughty Ferry (£2.10), suggesting better financial viability relative to levels of usage.
- the variance in financial performance suggests that some libraries may require restructuring or alternative delivery models to improve cost-effectiveness.

### Staff costs per user

- Whitfield (£11.16) and Arthurstone (£8.51) have the highest staff costs per user, potentially due to low footfall relative to staffing levels.
- Douglas (£0.33) and Broughty Ferry (£1.48) have the lowest staff costs per user, indicating better alignment between staffing and usage.
- libraries with high staff costs per user may need efficiency reviews, including staffing adjustments or service model changes to enhance cost-effectiveness.

### Usage: users per opening hour

- Central Library (142 users per hour) dominates usage, reinforcing its role as the primary library service hub.
- Douglas (58 users per hour) and Broughty Ferry (30 users per hour) also show strong usage levels, highlighting their importance within their communities.
- libraries such as Arthurstone, Kirkton, and Whitfield (five users per hour each) have significantly lower footfall, raising questions about their long-term viability and the need for service model adaptations.

### Implications for LACD and the Council

- the significant variations in deficit per user indicate that some libraries may require targeted interventions or alternative delivery models to reduce operational costs or increase user engagement.
- some (Coldside, Blackness) have bucked the trend and increased substantially their visitor numbers, while others (Arthurstone) have gone from one of the highest to lowest performing post-COVID. These disparities would benefit from additional research to better understand the causes that could account for this
- high-cost, low-usage libraries (for example, Whitfield, Arthurstone) may also need to consider alternative service delivery models, such as part-time hours, community partnerships, or digital service expansion.
- libraries with consistently low users per hour may benefit from resource reallocation to higher-traffic locations or central hubs.
- investing in high-performing libraries like Central, Douglas, and Broughty Ferry could enhance overall service efficiency while maintaining accessibility.
- exploring hybrid models that combine physical and digital services could improve accessibility while managing costs.
- community outreach and targeted engagement strategies should be considered to boost usage at underperforming locations.

- partnership opportunities, such as co-locating libraries with other community services, may improve financial sustainability while maintaining service provision.

## Conclusion

The KPI analysis highlights key challenges in financial sustainability, efficiency, and service accessibility within Dundee's library network. While some libraries perform well, others operate at significant cost with low usage. LACD and the Council must consider strategic interventions, including efficiency improvements, alternative service delivery models, and targeted investment to ensure long-term viability and equitable access to library services – informed by more detailed research to better understand the disparities in performance between libraries post-COVID.

## Cultural Services KPIs

The analysis of KPIs for cultural venues in Dundee is limited due to the variability and quality of the data available. However, from what information that was available we have collated the following indicators.

**Table 4.13: Cultural KPIs**

Venue	Income as a % of Expenditure	Income per user	Deficit per user	Staff Costs per user
Caird Hall	42%	£2.72	£5.26	£4.92
Mills Observatory	23%	£1.64	£5.04	£2.06
McManus	7%	£1.48	£19.14	£14.23
Broughty Castle	26%	£0.21	£0.65	N/A

## Implications for LACD and the Council

- The quality and quantity of data makes it hard to have meaningful comparisons to draw trends and conclusions from. A focus on ensuring data is collected for all cultural venues would allow more meaningful analysis in the future.
- The lack of income generating opportunities impact the KPI's and mean that many of the indicators perform poorly when compared to other service areas.

## 4.8 Overall conclusions

LACD is emerging from a difficult post-COVID five-year period where it has shared the national characteristics of increased operational costs, reduced income, variable levels of participation and usage, and a consequent increasing financial reliance on DCC at a time of difficulty for public

services generally. This combination of circumstances, has placed additional stress on the relationship between LACD and DCC and, consequently, has revealed some stress-lines in current practice and communications.

On the positive side, the services still retain reasonable (and in some areas excellent) levels of usage and generally retain a high level of customer/user satisfaction. However, there is a need for more efficiency across the organisation and, arguably more importantly, an acknowledgement that some re-focusing of operational practice and skillsets is required to make the service provision more effective and future-facing.

Some of this will be achieved by staff re-training and/or redeployment, some through investing to grow income, and some through introducing new working practices both frontline and in terms of operational support. A more developmental ethos needs to be introduced and supported in some working areas to maximise and grow income streams and, primarily, to improve the quality of service to users. Later, we will suggest that these changes be reframed by introducing a different philosophical framework for the trust's activities, which is given material form in a renegotiated SLA between DCC and LACD, and an improved system of monitoring and reporting against agreed KPIs.

## 5 Governance

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### 5.1 Management and governance structures

LACD is established as an independent charitable body and is a SCIO. The structure of the SCIO consists of:

- the Members who have the right to attend members' meetings (including any annual members' meeting) and have important powers under the constitution; in particular, the members appoint people to serve on the Board and take decisions on changes to the constitution itself. DCC is the sole member.
- the Board holds regular meetings and generally controls the activities of the SCIO and is responsible for monitoring and controlling the financial position of the SCIO. The people serving on the Board are referred to as Charity Trustees.

The Board consists of 13 trustees, of which three are elected members appointed by DCC. There are also two executives on the board – the Director of Leisure & Culture and Executive Director of Corporate Services. The remaining trustees are all independent, including the Chair.

The Director of Leisure and Culture is supported by a management team responsible for:

- Sport, Leisure and Physical Activity.
- Culture and Libraries.
- Corporate Services.

Our consultation identified that previous changes at senior management levels within LACD has contributed to the challenging period for the organisation, not least as they coincided with the pandemic. However, recent appointments in culture and in sport and leisure have been well received and appear to be making good progress in service development and improvement.

Similarly consultees also noted that recent board appointments had also helped to strengthen the range of experience and expertise available to the organisation.

However, the consultation also identified concerns with leadership, management, and the culture of accountability and suggested room for improvement in communication, performance monitoring and financial planning.



## 5.2 Performance against the service agreement

### Critical review of the Services Agreement

As part of the broader review of Dundee's leisure, culture, and library services, this section evaluates the Services Agreement between DCC and LACD. This agreement establishes the framework for delivering sports, leisure, cultural, and library services on behalf of the Council, ensuring residents have access to high-quality public services that promote community wellbeing, inclusivity, and lifelong learning. As such, it is a key mechanism in the organisation's governance.

This review assesses the agreement's effectiveness, identifies key issues, and provides recommendations for improvement. The analysis is structured around contractual obligations, financial sustainability, governance, performance measurement, and alignment with local and national policy objectives. Areas of focus include outcome measurement, financial resilience, governance, and service flexibility.

The Services Agreement between DCC and LACD is a key document that governs the provision of sports, leisure, cultural, and library services across the city. Given the evolving landscape of public service delivery, financial pressures, and changing community needs, it is essential to critically assess how well this agreement facilitates effective, sustainable, and outcome-driven services.

This section evaluates the agreement's alignment with public sector priorities, financial sustainability, governance mechanisms, performance measurement, and service flexibility. The aim is to identify key strengths and areas for improvement to ensure the agreement continues to support high-quality service provision while adapting to future challenges.

### Alignment with public sector priorities

The Services Agreement does not sufficiently align with Scotland's broader public sector reform principles, which prioritise:

- prevention - reducing long-term inequalities through early intervention.
- partnership working - collaboration between public, private, and third-sector bodies.
- outcome-based performance - ensuring measurable improvements in health, wellbeing, and social participation.

DCC's Council Plan focuses on reducing poverty and inequality while improving community wellbeing. However, the Services Agreement lacks clarity on how LACD will contribute to goals around:

- health and sport: the Scottish Government promotes increased physical activity as a preventive health measure, yet the agreement lacks defined outcome targets related to participation growth and impact.
- culture and libraries: Scotland's Culture Strategy emphasises inclusive access to cultural services, but the agreement does not track how LACD services improve participation among disadvantaged communities.

## Financial sustainability and funding stability

The Services Agreement relies heavily on DCC funding, creating long-term financial vulnerability for LACD. There is no contingency plan to protect services in the event of budget cuts or economic downturns. Alternative financial models, including public-private partnerships, targeted grant funding, and structured revenue reinvestment, could strengthen LACD's financial position. Performance-based funding, where a portion of income is linked to strategic outcomes, could incentivise innovation and efficiency. Benchmarking against similar agreements in Scotland suggests that multi-year funding commitments improve financial sustainability.

## Performance measurement and outcome focus

The Services Agreement primarily measures outputs (for example, attendance, revenue) rather than outcomes (for example, health improvements, literacy gains, social cohesion). Best practice in public service agreements includes measurable KPIs such as:

- increased physical activity levels among disadvantaged groups.
- improvements in mental health and wellbeing through leisure participation.
- higher library engagement rates among children and digitally excluded adults.

Without a structured outcome-based performance framework, assessing LACD's impact is difficult.

## Governance and accountability mechanisms

The Services Agreement provides significant oversight to DCC, but decision-making authority is unclear, particularly regarding service changes. LACD is required to provide quarterly performance reports, yet there is no identified formal process for adjusting services based on findings.

The relationship between LACD's Board and DCC requires clearer governance protocols to align strategic priorities. Best practice governance models include a joint oversight board to ensure financial and strategic alignment.

## Service flexibility and adaptability

Points to note on service flexibility and adaptability include that:

- the agreement lacks built-in flexibility, limiting LACD's ability to adapt services dynamically based on emerging community needs.
- there is no provision for strategic service reviews to adjust priorities based on social, economic, or technological changes.
- five-year service reviews would allow for greater responsiveness to evolving policy priorities.

## Areas for improvement

Suggestions on areas for improvement to strengthen the effectiveness and sustainability of the Services Agreement between DCC and LACD are captured in the section on Strategic Realignment (**Chapter 6**).

However, underpinning this we believe there is an opportunity to change the nature of the conversation between DCC and LACD, and LACD and Dundee citizens, and that this will in turn inform the content of the Services Agreement. This kind of civic framing could strengthen both the relationship between Dundee's citizens and their cultural infrastructure and give real meaning to public service in the 21st century.

Outlined below is an illustration of an approach to re-framing of the Services Agreement between DCC and LACD around a **"Citizenship as Membership"** principle. It should be noted that this is an idea only at this stage and would require further development and refinement.

## Civic Membership for Life

All citizens of Dundee, from birth to death, are automatically members of Leisure and Culture Dundee – no signup, no barriers – with a view to:

- Embedding culture and leisure as a civic right, not a consumer choice.
- Making public services feel personal, social, and lifelong.
- Encouraging early and sustained engagement (from birth, rather than waiting until later life).
- Strengthening LACD's legitimacy and visibility as a core civic institution, not a peripheral contractor.

Their membership would entitle them to specific services, summarised as:

- **Free core access** to public cultural services: libraries, archives, exhibitions, parks, observatories, and digital collections.
- **Tiered or discounted access** to enhanced services (e.g. premium classes, ticketed events, facility hire).
- **Participation rights** in civic cultural planning, feedback, and community-led programming.

## Reframed Services Agreement – Approach

### 1. Shift from "Service Provider" to "Civic Partner"

Reword the agreement so that LACD is not just a contractor delivering services on behalf of the Council, but the steward of lifelong cultural and leisure participation for every citizen. For example, *"LACD is entrusted with providing and evolving a lifelong cultural, learning, and well-being pathway for all citizens of Dundee, in accordance with the principle of Civic Membership for Life."*

### 2. Embed "Universal Membership" in the Service Framework

A clear statement in the agreement would define:

- **automatic membership** – all Dundee citizens are entitled to be members from birth, no action required.
- **membership rights** – clear definition of what is included (core access, digital access, civic engagement rights).
- **Membership responsibilities** – encouragement of stewardship, participation, and feedback.

### **3. Define Service Categories Around the Membership Model**

Under an approach such as this, there could be a balance to strike between offering some free access, particularly for specific target groups, while also using universal membership to drive up income through paid for services, again focussing particularly on those with the ability to pay. This is, of course, not without risk, as offering some services free will lower income at least initially, albeit with the expectation of future growth. What is more important here is the principle of universal membership. Building ownership of and commitment to these services as a core part of civic life.

### **4. Align Funding and Reporting to Membership Outcomes**

Rather than just reporting on service "units" (for example, number of loans, visits, tickets), LACD could be tasked with reporting on:

- membership engagement rates (how many citizens are actively using services each year).
- lifelong engagement journeys (tracking retention and participation over life stages: childhood, young adult, midlife, later life).
- impact metrics (health, well-being, social connection, creative skill acquisition).

### **5. Reposition LACD in Public Communications**

DCC and LACD communications would shift away from marketing services as "optional extras" toward reinforcing the idea of entitlement and belonging.

### **6. Legal and Governance Implications**

The Services Agreement would also formalise:

- membership rights as part of the Service Specification.
- equal access safeguards for all citizens regardless of demographic or location.
- a commitment to regularly review and expand the scope of civic membership as new services, spaces, or digital platforms emerge.

This is illustrative only, but provides an example of how LACD's services might be reframed within a citizen-based philosophy and approach. This could then be reflected in the process of strategic realignment described in the following section.

## 6 Strategic Realignment

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### 6.1 Introduction

Before turning to more operational measures that can drive greater efficiency, increase income and/ or improve outcomes, there are some more strategic changes that should be considered. Here we set out some of the issues and opportunities for strategic change that can help direct and focus the work for LACD.

### 6.2 Reasserting the role of leisure and culture in Dundee

Throughout the consultation there was a clear view that LACD is starting to emerge from a challenging period, and credit is due to the organisation for reaching this point. The current review, and the fact that the organisation may be approaching a more stable position, creates the opportunity to consider the strategic direction and priorities for its future.

The first step here is to reassert the role that culture and leisure play in the future of the city – a refreshed vision for Dundee, and for LACD. These services have long played a central role in Dundee’s regeneration and reinvention, but as the organisation moves into a new phase, it is worth reassessing their strategic role in the current, changed environment.

This should be led by DCC and should seek to assert clearly the contribution that leisure and culture can make to key city priorities such as poverty and deprivation and health and wellbeing, but also as a driver of civic pride and quality of life. In so doing it can redefine the roles of leisure and culture in a modern city (possibly using the citizen centred approach set out earlier), and within this there is a specific opportunity to reimagine the libraries service.

Libraries remain a trusted and safe civic space and are at the very forefront of community engagement. However, changes in user behaviour (as outlined earlier) suggest that their role is becoming less clear. Dundee was an early pioneer in the use of libraries in supporting digital literacy and inclusion and access to digital services but has arguably not reinvented the service for a time of ubiquitous digital access. This is a key strategic opportunity both to reinvent the service and to create again a sense of wider vision for leisure and culture services.

As part of this wide strategic visioning work, DCC then has the opportunity to set out more clearly its expectations of LACD in terms of the services that will be provided, but more importantly the outcomes that should be achieved. This can then feed into a revised Services Agreement which can strengthen the governance and accountability between DCC and LACD.

## 6.3 Strengthening the Services Agreement

While the current Services Agreement provides a structured framework for delivering leisure, sports, culture, and library services in Dundee, it lacks a strong focus on outcomes, financial resilience, and adaptability.

The following recommendations are designed to strengthen the effectiveness and sustainability of the Services Agreement between DCC and LACD. They focus on enhancing performance measurement, financial resilience, governance, service flexibility, and public engagement to ensure that LACD continues to deliver high-quality services aligned with public sector priorities and community needs and could, for example, be framed within the **Citizenship as Membership** principle, outlined above.

### Strengthen outcome-based performance framework

- shift performance measurement from outputs to outcomes, with KPIs focused on:
  - community health improvements via increased sports participation.
  - literacy, educational and digital inclusion outcomes through library engagement.
  - cultural participation growth among low-income households.
- introduce annual impact assessments incorporating data on user demographics, participation trends, health benefits, and educational outcomes.

### Improve financial stability and revenue generation

- while it would be desirable to establish a long-term funding commitment with DCC through multi-year agreements, this is made difficult by annual funding settlements from the Scottish Government to local authorities.
- implement indexed funding mechanisms to adjust financial support based on inflation or service demand growth.
- set clear expectations and, where appropriate, targets for cost management (for example, in relation to property cost and energy usage).
- develop a commercial income strategy, allowing LACD to reinvest surplus revenue.

- incentivise the attraction of funding – development and capital – from external sources currently not available to DCC.

## Strengthen governance and strategic oversight

- conduct mid-year service reviews to ensure responsiveness to community needs.
- provide LACD with sufficient operational autonomy (as now), while maintaining Council oversight on key strategic decisions.

## Enhance service flexibility and periodic reviews

- embed a five-year service review cycle to assess effectiveness and responsiveness to policy changes.
- encourage LACD to pilot innovative service models, such as AI-driven customer engagement.

## Enhance public transparency and community engagement

- publish an annual impact report detailing:
  - participation rates in sports, cultural, and library activities.
  - improvements in literacy and digital skills.
  - the role of leisure services in enhancing physical and mental health.
- establish community advisory panels to ensure service development reflects user needs.

While the current Services Agreement provides a structured framework for delivering leisure, sports, culture, and library services in Dundee, it lacks a strong focus on outcomes, financial resilience, and adaptability.

Implementing the recommended improvements will enhance operational efficiency, strengthen accountability, and ensure the long-term sustainability of services. A revised approach - aligned with DCC's strategic priorities and Scotland's public sector objectives - will ensure that LACD services continue to contribute meaningfully to community wellbeing, economic sustainability, and cultural enrichment.



# 7 Operational Improvements

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## 7.1 Options for consideration

This chapter considers specific approaches across the service areas to address current inefficiencies of operation, opportunities for development and investment, income stream development, and changes in management systems and policy.

These can be combined in various permutations depending on the principal objectives of DCC and LACD. For example, if the objective was primarily around financial savings, then staffing reduction would be one of the primary areas for consideration; if social objectives are of greater importance, then the emphasis would be on redeploying existing budget in re-skilling, improved policy alignment, and greater focus of activities.

These options are on a spectrum that ranges from what might be perceived as radical cuts to more focussed (and equally radical) intervention and development. LACD has demonstrated in the last six months how some areas of its operation can be turned around positively, and relatively quickly, with the latter approach. Further, although we have not applied it, we are aware that any future decisions will be taken through a political as well as operational prism and that there will be areas of sensitivity that will come into consideration when considering the appropriate and most effective permutation to proceed with.

The following sections, therefore, set out the areas we believe can be achieved. Further consideration will be required around which of these it is most practical to deliver, and many would require further option appraisal and feasibility work.

It is also worth noting that some of these measures cut across service areas (for example, workforce realignment) while others are more specific (individual venue plans). In identifying these we have also assumed that planned rationalisation (for example, of libraries) will be considered as part of the DCC's wider asset rationalisation plans and we have not sought to add to these other than the specific opportunities identified below.

Finally, we are conscious that work is already underway within LACD on multiple fronts to identify and implement improvements and many of these should be given time to demonstrate their potential. This includes, for example, improvements to the operation of Caird Hall and the recent revisions to the membership structures for health and fitness.

## 7.2 Efficiency measures

### 7.2.1 Option 1: Workforce realignment

LACD is currently operating within a highly constrained financial environment, driven by rising operational costs, declining income in some service areas, and increasing financial dependency on DCC. In this context, there is an opportunity for LACD to realign its workforce to reflect its revised operational focus, reduce duplication, renew or replace skillsets with those more relevant to current and future service provision and operation, and deliver greater efficiencies across its portfolio of services. This is not simply a cost-reduction initiative, but a strategic intervention to safeguard the long-term sustainability and service delivery capacity of LACD.

The current establishment totals **354.6 full-time equivalents (FTE)** across all service areas (causal staff are in addition). One option for consideration involves a realignment that results in an overall headcount reduction equivalent to **88.54 FTE**. These reductions have been informed by detailed analysis, participation and usage trends, performance benchmarking, and organisational design considerations. The associated savings are estimated to be **£2.95 million**, rising to **£3.54 million** when including on-costs. These savings would help bridge the existing financial gap and reconfigure LACD into a more agile and efficient organisation.

### Key findings from workforce analysis

#### Service area overstaffing and declining demand

- overstaffing is evident in areas such as performance sport (e.g. RPC), corporate services (e.g. creative services), and administrative support functions.
- visitor numbers to libraries have declined by 20%-40% across many venues post-pandemic, and usage remains below historic levels. This has created misalignment between service demand and current staffing levels.
- cultural and heritage venues such as McManus have experienced reductions in footfall, yet staffing levels remain unchanged.

#### Disproportionate staffing in specific functions

- Corporate Services functions (Finance, HR, Marketing, and Creative Services) have higher-than-required staffing given the scale of the organisation (based on the experience of the team from other culture and leisure services organisations).
- there are clear opportunities to automate or digitise back-office processes and reduce the scale of centralised functions.

- alternative delivery models (for example, transferring financial/HR services to the Council or outsourcing creative services) may yield substantial efficiencies.

### Limited public engagement at certain venues

- facilities such as the Ancrum Outdoor Centre operate at significant deficits and deliver low levels of community access. Several support roles at this centre have been proposed for removal.
- the Regional Performance Centre, was established for use by clubs and squads, and not for the wider public and posts linked to supervisory structures are considered for reduction.

### Digital transformation and Use of artificial intelligence (AI)

- the potential for using automation and AI across finance, marketing, customer services, and administration supports a leaner staffing model.
- AI-based content generation, customer service chatbots, and automated financial reporting can significantly reduce the need for clerical, creative and administrative posts.

### Workforce reduction strategy

The proposed FTE reductions focus on ensuring that staffing levels are aligned with current and projected levels of activity, while maintaining compliance with health and safety standards and protecting frontline service delivery and income generation in high-performing and high-demand areas:

- **Corporate Services:** reduction in Finance Officers, Clerical Assistants, Employee Support roles, and creative services roles where automation or outsourcing is viable.
- **Libraries:** reduction of FTE in locations with reduced visitor numbers and consolidation into more efficient library hubs (for example, East End Campus). Central Library management and assistant roles have also been identified for streamlining.
- **Cultural Venues:** Visitor Assistants and Curatorial roles at McManus are subject to reductions based on a 27% decline in visitor numbers.
- **Performance Sport:** complete removal of this function is proposed, with responsibility returned to national agencies, governing bodies, and clubs.
- **Outdoor and Low-Use Facilities:** roles at Ancrum Outdoor Centre and Camperdown Wildlife Centre are proposed for removal or transfer in light of operational deficits and reduced strategic alignment.
- **Golf Facilities:** Proposed changes are consistent with LACD/DCC plans due to the closure of Caird Park Golf Course earlier this year.
- **Supervisory Roles:** reductions are proposed in supervisory posts at the Regional Performance Centre and other venues where leadership layers can be streamlined.

## Implementation and mitigation considerations:

There are some areas of under-performance for which there will be specific mitigating circumstances, including:

- **Health and Safety:** staffing reductions should be aligned with minimum safe operating models, particularly at pool and fitness venues.
- **Service Continuity:** phased implementation will support business continuity and avoid disruption to public services.
- **Staff Engagement and Redeployment:** a comprehensive engagement/consultation plan with affected staff and unions will be implemented, along with redeployment options within LACD or the Council.
- **Digital Infrastructure Investment:** investments in technology and AI solutions will be required to underpin service transformation and efficiency gains.
- **Curbing Development/Income Growth Opportunities:** the opportunity to invest to develop (such as the Caird Hall) or recover lost footfall (McManus).

## Conclusion

The proposed workforce realignment is a strategic response to the financial pressures and participation trends facing LACD and should be viewed as part of a wider programme of organisational transformation. The potential reduction of 88.54 FTE, including alignment with the closure of Caird Park Golf Course, provides a sustainable model to improve operational effectiveness, reduce costs, and future-proof the organisation. It will enable LACD to prioritise resources on high-demand, high-impact services and create a more efficient, adaptable structure aligned with its core mission and financial limitations.

However, it is important to note that these top-level figures are indicative rather than definitive at this stage, and care will be required to ensure that any realignment does not prevent genuine areas for service and income growth and improvement that have been hindered by past practice or under-investment to be reduced if those areas can be turned around if either practice or investment were addressed.

It is also important to note that there will be legitimate HR and legal issues to consider alongside valid sensitivities and concerns relating to any options which include workforce reduction measures. For all of these reasons, this proposal would need further testing and development, but we do believe that there is a genuine opportunity to develop a more sustainable operating model for the services.

## 7.2.2 Staffing resource alignment

As part of the review, we have developed a comprehensive data model which pulls together information on staffing rotas, usage information, financial performance, and facility location from all areas of the service. In terms of staffing resource alignment, we have been able to look at an analysis of the sport and leisure team staffing deployment against customer usage levels to seek potential areas that could drive potential efficiencies.

We have not been able to do this for libraries and cultural services due to either a lack of data or data provided not being sufficient to allow the analysis.

From the data model, we have undertaken a detailed analysis of customer usage and staffing allocations to look for opportunities for further efficiency. The output of this is a proposed change of levels of staffing across The Olympia, Lochee Swimming and Leisure Centre and Dundee International Sports Centre. The combined effect of these suggestions could bring an annual saving of up to £93,000 per annum, although these would need to be amended should the decision be made to proceed with some or all of the workforce realignment plans above.

The main proposed changes are:

- reduction in lifeguarding numbers at end of day due to low customer numbers
- closure of DISC to the public up to 2pm to reflect the priority use of the facilities by Morgan Academy

The details of these savings are included in the appendices.

## 7.3 Investment opportunities

### 7.3.1 Option 2: Douglas Sport Centre redevelopment

#### Overview

Douglas Sports Centre is a well-established and strategically located community asset serving the east of Dundee. With significant latent demand for health and fitness services (2,084 potential members within a 15-minute drive) and an additional revenue potential of £387,322 per annum, there is a strong case for expanding the existing fitness provision. This investment would enhance financial sustainability, increase participation in physical activity, and support population growth in the North East of the city.

## Financial and strategic rationale

- the centre currently operates at a £106k annual surplus (2023-2024), recovering well from the impacts of Covid as shown in Table 4.13, whilst operating at various levels of loss over the last few years, the current growth trend makes financially viable to expand operations.
- the existing small gym and studio space limit participation, contributing to Dundee's lower-than-average fitness penetration rate compared to other sport and leisure trusts.
- the facility is ideally placed to serve the growing population in the North East of Dundee, ensuring long-term demand.
- expanding fitness provision aligns with DCC's health and wellbeing priorities, promoting increased physical activity and improved public health outcomes.

Table 4.13

Douglas Sports Centre	2019-20	2020-21	2021-22	2022-23	2023-24
<b>Income</b>	£309,282	£57,448	£204,562	£321,039	£390,892
<b>Expenditure</b>	-£207,580	-£173,683	-£212,968	-£317,856	-£284,288
<b>Net</b>	£101,702	-£116,235	-£8,406	£3,183	£106,604

## Development options

- Sportshall Conversion – a cost-effective approach repurposing the existing four-court sportshall into a large-scale gym and fitness studio space:
  - benefits: lower capital investment, quicker implementation.
  - indicative investment: estimated at £2-£2.5 million, offering a payback period of approximately seven years.
  - mitigation: existing sportshall users could be relocated to the new East End Campus School or DISC, maintaining access to indoor sports provision.
- New build extension – constructing an extension to the existing building to accommodate a dedicated large-scale fitness space:
  - benefits: retains the sportshall while expanding fitness capacity.
  - challenges: higher capital investment and longer project timeline.

## Impact and benefits

- increases financial resilience for LACD by diversifying income streams.
- addresses latent demand, improving Dundee's fitness penetration rate and supporting community health objectives.

- enhances accessibility to modern, high-quality fitness facilities for residents in the East and North East of the city.
- future-proofs Douglas Sports Centre, ensuring it remains a key hub for health and wellbeing in Dundee.

## Conclusion

Investing in expanded health and fitness facilities at Douglas Sports Centre presents a clear financial and strategic opportunity. The preferred route – either through sportshall conversion or a new build extension – should be assessed based on capital costs and long-term return on investment. With growing demand, strategic location, and strong revenue potential, this development would significantly benefit LACD, DCC, and the wider community.

## 7.3.2 Option 3: Regional Performance Centre

### Overview

The Regional Performance Centre is a key sporting facility in Dundee, primarily serving clubs and performance squads. However, it is underutilised by the wider local community and operates at a significant annual deficit of £550k (2023-2024), which is exceptionally poor for a dryside facility. There is latent demand for health and fitness services within a 15-minute drive of the venue, estimated at 2,627 potential members, representing a potential additional income of £488,397 per annum. Developing a large-scale fitness facility would help broaden community engagement, improve financial sustainability, and enhance overall usage.

### Financial and strategic rationale

- financial performance: the venue's £550k annual deficit highlights the need for income diversification and improved financial performance.
- latent demand: with 2,627 potential members in the area, a well-designed fitness facility could generate £488k per annum, helping significantly reduce the operating deficit.
- underutilised space: the first floor of the facility consists of large circulation areas, meeting rooms, and offices that contribute little to revenue generation and could be repurposed into a large-scale gym and fitness space.
- strategic location: the Regional Performance Centre is well-positioned to serve communities across central Dundee, filling a key gap in LACD's health and fitness provision.

## Development options

- conversion of first-floor space – the most practical and cost-effective approach, repurposing underutilised circulation spaces, meeting rooms, and offices into a modern fitness facility:
  - benefits: utilises existing infrastructure, minimises construction costs, and ensures efficient use of space.
  - indicative investment: estimated at £2.5-£3 million, with a payback period of approximately eight years.
  - impact: expands the venue’s user base beyond clubs and squads, increasing public participation and revenue generation.
- new build extension – a more capital-intensive approach, adding an entirely new fitness facility to the Regional Performance Centre:
  - benefits: retains existing space functionality while creating a purpose-built fitness hub.
  - challenges: higher capital investment, longer timeline, and planning considerations.

## Impact and benefits

- reduces the operating deficit of £550k per annum, improving financial sustainability.
- increases accessibility to health and fitness for the wider community, expanding LACD’s user base.
- strengthens the centre’s role as a central hub for both elite and community-level sport.
- optimises existing space, repurposing areas that are currently underutilised.
- Supports DCC’s health and wellbeing objectives, encouraging more active lifestyles.

## Conclusion

Developing a large-scale health and fitness facility at the Regional Performance Centre presents a clear financial and strategic opportunity. The conversion of the first-floor space is the most viable and cost-effective solution, leveraging existing infrastructure while delivering significant financial and community benefits. With growing demand for fitness services, this investment would enhance LACD’s offering, reduce reliance on subsidy, and create a more inclusive, financially sustainable facility.



### 7.3.3 Option 4: Menzieshill Community Hub

#### Overview

Menzieshill Sports Facilities, part of the Menzieshill Community Hub, is a well-positioned local asset serving the West of Dundee, including some of the city's most deprived areas. The venue currently features two four-court sports halls, which are underutilised, presenting a strong opportunity for redevelopment. This business case outlines the potential benefits of converting one of the sports halls into a large-scale health and fitness facility to meet latent demand of 2,632 potential members within a 15-minute drive and generate up to £489,265 in additional annual income.

#### Financial and strategic rationale

- the venue is well-located to serve communities across the West of Dundee, including those in high-priority areas for health and wellbeing interventions.
- existing fitness provision within the area is limited, and the overall fitness penetration rate in Dundee is lower than the national benchmark, highlighting a need for additional high-quality facilities.
- the facility has underutilised indoor sports capacity, with two full-sized sports halls, making it possible to repurpose one hall for fitness without significantly impacting existing users.
- expanding fitness provision aligns with DCC's health and wellbeing priorities, supporting increased physical activity and improved public health outcomes.

#### Development options

- conversion of a sportshall into a large-scale gym and studio space:
  - benefits: cost-effective, maximises existing space, provides a significant revenue stream.
  - indicative Investment: estimated at £2-£2.5 million, with a payback period of approximately 7 years.
  - mitigation strategy: existing sportshall users can be relocated to the second sports hall within the venue or to alternative sportshall facilities across the city, ensuring continued access to indoor sports provision.

#### Impact and benefits

- generates substantial additional revenue, improving the financial sustainability of Menzieshill Sports Facilities and reducing its reliance on subsidy support.
- addresses unmet demand for health and fitness services in the West of Dundee, particularly in communities with lower-than-average participation rates.

- provides high-quality fitness facilities, encouraging greater engagement in physical activity and contributing to improved community health outcomes.
- maximises the use of existing infrastructure, ensuring that the facility remains a key asset within the community hub while optimising financial performance.

## Conclusion

Investing in expanded health and fitness facilities at Menzieshill Sports Facilities presents a clear financial and strategic opportunity. Converting one of the underutilised sports halls into a modern fitness centre offers a cost-effective solution with significant revenue potential, while still ensuring that sportshall users have access to alternative venues. With strong latent demand, a strategic location, and the potential for a significant financial return, this development would deliver long-term benefits for LACD, Dundee City Council, and the wider community.

## Cumulative effect

Whilst the 3 sport & leisure development options above each make significant growth opportunities it should be noted that these would require sensitivity analysis if multiple projects were taken forward. The data model allows this profiling to happen and shows that if all 3 projects were to be undertaken a potential membership growth of 3,700 members would be achievable generating an additional £687,700 of income per annum.

## 7.3.4 Option 5: Caird Hall

### Overview

The analysis discussed previously indicates that Caird Hall has been under performing in several respects. Attendances have been static or reducing over time and while there has been some modest income growth, cost have risen faster, increasing the annual deficit to its current position of circa £400K. A recent study into the venue attributes this to reactive programming, underperformance of the food and beverage offer and limited marketing.

However, it also concludes that there remains a viable opportunity for a mid-sized venue in the city and that with some relatively modest improvements the venue could remove its deficit within a five year period.

Although a private developer has now opened a multi-purpose mid-scale venue (circa 3,500 capacity) in Dundee, and this could potentially be seen as competition, the Caird Hall can still create a viable future based on a differentiated programme and offer.

## Financial and strategic rationale

- the venue has a good catchment and population size (circa 550.000 within a 45-minute drivetime) compared with other cities/ towns that run similar scale venues
- while there are a number of entertainment facilities in Dundee City Region of varying capacities, Caird Hall is the premier venue currently in terms of capacity - Perth Concert Hall and Whitehall Theatre would be seen as competition in terms of content, but their size and layouts place them within the small-scale category of venues
- level of engagement to attend events across relevant activity types in line with national average suggesting potential for growth.
- improved programming can drive up attendances and income, contributing to longer term sustainability of the venue and of LACD.

## Development options

- more proactive approach to promoters to attract a greater and more diverse range of shows and events.
- invest in improvements to the food and beverage offer to drive up income per attendee and improve customer experience.
- upgrade seating to improve customer experience.
- upgrade stage provision to increase appeal to touring acts.
- improve box office (in particular digital offer).
- initiate more aggressive marketing, including stronger use of digital and social media channels.
- encourage more community use in the quieter months and reinvest in the conferencing offer (linked to improved food and beverage offer).

## Impact and benefits

- generates substantial additional revenue, improving the financial sustainability of Caird Hall and reducing its reliance on subsidy support.
- addresses demand for cultural events which is currently being met by venues outside the city.
- increases overall engagement with culture and increases the diversity of the city's cultural offer, potentially increasing its visitor appeal.
- maximises the use of existing infrastructure, ensuring that the facility remains a key civic asset while optimising financial performance.

## 7.4 Alternative delivery models

### 7.4.1 Option 6: Ancrum Outdoor Centre

#### Background

Ancrum Outdoor Centre has long played a crucial role in providing educational and community-based outdoor activities, enriching the lives of many individuals in the local community. However, the centre currently faces significant financial challenges. Operating deficits have grown steadily, rising from £266,945 in 2019-2020 to £451,337 in 2023-2024. These increasing deficits are driven mainly by rising staffing expenses, growing maintenance costs, and the continued provision of activities with limited participation. It is critical to address these issues promptly to ensure the long-term sustainability and viability of the centre.

#### Strategic refocus

To overcome these financial challenges, Ancrum Outdoor Centre could strategically refocus its resources on activities demonstrating high demand and financial viability. Activities such as Active Travel Initiatives, Archery, Hillwalking, Multi Activity Days, and Beginner Ski Lessons at the centre's Dry Ski Slope consistently attract large numbers of participants. Investing in these core activities will allow the centre to maintain strong community engagement and optimise income potential.

In contrast, several current activities do not deliver the required levels of participation or financial return. Equipment hire services, River Paddling, Sea Kayaking, Beginner Snowboarding, and certain Summer Mountain activities (including Climbing, Mountaineering, Scrambling, and various National Governing Body courses) have very limited or no participation. These services generate significant operational costs due to staffing requirements, inventory maintenance, and ongoing upkeep. It is, therefore, advisable to discontinue or significantly reduce these low-performing services, particularly the equipment hire service, given its high operational costs relative to its infrequent use.

#### Staffing and operational efficiency

In conjunction with rationalising activities, Ancrum Outdoor Centre should initiate a detailed staff review aimed explicitly at reducing staffing costs and ensuring optimal allocation of human resources. The review will align staffing levels more effectively with the streamlined scope of core activities, contributing significantly to achieving financial sustainability.

#### Revenue enhancement through pricing adjustments

Implementing strategic pricing adjustments, as proposed for 2025-2026, will also be vital to improving revenue streams. These adjustments align the centre's pricing structure with local

market standards and competitor rates. Specifically, increasing prices for high-demand services, such as Birthday Packages, Watersport Sets, and Skiing sessions, reflects market conditions and competitive benchmarks. Moderate price increases for essential, high-volume activities like Archery and Multi Activity Days will balance affordability with enhanced financial performance.

### Anticipated benefits

The implementation of these strategic adjustments will deliver substantial benefits. Primarily, these measures will significantly reduce the financial deficit through targeted operational savings and improved revenue generation. By concentrating resources on core activities, the centre will enhance service quality and customer experience, leading to greater customer satisfaction and loyalty. Additionally, realigning the staffing structure will ensure organisational efficiency and responsiveness to community needs, securing the centre's financial future.

### Next steps

The strategic refocus will involve ceasing the equipment hire service, conducting a comprehensive staff review for cost reductions, and proactively communicating these changes to stakeholders. Communication efforts will clearly explain the rationale and expected positive outcomes, ensuring stakeholder engagement and support. Freed-up resources will be strategically redirected towards strengthening core activities, improving service quality, and enhancing overall customer satisfaction. Financial performance will be closely monitored and evaluated regularly, enabling informed decision-making and adjustments to sustain long-term community value and financial health.

## 7.4.2 Option 7: Camperdown Wildlife Centre

### Context and current situation

Camperdown Wildlife Centre offers valuable leisure, educational, and conservation experiences, greatly appreciated by the community.

Nevertheless, it faces substantial financial challenges, with operational deficits increasing significantly, reaching £625,259 in 2023-2024. These deficits are primarily driven by escalating property maintenance costs, rising staffing expenses, and animal care costs, compounded by declining visitor numbers (falling from 85,233 in 2021-2022 to 65,570 in 2023-2024). Given the broader financial pressures confronting DCC and LACD, and the need to prioritise core statutory responsibilities, ongoing direct operation of the centre has become financially unsustainable.

## Strategic alignment and considerations

While Camperdown Wildlife Centre provides significant community benefits through leisure, education, and conservation activities, these services are predominantly discretionary rather than statutory. Consequently, the facility does not closely align with the core responsibilities or highest-priority objectives outlined in Dundee's City Plan, making continued public funding increasingly difficult to justify in the current economic climate. However, the recent external assessment of Caird Hall has demonstrated how change in operation, marketing, and some limited initial investment can turn around a major facility significantly, so this remains one alternative for consideration.

## Analysis of strategic options

### Option 1: Redevelopment

External research commissioned to explore the detail of a redeveloped site and its capacity to significantly address the current annual shortfall. If such a scenario were possible, the redevelopment is likely to enable:

- retention of part of a distinctive part of the city's cultural heritage.
- in time, reduced pressure on LACD finances.

However, redevelopment also requires:

- a level of capital investment to improve the current site.
- a three to five year period of diminishing operational losses to transition to a cost-neutral position.

### Option 2: Community Asset Transfer (CAT)

Transferring the Wildlife Centre to a community organisation could offer:

- a sustainable route for maintaining the centre without direct council subsidy.
- increased local engagement, empowerment, and volunteer involvement.

Key challenges associated with a CAT include:

- identifying and strengthening a community organisation with adequate capacity, which may require substantial training and mentorship in areas such as financial management, operational planning, fundraising, marketing, governance, and volunteer management.
- ensuring financial sustainability and effective long-term operational management.
- mitigating potential risks of organisational failure or financial distress that could revert liabilities back to the Council.

### Option 3: Transfer to a Commercial Operator

Engaging a commercial operator presents a financially sustainable approach, potentially enabling:

- enhanced operational efficiency and professional management expertise.
- greater revenue generation through improved commercial strategies and visitor experiences.

Risks and considerations for commercial transfer include:

- potentially reduced public accountability and possible shifts away from current educational and conservation priorities.
- necessity to structure robust contractual obligations with clearly defined performance metrics for educational programming, conservation activities, accessibility, and community involvement, ensuring public benefit alongside profitability.

### Option 4: Closure

Closure would deliver reductions in both operational liabilities and financial expenditure, resulting in:

- significant cost savings over a period of time.
- freed-up resources for essential statutory services and council priorities.

However, closure also presents critical risks and challenges, including:

- loss of a valued local attraction, with potential negative community and reputational impacts.
- costs associated with redundancy, animal relocation, and facility decommissioning.
- ongoing management of site liabilities post-closure.

### Recommended strategic direction

Given the substantial financial pressures, ongoing direct operation by DCC is not a sustainable option. Therefore, the recommended strategic approach is to:

- initially explore a) commissioning a feasibility assessment of redevelopment, and b) the feasibility of a CAT, proactively engaging community organisations and providing necessary capacity-building support.
- simultaneously evaluate market interest and feasibility for transferring to a commercial operator as a robust contingency measure.

- proceed with transparency towards closure should neither transfer option prove viable, employing sensitive stakeholder management, clear and consistent communication, and ensuring reallocation of saved resources to core statutory obligations.

This approach balances community value with financial sustainability and effectively aligns Council resources with statutory obligations and strategic priorities.

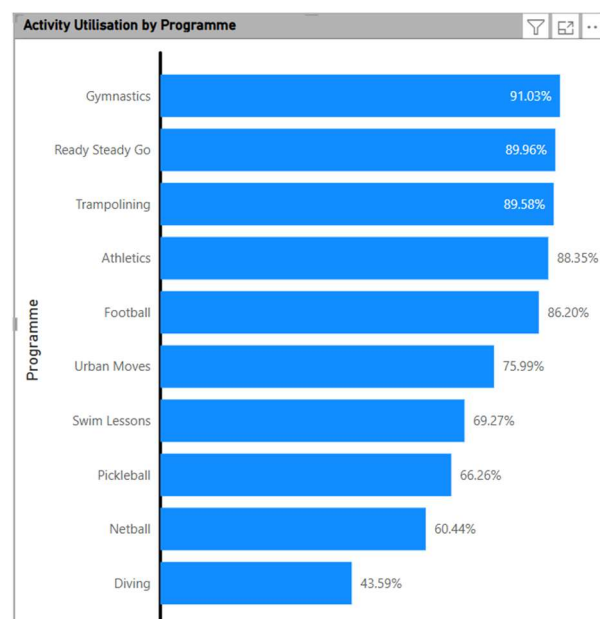
## 7.5 Commercialisation and pricing

### 7.5.1 Option 8: Commercialisation of sports classes

LACD operates on what is seen as a standard delivery model with a programming and pricing policy that seeks to keep prices low with a view to using this to increase inclusion and accessibility.

As shown in the figure below, while a wide range of sports classes are delivered across the sport and leisure estate, they are not particularly well utilised with an average occupancy of 54%. The exceptions to this are Gymnastics, Ready Steady Go and Trampolining that have 90% plus occupancy levels.

The following approach requires a more commercialised approach and adjustment of pricing policy and ratios accordingly. Profits could then be used on the delivery of a more targeted intervention programmes to reach priority target groups. As an example of the opportunity, we have profiled how a more commercial approach using the Learn to Swim programme.



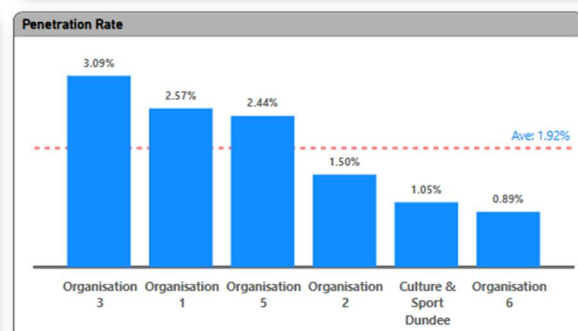
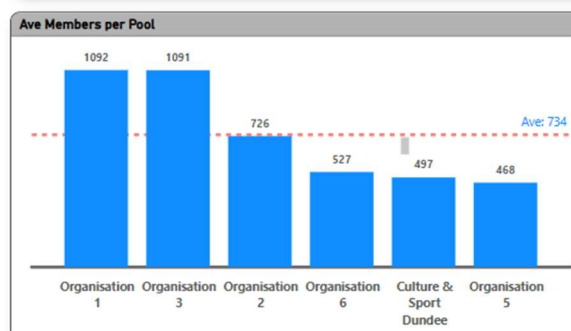
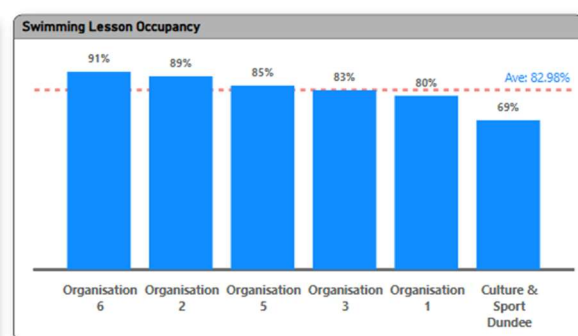


## 7.5.2 Option 9: Learn to Swim commercialisation

LACD operates eight swimming pools across the city, and the current Learn to Swim programme operates across three pools of which two are school sites at an average occupancy of 69%.



While focus needs to be given to increasing overall occupancy levels up to the benchmark average of 83%, the income growth potential being £60,610 per annum, more focus should be given to the expansion of the programme to other pools within the LACD estate which could bring an additional 3,670 based on the average participants per pool based on benchmarking, effectively tripling the size of the current programme and generating a potential additional £786,004 at current rates.



When looking at the demographic profile of those attending swimming lessons, we can see that the majority (60%) come from SIMD quintiles 3-5 as shown in the diagram below. Therefore, our proposal looks at maximising the price point to those that come from the higher quintiles and reducing the charge from those from lower quintiles. In order to maximise this opportunity a targeted pricing structure should be put in place to give cheaper access to lessons for those from low income families and a higher price for those from higher income families to encourage more participation from SIMD quintiles 1 and 2.

Swimming Lesson Members						
Member Council Ward	SIMD Q1	SIMD Q2	SIMD Q3	SIMD Q4	SIMD Q5	Total
Strathmartine	70	33	34	30	24	191
The Ferry		5	8	27	140	180
Lochee	55	29	16	23	32	155
North East (DC)	47	49	2	36		134
Coldside	65	19	11	26	9	130
Maryfield	28	41	17	39		125
East End	82	9	7	21	1	120
West End	11	20	11	20	46	108
Monifieth and Sidlaw			11	47	39	97
	93					93
Tay Bridgehead		8	8	24	24	64
Howe of Fife and Tay Coast				1		1
<b>Total</b>	<b>93</b>	<b>358</b>	<b>213</b>	<b>125</b>	<b>294</b>	<b>1398</b>

This allows a maximisation of income generation while still maintaining equality and accessibility for all. The data model accompanying this report provides an interactive tool to model this. However, based on comparisons with commercial providers of swimming lessons, who charge the equivalent of £52/month we have modelled the opportunity.

Based on the current level of participants, this proposal reduces the financial burden on those from SIMD 1&2 Quintiles by creating a £10 per month Direct Debit (DD) and increasing income by up to £263,455 per annum based on a £45 per month DD. If the DD level is set to £40 per month the growth is £208,555 and at £35 per month further reduces to £153,655.

### 7.5.3 Option 10: Memberships

The LACD Leisureactive membership scheme has recently been updated to simplify options, improve access, and reflect current usage trends. The previous "Full Fit" membership is now "Active Unlimited", providing wider access to adult classes and facilities, with a standard subscription increase of 10.4%. The concessionary rate eligibility has changed from age 60 to 66,

matching broader concession updates. Couples' memberships have been replaced with a flexible "Bolt On" option, allowing households to add extra adults at reduced costs.

The former "Gen Fit" and "Off Peak" memberships are combined into one simpler "Active Saver" option, removing previous age restrictions. Youth memberships have also been simplified: "Youth" and "Teen" memberships are now "Junior Unlimited" and "Teen Unlimited", offering more access to coach-led sessions and added benefits like guest passes and membership freezes. The previous lower-cost junior and teen options linked to adult memberships have ended, but a new flexible "Active Young Adult" membership is now available.

There are no price increases for Community and Off Peak memberships, with Off Peak members gaining additional benefits. The "Bolt On" scheme encourages family participation and improves overall affordability and inclusivity.

### Comparison with other cities

To assess the value and viability of LACD proposed membership pricing, we can consider typical membership costs from public sports and leisure facilities across Scotland. From analysis, individual membership pricing is varied across the country and the table below shows the minimum, maximum and mean Direct Debit for a single adult membership.

Minimum	Maximum	Mean
£21.70	£59.99	£33.35

### Analysis of LACD proposed pricing

- **Standard Adult Membership (£32):** this rate is competitive, considering the inclusion of new features like access to athletic tracks and velodromes. As can be seen from the table above, the proposed price is slightly lower than the mean of £33.35 and consideration should be given to this in relation to the amount of activities included compared to other providers.
- **Concession Changes (From £25 to £27 with age eligibility increase):** this adjustment aligns with broader demographic trends but could affect accessibility for seniors who are a significant user group in leisure facilities. Consideration should be given to moving away from age eligibility to an assessment based on ability to pay.
- **Couples to "Bolt On" Transition:** this can be seen as both a flexible option and a potential price increase, as individual costs might rise when the combined couples' discount is removed.

- **Youth and Teen Pricing (£16 to £23):** the adjustment and additional 'Bolt On' features need to be appealing enough to justify the price increase, especially in a competitive family market.

Due to the recent launch of these new membership packages, time should be given to assess the impact of the changes. As part of this review process consideration should be given to the core pricing level and ensure regular benchmarking with other similar suppliers to ensure it remains in line with the sector.

## 7.5.4 Option 11: Pricing

Through an analysis of current LACD pricing and benchmark data across the sector the following section gives an overview of where current process sit and makes recommendation for potential changes. The analysis has been based on the annual **sportscotland** price benchmarking report to allow for an assessment of LACD pricing compared to other leisure trusts and local authorities across Scotland. The analysis looked at benchmarking against minimum, maximum and mean pricing across core products across the country. From this we have highlighted below areas for consideration where there are variances against the mean price.

1. **Large Sports Hall (Adults):**
  - Dundee's price (£48.00) is below the mean (£58.65) but still on the higher end of the range.
  - **opportunity:** consider increasing prices closer to the mean to capture higher revenue from adult bookings, while closely monitoring the impact on demand.
2. **Large Sports Hall (Juniors/Over 60's):**
  - Dundee's price (£36.00) is lower than the mean (£38.57) and significantly higher than the minimum (£23.90).
  - **opportunity:** evaluate whether the pricing is justified based on facility usage and customer satisfaction. A minor adjustment to bring it closer to the mean could attract more users without significant revenue loss.
3. **Large Sports Hall (Individual Entry):**
  - Dundee's price (£11.00) is above the mean (£5.79) but still in the mid-range of the price spectrum.
  - **opportunity:** a price reduction to be closer to the mean could potentially increase the number of users while still maintaining a profitable margin.

#### 4. **Meeting Rooms (Small & Medium):**

- Dundee's prices for both small and medium meeting rooms are near or slightly above the mean.
- **opportunity:** expand marketing efforts targeting small businesses or community groups that would benefit from these affordable spaces. Consider discounts for frequent bookings or long-term contracts.

#### 5. **Swimming (Adult Swim):**

- Dundee's price (£4.00) is lower than the mean (£5.81), offering potential for an increase.
- **opportunity:** a small price increase to align with the mean could improve revenue without pricing out customers. Additionally, offering membership packages could increase retention.

#### 6. **Swimming (Junior/Over 60's):**

- Dundee's price (£3.10) is relatively close to the mean (£3.42).
- **opportunity:** maintain this pricing or consider minor adjustments based on customer feedback and demand patterns.

#### 7. **Swimming Lessons (Adult and Junior):**

- Dundee's pricing for swimming lessons is below the mean (£8.24 and £7.16) and offers potential for an increase.
- **opportunity:** increase prices moderately while offering bundled packages (for example, book five lessons, get a discount) to increase revenue from regular users.

#### 8. **Parent and Child Class:**

- Dundee's price (£5.70) is fairly close to the mean (£6.08).
- **opportunity:** consider bundling this with other services or introducing family packages to increase bookings.

#### 9. **Pool Hire:**

- Dundee's price (£95.00) is close to the mean (£87.09), but the minimum price (£25.00) shows there may be flexibility to adjust based on demand.
- **opportunity:** explore offering different tiers for pool hire (for example, off-peak rates) to attract a wider range of users, or offer loyalty discounts for regular bookings.

#### 10. Gym:

- Dundee's pricing for adults (£5.30) and juniors (£4.00) is lower than the mean (£7.63 and £4.42, respectively).
- **opportunity:** a slight increase in gym prices for adults, or introduce loyalty programmes and memberships that encourage more frequent use, could help boost income.

#### 11. Fitness Activity Classes:

- Dundee's price (£5.50) is lower than the mean (£7.42).
- **opportunity:** consider increasing the price to the mean or offer discounts for package bookings to encourage regular attendance.

### Key opportunities for growth

- **minor price increases** in areas like swimming, gym services, and adult entry to sports halls could boost revenue without significantly affecting demand.
- **explore promotional offers or off-peak pricing** for facilities like pool hire and meeting rooms, which could attract more business outside peak hours.
- **package deals** for families (for example, parent-child classes) and group bookings (for example, meeting rooms) could create more value and drive additional income.

## 7.6 Improved operations

### 7.6.1 Option 12: Outsourcing of marketing services

LACD currently has a dedicated marketing and creative services department comprising 8.7 FTE which provides a traditional marketing and communications service. Through our stakeholder engagement there were views that improvements were needed to how marketing and communications are delivered in the future. Currently the Creative Services budget is £494,061 per annum, with the majority (82%) of this staffing costs.

By engaging with an external agency there would be the possibility to improve the quality and scope of marketing services in a more cost-efficient manner. Companies such as Big Wave marketing have extensive experience of 'being your marketing team' and getting exceptional results in the sector.

#### Benefits of outsourcing

- overall savings and efficiencies.

- actual team size is expanded but in a different way across a wider skillset.
- fixed delivery with guaranteed output and timescales.
- easily scalable at the business grows or reduces.
- full team of dedicated resources across all business areas (with back up team during any absence).
- no downtime due to annual leave.
- potential savings on print and advertising spend via agency rates, so efficiency on overall marketing spend.
- continuity / consistency.
- reduction in on costs (NI, pension, kit, sick pay, expenses, etc.).
- following industry benchmarks.
- staying up to date with industry insights.
- utilising best practice and shared learning.
- continued development of marketing output.

## 7.6.2 Option 13: Development Unit

Alternatively, LACD could look at transitioning the resource currently allocated to the Creative Services team to create a Development Unit that would undertake some of the support areas currently under-developed – this would include fund-raising for capital projects and a range of projects and service initiatives.

LACD currently does not fully exploit the ability it has to generate and attract money from trust and private sources – for example, for focussed programmes of work that specifically target young people in poverty, or geographical areas.

The Special Initiatives budget is the only one in LACD which currently has an excess of income over expenditure. A Development Unit could be targeted to increase its turnover by 100-200%, greatly adding to the opportunity to trial new programmes of activity. The Unit could be more focussed on terms of developing the digital marketing capability of LACD, utilising assets such as the UNESCO status and the various cultural and sporting venues to raise profile and attendance.

### Purpose and Rationale

Leisure and Culture Dundee (LACD) has the potential to become a more entrepreneurial and resilient organisation, strengthening its long-term sustainability while extending its social and cultural impact. At present, much of its effort is concentrated on service delivery, with limited capacity to develop new funding streams, build strategic partnerships, and innovate in how audiences are engaged.

Creating a **Development Unit** could address this gap, transitioning existing resources (such as those allocated to the Creative Services team) into a more focused, multi-disciplinary unit with a clear remit to:

- **Maximise external funding** from trusts, foundations, corporate partners, and individual giving.
- **Develop new service models** that increase efficiency and effectiveness.
- Grow visitor numbers and audience participation across all venues and programmes.
- **Embed entrepreneurial practice** within LACD's culture and operations.

## Functions of the Development Unit

The Development Unit could focus on the following interlinked areas of activity:

### 1. Fundraising and Resource Development

- Proactive identification and application to trusts, foundations, and philanthropic sources.
- Targeted fundraising for capital projects (venue upgrades, new facilities) and programme initiatives (particularly around youth, poverty alleviation, and health and wellbeing).
- Exploration of new giving models (membership schemes, legacy giving, crowd-funding for specific projects).

### 2. Special Initiatives Growth

- The Special Initiatives budget already generates a net surplus. With a dedicated team, turnover could realistically increase by 100-200%.
- Growth in this area would create a financial base for piloting new programmes, testing innovative models, and scaling successful projects.

### 3. Digital Marketing and Audience Development

- Expansion of digital marketing capability to reach wider and more diverse audiences.
- Use of Dundee's **UNESCO City of Design** status, as well as LACD's cultural and sporting venues, to strengthen brand recognition and profile.
- Development of data-driven marketing campaigns, enhanced CRM systems, and digital content strategies to increase both physical and virtual attendance.



#### 4. Strategic Partnerships and Place-making

- Position LACD as a key partner in city-wide regeneration, culture-led development, and wellbeing initiatives.
- Work with Dundee City Council, Scottish Government, NHS Tayside, universities, and creative industries to co-design programmes.
- Leverage LACD's venues and cultural assets as testbeds for innovation in community engagement, wellbeing, and design-led practice.

#### 5. Entrepreneurship and Innovation

- Embed entrepreneurial thinking within LACD's culture, encouraging staff to identify income-generating opportunities.
- Pilot new business models for leisure, sport, and cultural services.
- Strengthen commercial returns from venues, events, retail, and catering, while maintaining LACD's social mission.

### Structure and Resourcing

- The Development Unit could be formed by **repurposing the Creative Services team** and recruiting specialist roles where necessary (e.g. fundraising officer, digital marketing manager, partnerships coordinator).
- It should sit strategically, reporting directly to the senior management team and working across all LACD service areas.
- A clear set of **KPIs** should be established: external income secured, new partnerships formed, digital reach, visitor growth, and surplus generated for reinvestment.

### Impact and Benefits

- **Financial sustainability:** diversifying income sources and reducing reliance on core public funding.
- **Social impact:** securing funding to address inequalities, improve access for young people in poverty, and support under-served communities.
- **Reputation and profile:** stronger positioning of LACD locally, nationally, and internationally.
- **Innovation:** greater ability to experiment and adopt new service models.
- **Audience growth:** improved digital presence, targeted campaigns, and fresh programming to attract new participants and retain loyal visitors.

## 3-Year Growth Trajectory for the Development Unit

### Year 1: Establishment and Foundation

**Focus:** Building infrastructure, processes, and credibility.

- Income Generation:
  - Secure £150k-£200k in new external funding (trusts, foundations, corporate partnerships).
  - Grow Special Initiatives income by 25%.
  - Pilot at least 1 crowdfunding or community-giving campaign.
- Audience Development:
  - Increase leisure attenders and cultural visitors by 3-5% through improved digital marketing.
  - Establish baseline audience analytics using CRM/data tools.
- Organisational Development:
  - Recruit/transition core team (fundraising officer, digital marketing specialist, partnerships coordinator).
  - Introduce staff training in fundraising and entrepreneurial practice.
  - Develop a 3-year fundraising and marketing strategy.
- Innovation:
  - Pilot 1-2 new income-generating initiatives (e.g. design-themed festival, heritage-led leisure offer).
  - Launch digital marketing campaigns linked to Dundee's UNESCO City of Design status.

### Year 2: Expansion and Growth

**Focus:** Scaling successful models, diversifying income, and widening participation.

- Income Generation:
  - Secure £400k-£500k in external income (mix of multi-year grants, partnerships, and donations).
  - Increase Special Initiatives turnover by 75% compared to baseline.
  - Develop at least one capital fundraising campaign (e.g. refurbishment, new venue investment).
- Audience Development:
  - Increase attendance across leisure and culture venues by 8-10%.
  - Expand digital reach (followers, subscribers, online participants) by 20-25%.

- Deliver targeted programmes for young people in poverty and under-represented communities, with external funding support.
- Organisational Development:
  - Formalise a **partnership network** (universities, NHS Tayside, Dundee City Council, creative industries).
  - Introduce an annual **entrepreneurship challenge** within LACD to encourage income-generating ideas from staff.
  - Strengthen governance: quarterly monitoring of income, impact, and risk.
- Innovation:
  - Trial hybrid event models (in-person + digital) to expand audiences.
  - Test 1-2 social enterprise initiatives (e.g. wellbeing programme linked to leisure services, design-led merchandise lines).

### Year 3: Consolidation and Leadership

**Focus:** Establishing the Unit as a recognised driver of innovation, income, and impact.

- Income Generation:
  - Secure £750k-£1m in external income.
  - Double Special Initiatives turnover compared to baseline (100-200% increase).
  - Build a pipeline of long-term major donors and corporate sponsors.
- Audience Development:
  - Achieve 15-20% growth in visitor numbers and leisure attenders compared to Year 1 baseline.
  - Establish LACD as a regional/national leader in digital cultural marketing.
  - Deliver 3 flagship externally funded programmes addressing inequality, wellbeing, and access.
- Organisational Development:
  - Fully embed entrepreneurial practice across service areas.
  - Establish Development Unit as a permanent, core function within LACD.
  - Publish an annual **Impact and Innovation Report** to stakeholders and funders.
- Innovation:
  - Launch 1-2 large-scale signature initiatives (e.g. Dundee-wide cultural participation programme, digital innovation hub).
  - Share learning nationally, positioning LACD as a model for other leisure and culture trusts.

## Outcomes by Year 3

- **Financial:** £750k-£1m per annum in external funding; Special Initiatives doubled in size.
- **Social:** Significant new programmes tackling poverty, health inequalities, and participation gaps.
- **Cultural and Economic:** 15-20% audience growth, stronger visitor economy, and enhanced Dundee brand.
- **Organisational:** Development Unit recognised as a strategic driver of resilience, innovation, and entrepreneurialism.

## Roles and Functions

### Director of Strategy and Development (senior post, reporting to CEO)

- Provides strategic leadership for the Unit.
- Coordinates external relationships with major funders, Council, and national partners.
- Oversees impact reporting, risk management, and entrepreneurial growth strategy.

### Fundraising and Partnerships Team

#### Fundraising and Partnerships Lead

- Designs overall fundraising strategy (trusts, foundations, individuals, corporates).
- Leads on capital fundraising and large multi-year bids.
- Works closely with programme managers to align bids with LACD's priorities.

#### Funding and Trusts Officer

- Researches and writes grant applications to public and private sources.
- Tracks deadlines, reporting requirements, and compliance.
- Special focus on projects tackling inequalities, young people, and place-based work.

#### Corporate and Donor Officer

- Builds sponsorships and donor relationships with Dundee-based and national businesses.
- Develops membership/"friends of LACD" schemes.
- Coordinates fundraising events and donor stewardship.

### Marketing and Digital Team

#### Marketing and Digital Lead

- Oversees all marketing, brand, and communications.

- Focus on entrepreneurial campaigns that convert marketing into income and visitor growth.
- Works with leisure, culture, and sport venues to build coherent digital presence.

### Digital Marketing Officer

- Runs campaigns across social media, web, and newsletters.
- Builds audience segmentation and CRM data strategy.
- Drives online engagement and ticket sales.

### Audience Development Officer

- Develops initiatives targeting underrepresented groups and new audiences.
- Works with schools, communities, and partners to widen participation.
- Tracks visitor/audience growth KPIs.

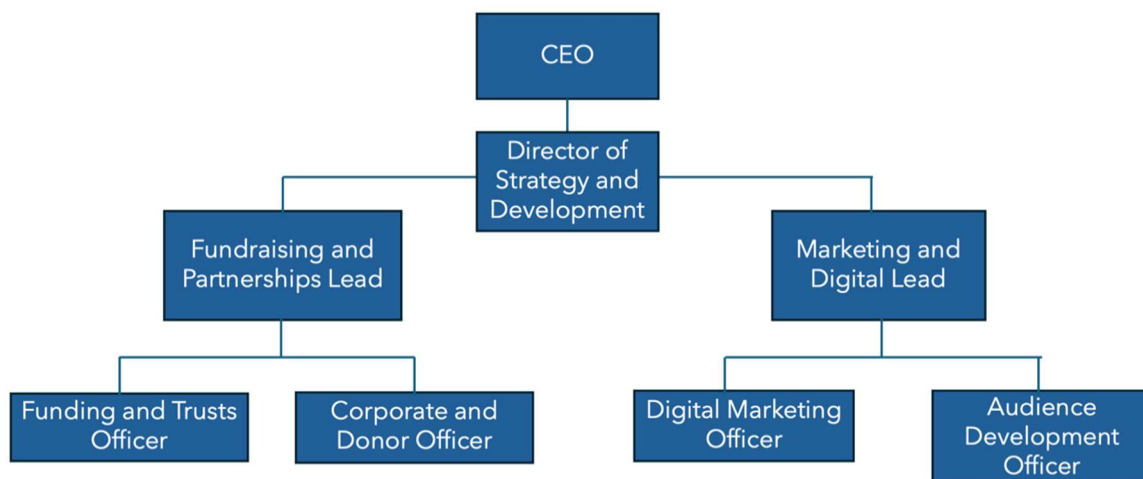
### Integration with LACD

- **CEO:** maintains ultimate accountability for public funds and organisational strategy.
- **Director of Strategy & Development:** member of LACD's Senior Management Team, ensuring the Unit is embedded in decision-making.
- **Close links:** with Heads of Cultural Services, Leisure Services, Venues, and Finance.
- **Cross-functional support:** Development Unit staff work with programme leads to co-design fundable projects, ensuring operational needs shape fundraising bids.

### Scaling Over 3 Years

- **Year 1:** Start lean (Director + 2 officers, likely one in fundraising and one in digital).
- **Year 2:** Add second officer in fundraising + audience development post.
- **Year 3:** Fully staffed unit as shown above, with 6-7 dedicated posts.

Once fully established, the Development Unit might look like this:



### Next Steps

1. Develop a **business case** outlining the resourcing, projected income, and cost-benefit analysis of the Development Unit.
2. Agree on **transition arrangements** for Creative Services staff and clarify new roles.
3. Pilot one or two **flagship fundraising campaigns** to test the model (e.g. youth engagement programme, digital infrastructure upgrade).
4. Establish a **governance and monitoring framework** to ensure accountability and value for money.

### 7.6.3 Option 14: Investing for change

As outlined earlier, over the past 40 years the city has consistently demonstrated its ambition and commitment to leisure through investment in signature cultural and sporting infrastructure, both as a means to improve local amenity for citizens but also as a way of addressing an external perception of a city broken by successive economic hammer-blows from the 1970s-90s. That image has to a large extent been successfully turned around, although the city's underlying endemic issues of poverty, addiction, and poor health remain.

The challenge, therefore, for any new leisure infrastructure should be how best to meet those social issues in a way that makes meaningful change. Most of the current institution types – the library, museum, gallery, theatre, concert hall – have their origins in the Victorian era and their approach and purpose have changed little in the intervening 150 years. It seems overdue for new models to be developed that better reflect the contemporary and likely future needs of citizens.

DCC's planned community hubs intend to do that, blending several services in one campus, with statutory education at its heart. Such hubs have demonstrated in other communities how successful they can be in the sphere of lifelong learning, even if 'school-led community hubs' might not always attract those who believe its emphasis to be on 'school' rather than 'community'. One of the great assets of the cultural and leisure estate is that public perception of the buildings, whether swimming pool or library, are generally considered 'for everyone'. The concept of the library, for instance, is still one held to be a safe space and with a deal of public affection, even by those who do not use the service.

For culture and leisure to play its part in addressing the city's social issues it is likely a new type of civic space is required – one that capitalises on these good public perceptions but creates space for connection – a quality that many communities, and individuals, find increasingly challenging.

During our discussions, an embryonic concept arose for a new kind of public space – designed for the 21st century – where people can explore shared knowledge, engage with cultural heritage, experiment with new ideas, and actively shape the future of their community. A space that could blend the democratic values of libraries, the collective memory of archives, the inspiration of art collections, and the creative energy of the digital industries into one open, welcoming place.

Inspired by DCC's existing approach, this might be better considered as a **Civic Commons Hub** - a hybrid public space that blurs the lines between traditional libraries, museums, digital studios, archives, coworking spaces, and civic forums. It could reflect the way modern communities live, learn, create, and share – combining the past, present, and future under one roof. Financial sustainability could be sought through partnering with like-minded commercial entrepreneurs. The Waters Edge development has shown that attractive space for digital start-ups can be affordable for tenants, profitable for owners, and create a cross-fertilising digital community. Libraries in North Lanarkshire have introduced immersive rooms that create learning experiences more usually found in costly visitor attractions.

There is a model to be developed, and Dundee has shown itself supremely adept in the past at finding the right people and the right ideas to do just that. While this review of LACD services has been born out of challenge, it is worth remembering that there is also opportunity and ambition, and the right vision can often attract the investment and the people to deliver it. Some of that experience and skillset currently lies within both DCC and LACD, and the rest is within the city's other sectors.

One of the over-riding themes of our consultation was the genuine affection consultees had for the city, for belief in the power and importance of public services, and for the desire to do the right thing for the city and its people. We would recommend that spirit is also considered when this review's other aspects are also being reflected on.

## 8 Conclusions

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The overarching conclusion is that change is needed at LACD. How dramatic the change is, or how quickly it needs to be achieved, will be driven by DCC priorities. As mentioned earlier, if savings are a priority, then we have indicated where these can largely be found. Similarly, we have indicated where we believe current operations can be improved and turned around in the medium-term with positive financial and social impact. We have also suggested areas where we believe there could be positive and potentially exciting developments for the city and for LACD.

At its root, there are some practical elements that need to be addressed, and getting these right should have a short- and medium-term impact on both service quality and financial sustainability. The current Service Agreement is at the heart of this – we have suggested a strategic re-focussing of how this is framed, however, even if that is not favoured, a mutually negotiated new Service Agreement with key objectives, specific KPIs, and a clear process for monitoring and reporting is essential. Some communication routes between DCC and LACD seem to have been disrupted in the post-COVID period, which may have led to tension and misunderstanding – again, greater clarity in this area is a prerequisite going forward.

The opportunity for much greater inter-disciplinary and cross-sectoral operation needs more attention, not only for cost-effective reasons, but more importantly as a means of addressing policy issues such as health and poverty more effectively. This extends beyond LACD-DCC services (although there are still areas there to exploit) to health providers and the third sector in the city. The greenspace asset, for example, is one such area to develop.

One intangible aspect that requires cultivation is a corporate one of development – the ethos of innovation that characterised much of LACD’s work has dissipated post-COVID. We have suggested the creation of a Development Unit that could help drive and support some of these ambitions, but ultimately the culture of entrepreneurialism needs to be encouraged from the Board and senior management.

It is worth saying that LACD is not an organisation with terminal difficulties – it has had a particularly challenging five-year period for macro and micro reasons, and it now appears to be a more stable organisation than it perhaps had been during that period. There are significant assets within the organisation – staff skillsets, experience, and commitment; a generally good and varied built estate; goodwill from users and public – but these have not been, and require to be, exploited to a much greater extent.

In relation to an agenda for change, we have split the options into the strategic and the operational and have repeated these here for clarity – more detail is provided in the preceding sections.



## Strategic

- DCC should articulate clearly its expectations of culture and leisure for the city, and subsequently for LACD including clarifying and agreeing roles and responsibilities and decision making, and empowering LACD. This should also seek to develop a refreshed vision for culture and leisure services that is firmly rooted in the future ambitions for Dundee.
- the Services Agreement should be revised to focus on outcomes based on civic priorities (poverty, health and wellbeing, net zero, inclusive economic growth) – perhaps underpinned by the Civic Membership model outlined in **Chapter 5**.
- governance and leadership structures and arrangements should be reviewed and revised to improve clarity, communications and transparency and enable the Board of LACD to focus on strategic rather than operational matters.
- performance measurement should be improved both to align to the revised Services Agreement and the outcomes that it targets and also to enable more effective financial and operational management and planning.
- there may be merit in establishing a Working Group or Transition Board – a small group comprising DCC officers, LACD Trustees and management staff – to work through the governance and revised Services Agreement.
- all LACD activities should then be refocused and targeted around civic priorities and the outcomes specified in the Services Agreement.

## Operational

In relation to the operational opportunities that have been identified, some decisions will be needed as to the priorities and relative emphasis between short term savings and longer term investment. We have grouped these as follows:

- **efficiency savings:** workforce realignment creating opportunities for efficiencies of circa £1.5-£3.5m (depending on other decisions made).
- **alternative delivery models:** alternative delivery for Wildlife Centre (or closure) and Ancrum Outdoor Centre.
- **Investment opportunities:** fitness facilities at Douglas Sports Centre, Regional Performance Centre and Menzieshill; marketing and programming and food and beverage offer at Caird Hall.
- **Commercialisation:** commercialising sports classes and swimming lessons and reviewing membership models and wider pricing structures.
- **Operational improvements:** outsourcing marketing, establishing a Development Unit with clear fundraising and business development targets (and possibly identifying new flagship projects where opportunities arise, for example, Civic Commons Hub).

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## Appendix A: Description of LACD Services

Table A1: Library and information services

Manage the network of buildings	<ul style="list-style-type: none"> <li>• Provision of a network of libraries across the City.</li> </ul>
Provide access to high quality resources for reading and learning	<ul style="list-style-type: none"> <li>• Provision of a comprehensive selection of books and other material including an extensive collection of out-of-print material and titles in alternative formats.</li> <li>• Request service.</li> </ul>
Provide access to high quality information resources	<ul style="list-style-type: none"> <li>• Provision of an extensive information and enquiry service through a comprehensive selection of reference books, newspapers, and online databases.</li> <li>• ICT training and support.</li> <li>• Provision of materials that support genealogical and local history research.</li> <li>• Provision of community information and access to exhibition space.</li> </ul>
Provide access to services which promote inclusion	<ul style="list-style-type: none"> <li>• Housebound and sheltered housing service and Mobile library service.</li> <li>• Provide targeted services that meet the needs of individuals and groups affected by social exclusion, including access to specialised material.</li> <li>• Opportunities for work placements.</li> </ul>
Deliver outreach activities for adults	<ul style="list-style-type: none"> <li>• Events to stimulate enjoyment of reading and learning including a network of reading groups across the city.</li> <li>• Active participation in community events.</li> </ul>
Provide outreach activities for children and families	<ul style="list-style-type: none"> <li>• Bookbug provision.</li> <li>• Support the development of reading groups for children.</li> <li>• Seasonal and themed talks and activities including the Summer Reading Scheme.</li> </ul>
Deliver partnership activities	<ul style="list-style-type: none"> <li>• School Library Services.</li> <li>• Family History Centre.</li> <li>• External Agencies and Council Departments.</li> <li>• Out of Hours Telephone Service</li> </ul>



Table A2: Cultural services

Provide high quality, consistent and customer focussed access to cultural services and resources	<ul style="list-style-type: none"> <li>• Provide access to and engagement with the City's Fine and Decorative Art, Archaeology, History, Natural Sciences and World Cultures object collections.</li> <li>• Provide retail facilities at The McManus, Broughty Castle Museum and Mills Observatory.</li> <li>• Strengthen the permanent collections through acquisition.</li> </ul>
Provide and promote access to the cultural heritage of Dundee in a national and international context	<ul style="list-style-type: none"> <li>• Ensure the City's collections of Museums and Art Galleries maintain standards to retain their fully accredited status.</li> <li>• Ensure that the Fine and Decorative Art and Whaling Collections continue to be recognised as a collection of national significance.</li> <li>• Provide a high standard of collections, management and care, conservation, and collections storage.</li> <li>• Provide creative learning opportunities through: Schools, Youth Action, and Community Programmes.</li> <li>• Provide access to the collections through loans.</li> <li>• Ensure professional support for cultural providers (artists/musicians).</li> </ul>
Provide information to support and promote cultural and creative learning activities, improving people's quality of life	<ul style="list-style-type: none"> <li>• Deliver a range of access/engagement opportunities including exhibitions, displays, events and activities.</li> <li>• Provide a wide range of marketing and publicity materials both physical and electronic, for all Cultural Service-learning programmes, events, and collections.</li> <li>• Provide a range of volunteer and placement opportunities.</li> <li>• Deliver an enquiry service.</li> </ul>
Provide venues and associated cultural programmes to support and promote cultural and creative learning activities, improving people's quality of life	<ul style="list-style-type: none"> <li>• Deliver a professionally managed Caird Hall for the staging of a high-profile programme of arts and entertainment events and conferences.</li> <li>• Continue to offer and develop cultural programmes to support and promote cultural and creative learning activities at: McManus: Dundee's Art Gallery and Museum; The Collections Unit; Mills Observatory; Broughty Castle Museum; Camperdown House; Caird Hall; Burgh Halls.</li> <li>• Provide a comprehensive programme of music development activities.</li> </ul>

Table A2: Cultural services (continued)

Work in partnership to offer cultural services to the public	<ul style="list-style-type: none"> <li>• Work in partnership with cultural organisations including National Museums Scotland and Museums Galleries Scotland, V &amp; A Dundee, V &amp; A, NGS, Creative Scotland and Universities.</li> <li>• Develop a Science Engagement programme at Mills Observatory with Dundee Science Centre.</li> <li>• Develop a comprehensive range of Creative Learning opportunities for Schools in partnership with DCC Education Department.</li> <li>• Deliver partnership opportunities in association with local organisations.</li> </ul>
Support cultural services towards realising their full potential	<ul style="list-style-type: none"> <li>• Operate an effective system of monitoring, evaluating and reviewing the work of the service team.</li> <li>• Ensure that staff development opportunities are offered, and that staff develop expertise in relation to the specialist service area practice.</li> <li>• Maximise potential of available resources by identify and developing external funding opportunities.</li> </ul>

Table A3: Leisure and sport services

Provide high quality public 18- and 9-hole golf courses at Caird Park and 18-hole golf course at Camperdown Park	<ul style="list-style-type: none"> <li>• Maintain courses to a high standard in keeping with established green-keeping practice and principles.</li> <li>• Manage courses to ensure that the visitor experience is challenging and enjoyable for all.</li> <li>• Provide an efficient customer friendly journey from booking to completion of round.</li> <li>• Ensure that complaints are dealt with promptly and feedback is provided clearly.</li> <li>• Maximise the number of visitors.</li> <li>• Maximise the number of members.</li> </ul>
Provide management of the City's Wildlife Centre at Camperdown Park delivering a first-class visitor experience, educational and conservation role	<ul style="list-style-type: none"> <li>• Maintain the Centre and collection to a high standard in keeping with good animal husbandry practices.</li> <li>• Sustain external evaluation and quality standards e.g. VisitScotland Star rating.</li> <li>• Maximise public access to the facility within available resources.</li> <li>• Ensure pricing policy is compatible with maximising public access and meeting income targets.</li> <li>• Develop and deliver educational programmes for targeted groups.</li> <li>• Ensure that the facility is secure and fully complies with the requirements of Zoo Licence and other statutory regulations.</li> </ul>



### A3: Leisure and sport services (continued)

Provide quality and progressive sport and physical activity and community programmes for the City of Dundee	<ul style="list-style-type: none"> <li>• Provide term-time, holiday, and alternative activities in Dundee's eight community planning areas.</li> <li>• Provide development programmes to nurture and develop talented coaches and athletes ensuring a complete sporting pathway exists.</li> <li>• Develop community sports initiatives such the Hubs project, ClubDundee, and diversionary activities for young people.</li> <li>• Lead the development of the local sporting infrastructure, policies and governance; ensuring strategy and partnerships exist to provide the best sporting opportunities for all Dundee's citizens.</li> <li>• Attract external funding to develop activities and complement the existing sport development structure.</li> <li>• Provide a wide range of marketing and publicity materials both physical and electronic for sports development programmes and events.</li> </ul>
Provide high quality leisure facility management for DCC	<ul style="list-style-type: none"> <li>• Operate Olympia Swimming and Leisure Centre.</li> <li>• Operate Lochee Swim and Leisure Centre.</li> <li>• Operate DISC.</li> <li>• Operate of Douglas Sports Centre.</li> <li>• Programme and operate PPP Schools (St Paul's/Grove).</li> <li>• Support community use of schools for sport and swimming activity.</li> </ul>

Source: DCC, Service Specification Comparison Document.



# Appendix B: Strategies, Policies, and Documents Reviewed

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## National

[National Performance Framework](#), Scottish Government.

[Programme for Government 2024-2025](#), Scottish Government, September 2024.

[National Planning Framework](#), Scottish Government, February 2023.

[Local living and 20 minute neighbourhoods: planning guidance](#), Scottish Government, April 2024.

[A Culture Strategy for Scotland](#), Scottish Government, March 2022.

[Active Scotland Outcomes Framework](#), Scottish Government, July 2018.

[A More Active Scotland: Scotland's Physical Activity Delivery Plan](#), Scottish Government, July 2018.

[Review of Culture and Leisure Services in Scotland](#), EKOS Ltd for Community Leisure UK, Creative Scotland and sportscotland, August 2024.

[Sport for Life](#), sportscotland, 2019.

[The positive contribution of physical activity and sport to Scotland](#), COSLA, Public Health Scotland and sportscotland.

[Equality and Sport Research](#), Counsel Ltd for sportscotland, 2020.

[Sports participation in Scotland: trends and future prospects](#), Nicholas F Rowe for the Observatory for Sport in Scotland, June 2019.

## Local

[City Plan for Dundee 2022-2032](#), Dundee Partnership.

[Council Plan 2022-2027](#), Dundee City Council.

[Our Future City Centre - Strategic Investment Plan 2050](#), Dundee City Council.

[Dundee's Cultural Strategy 2024-2034](#), Dundee Partnership.

[Dundee Physical Activity Strategy](#), LACD, 2017.



## Appendix C: LACD Customer Surveys

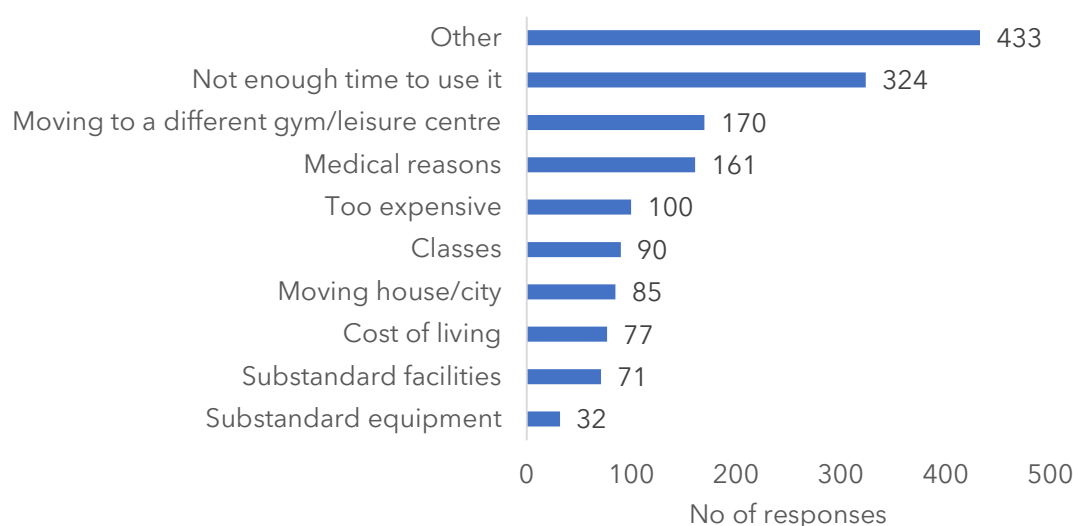
LACD has carried out various customer surveys with a focus on its sport facilities. A summary of the responses that were received are set out in the following appendix.

### Membership cancellation

Respondents who had cancelled their membership were asked why they had done so, with the top response, excluding 'Other', 'Not Enough time to use it' and 'Moving to a different gym/leisure centre', **Figure C.1**.

Several respondents highlighted issues with facilities maintenance, particularly with steam rooms, saunas and general equipment upkeep. There were also concerns about parking and the affordability of the offer, particularly for certain demographics e.g., seniors. Respondents specifically mentioned switching to competitors like "The Gym Group at Stack Park" due to better facilities.

**Figure C.1: Reasons for cancelling membership**



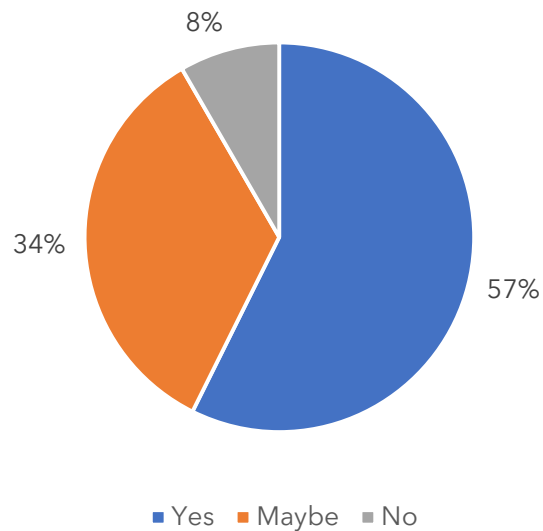
Source: LACD Customer Survey (2024)

Notes: Respondents could provide multiple responses to this question.

N= Unknown

A significant majority of former members would consider rejoining in the future, **Figure C.2**.

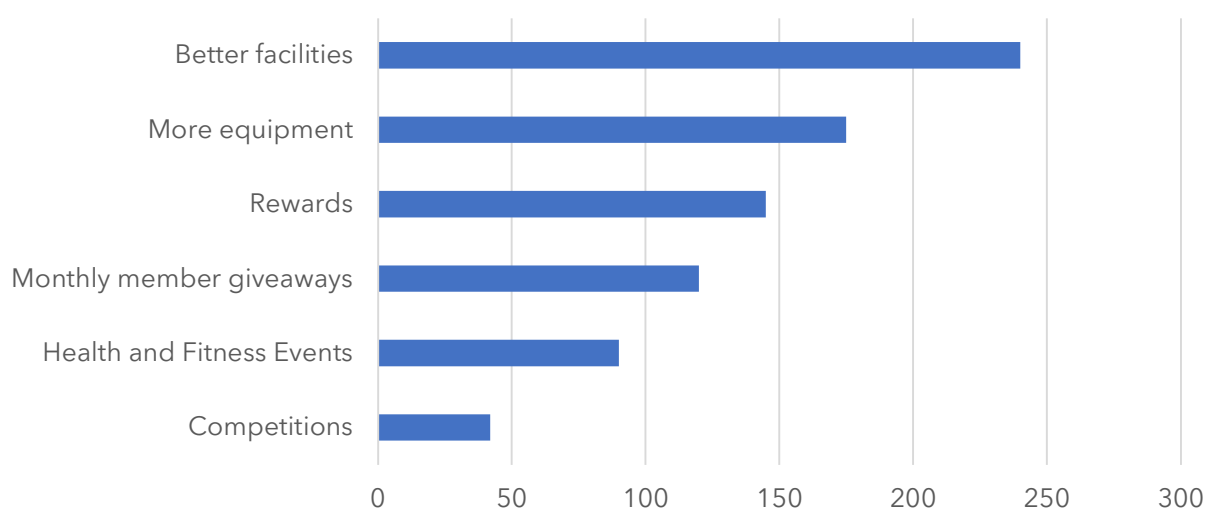
Figure C.2: Would you consider rejoining?



Source: LACD Customer Survey (2024)  
N= 1,020

The most common factors that would encourage former members to rejoin were 'Better facilities', 'More equipment' and 'Rewards', **Figure C.3**. Some respondents mentioned more flexible opening hours and more variety in classes as factors that would also influence their decision to return.

Figure C.3: What would encourage you to rejoin?



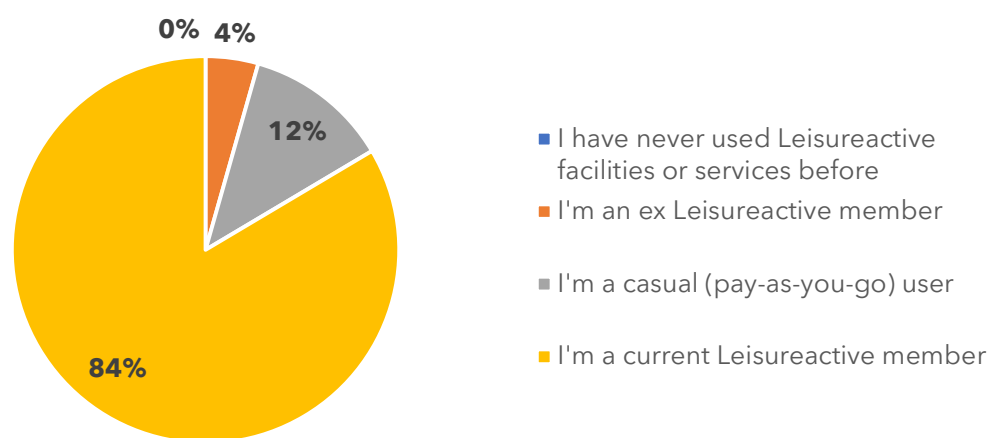
Source: LACD Customer Survey (2024)  
Notes: Respondents could provide multiple responses to this question.  
N= Unknown

## Always Active

The following sub-section sets out Always Active members opinions (predominantly older members) on LACD sports facilities.

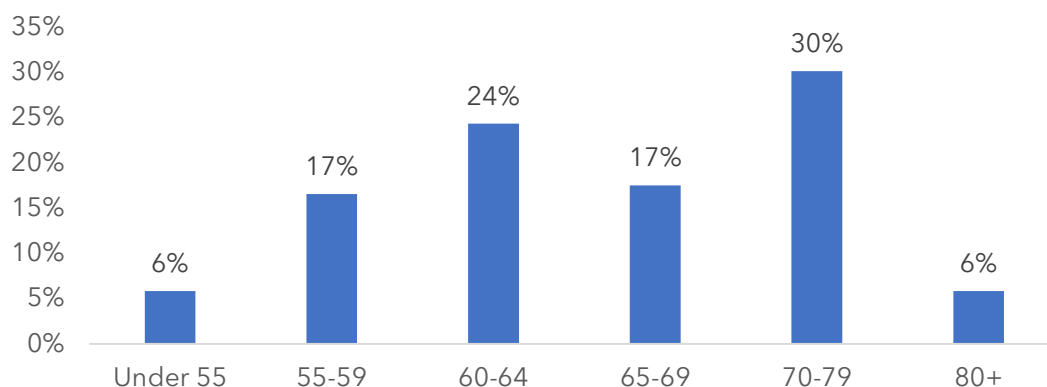
Most respondents to the survey are current Leisureactive members (84%), with 77% of respondents over the age of 60, indicating the Always Active programme predominantly caters for those of an older age – see **Figure C.4** and **C.5** below.

**Figure C.4: Membership Type Distribution**



Source: LACD Customer Survey (2024)  
N=91

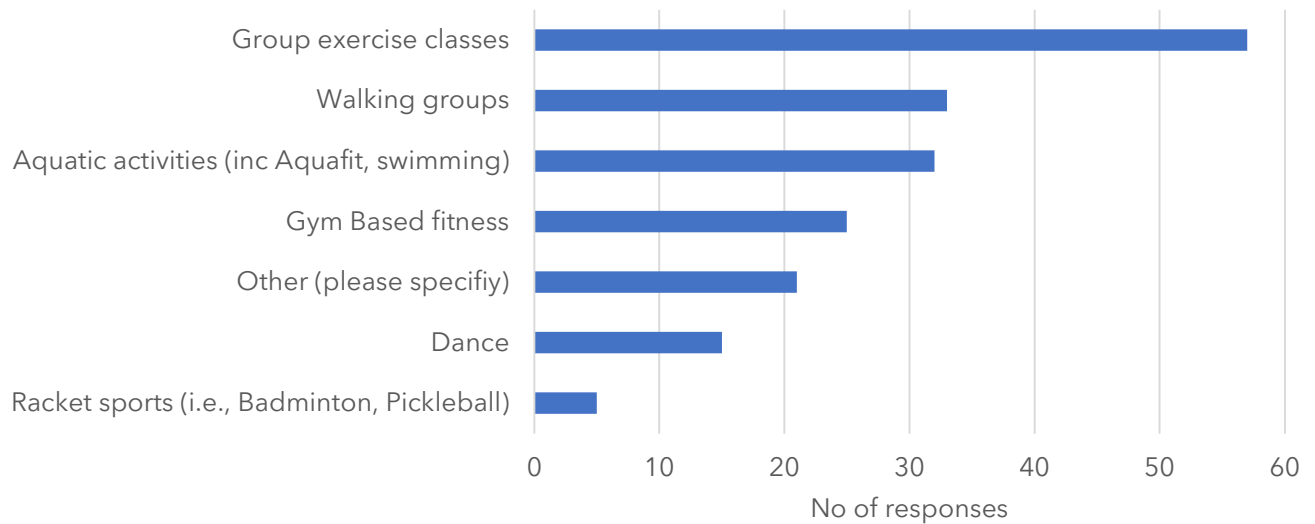
**Figure C.5: Respondent Age Distribution**



Source: LACD Customer Survey (2024)  
N=103

The most common activities in which Always Active members participate include 'Group Exercise Classes', 'Walking Groups' and 'Aquatic Activities', **Figure C.6**.

**Figure C.6: Participation in different activities**



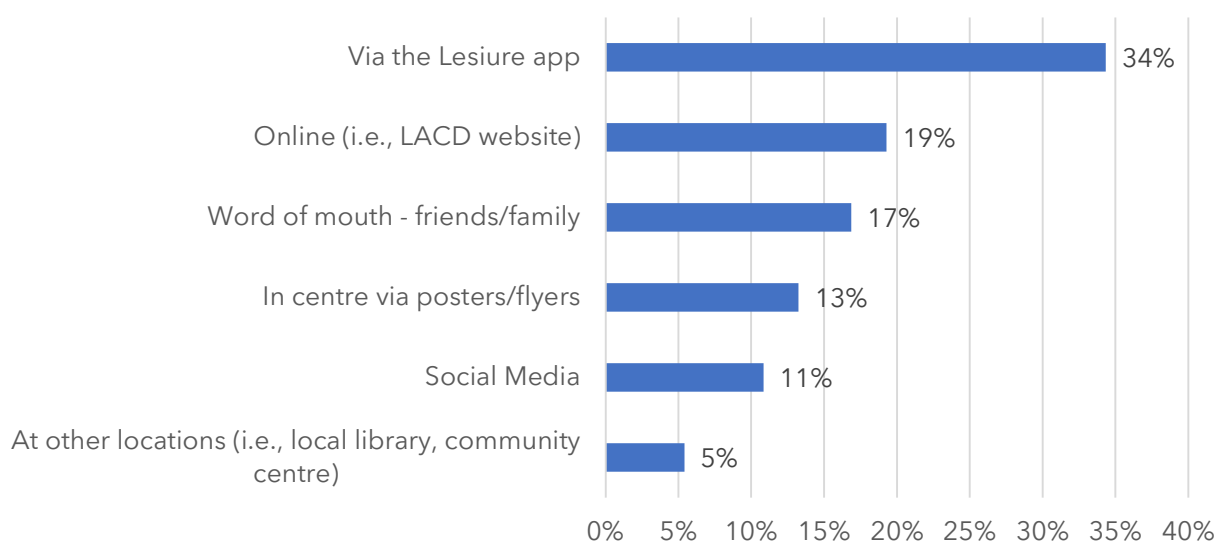
Source: LACD Customer Survey (2024)

Notes: Respondents could provide multiple responses to this question.

N= Unknown

In terms of how members would like to be kept in touch about new activities, the most common preferred option was 'Via the Leisure app' (34%), followed by 'Online (19%) and simply by 'Word of mouth (17%) - friends/family', **Figure C.7**.

**Figure C.7: Preferred Communication Methods for New Activities**



Source: LACD Customer Survey (2024)

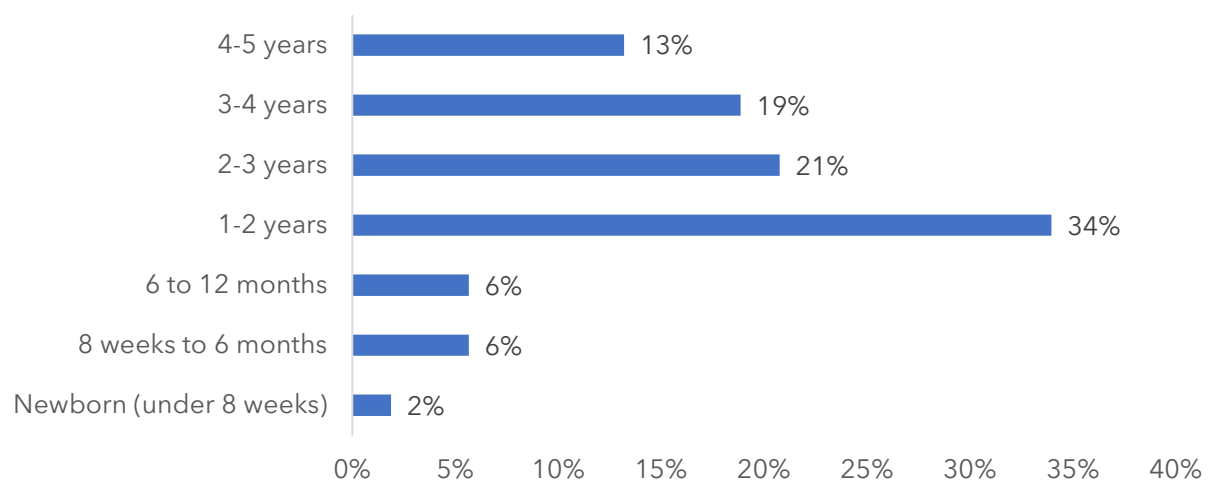
N= 166

## Early years survey

The early year survey focused on those taking their children to use sporting facilities, although a majority of respondents indicated that their child has never used Leisureactive facilities.

Of those that had used the facilities, there was a relatively even age distribution of children, with the largest group of respondents having children aged 1-2 years (34% of respondents), **Figure C.8.**

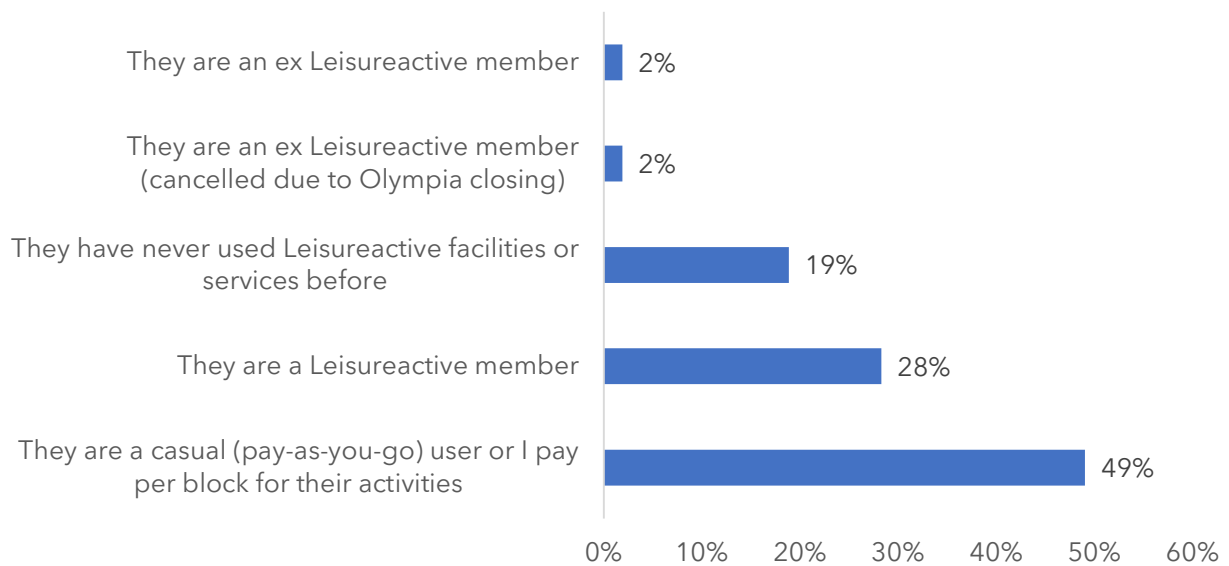
**Figure C.8: Age Distribution**



Source: LACD Customer Survey (2024)  
N=53

Around half of respondents to the survey were 'Pay-as-you-go or pay per block' participants, with 28% Leisure active members, **Figure C.9.**

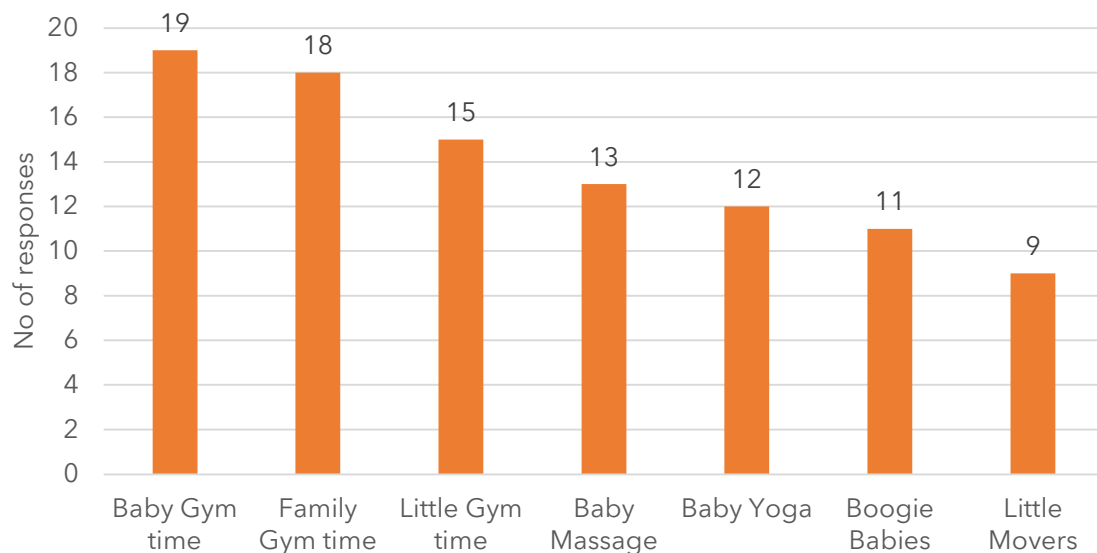
Figure C.9: Participation Type



Source: LACD Customer Survey (2024)  
N=53

Respondents and their children had participated in a variety of different early year activities, most commonly 'Baby Gym time' (19 responses) and 'Family Gym time' (18 responses), **Figure C.10**.

Figure C.10: Participation in Different Early Years Activities

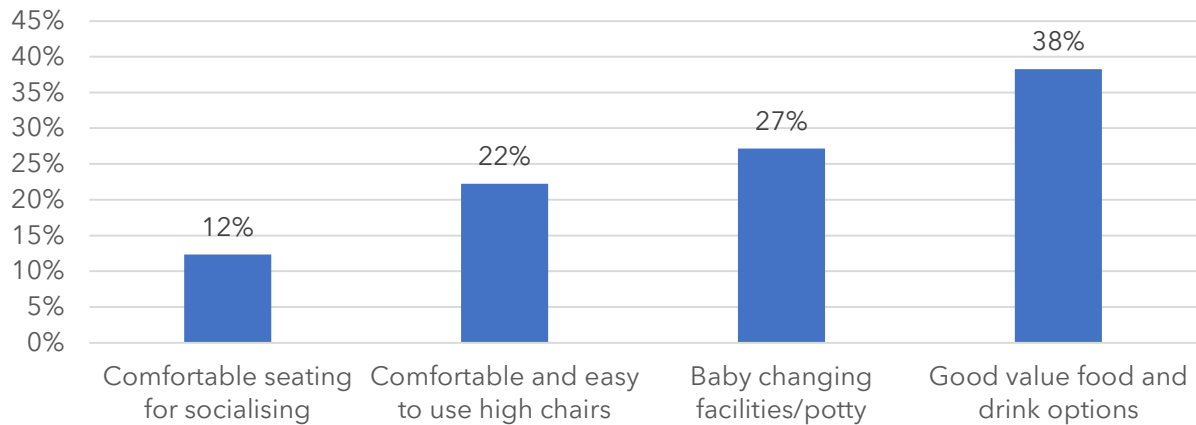


Source: LACD Customer Survey (2024)  
Notes: Respondents could provide multiple responses to this question.  
N=Unknown

In terms of preferences for the facilities, 38% of the total responses signalled that 'Good value food and drink' was a preference for them when visiting/using one of the facilities, **Figure C.11**.

Respondents also fed back that baby-friendly facilities, such as baby-changing stations, food choices, and highchairs as areas that were important to them.

**Figure C.11: Facility Preferences**



Source: LACD Customer Survey (2024)

Notes: Respondents could provide multiple responses to this question.

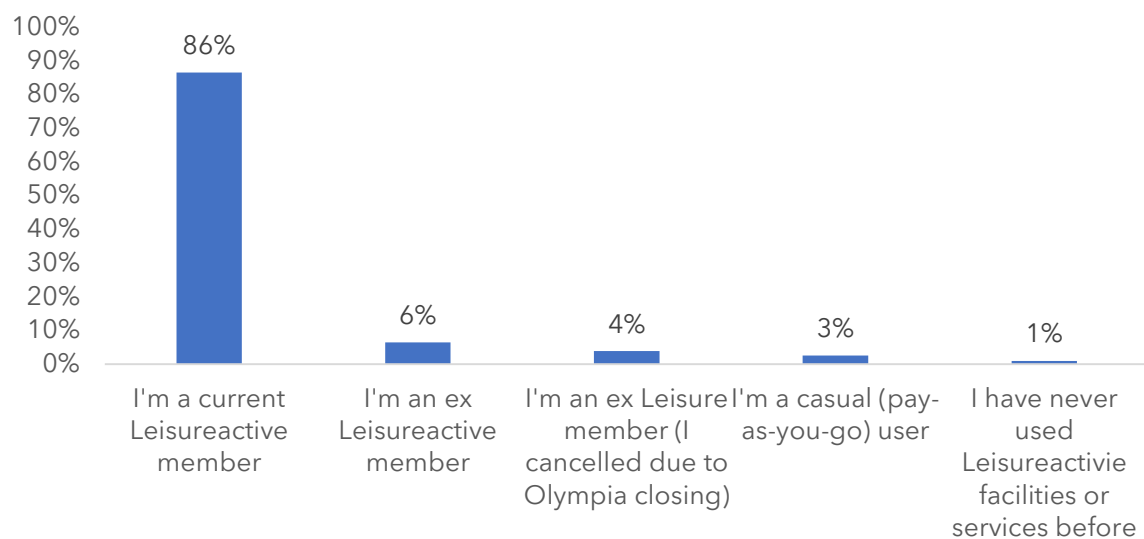
N=Unknown

## Gym user survey

The following sub section focuses on the responses to the Gym User survey.

Most respondents (86%) to the survey were current Lesiureactive members, **Figure C.12**.

**Figure C.12: Gym membership type**

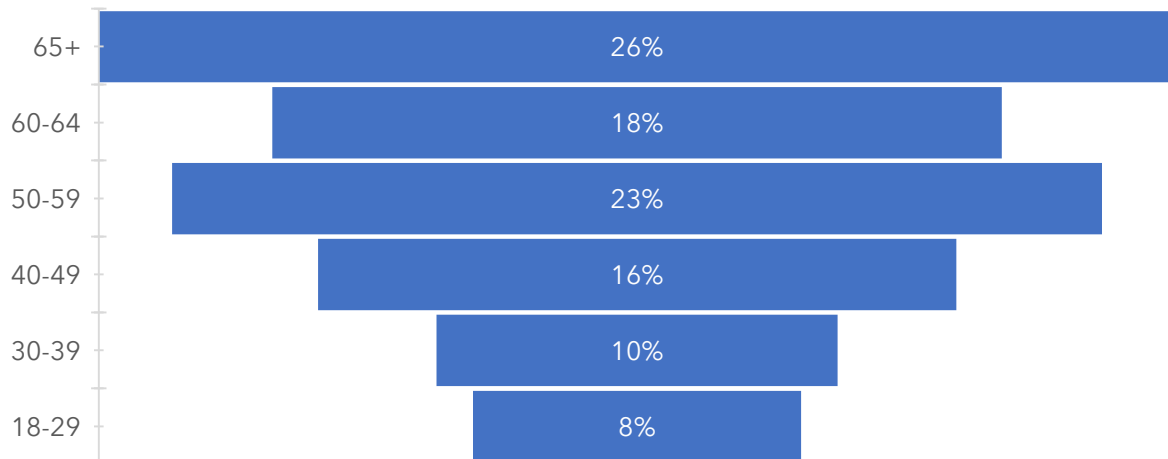


Source: LACD Customer Survey (2024)

N=236

The age profile of respondents was relatively mixed, with the largest group of respondents those aged 65 or older (26%), **Figure C.13**.

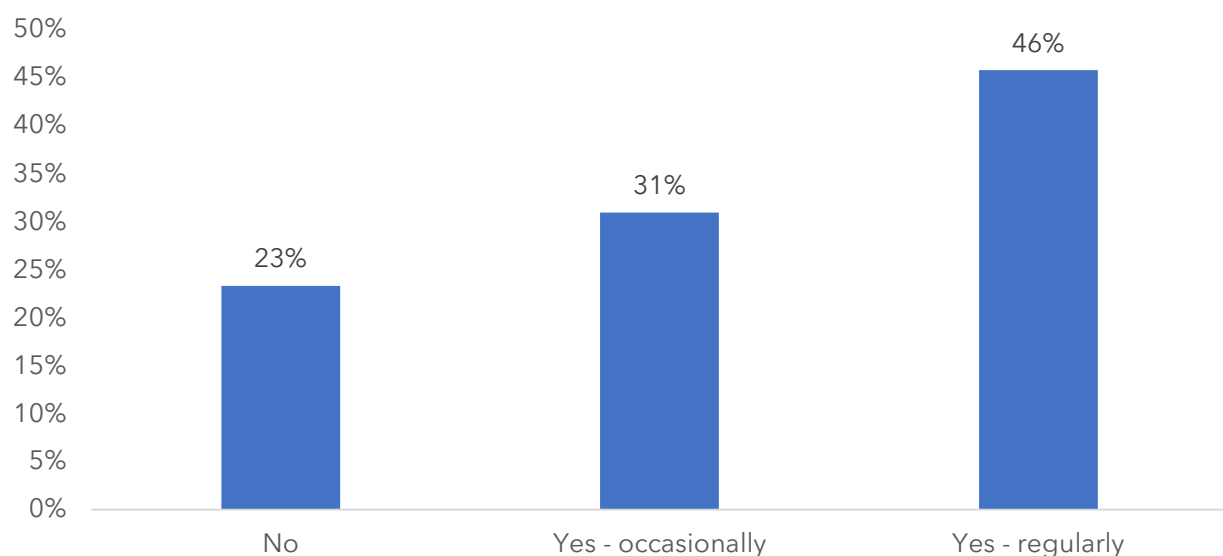
**Figure C.13: Age distribution of Gym Users**



Source: LACD Customer Survey (2024)  
N=225

In terms of the frequency of visits, 46% of respondents to the survey stated they 'regularly' visit the gym(s), with 31% saying they only visit 'occasionally', while 23% stated they don't attend the gym(s) at all, **Figure C.14**.

**Figure C.14: Frequency of Gym Visits**

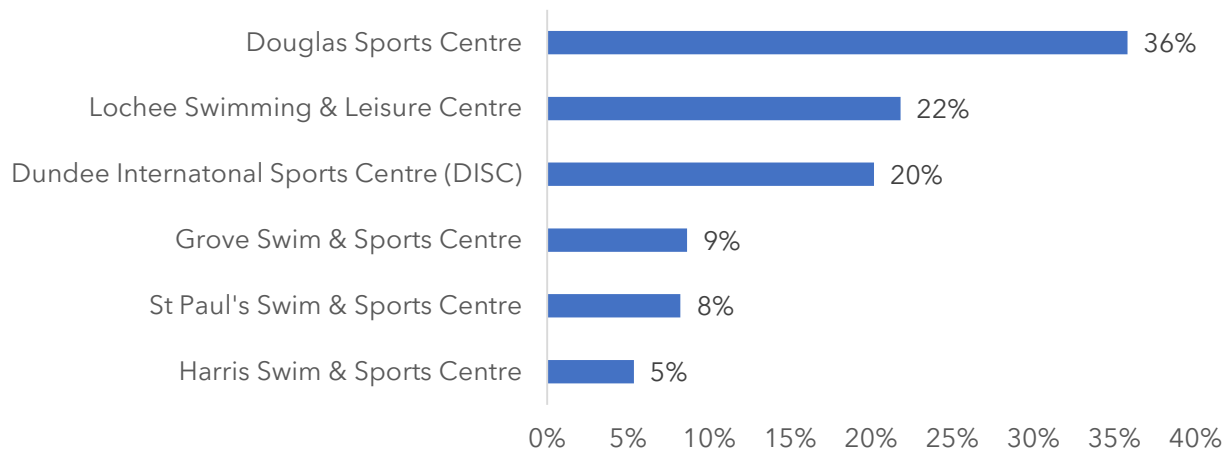


Source: LACD Customer Survey (2024)  
N=236



The Douglas Sports Centre was the most used facility, followed by Lochee Swimming & Leisure Centre, and then Dundee International Sports Centre, **Figure C.15**.

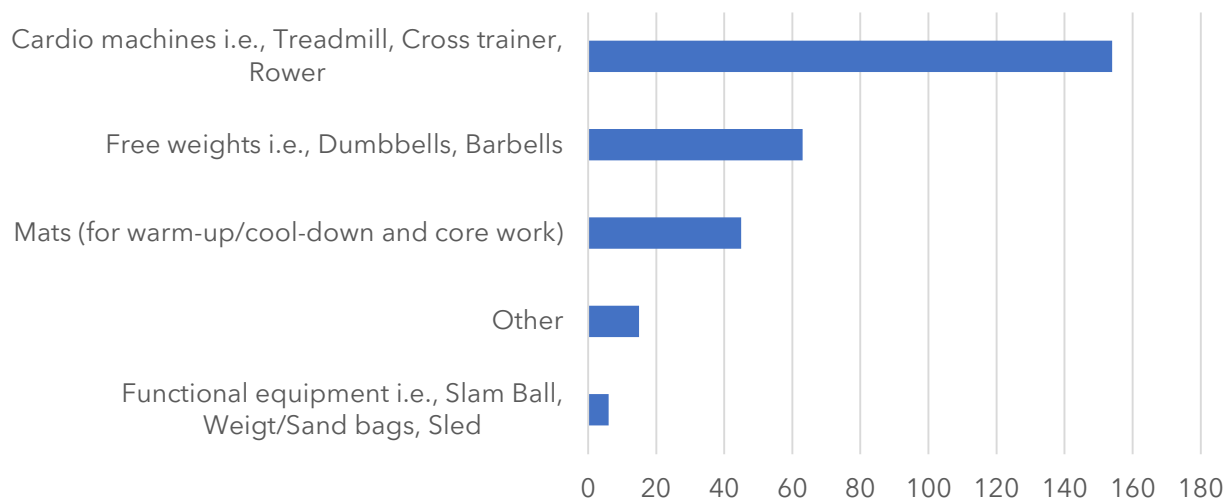
**Figure C.15: Most Frequently Used Gym Locations**



Source: LACD Customer Survey (2024)  
N=243

The most used gym equipment was 'Cardio machines', followed by 'Free weights', **Figure C.16**.

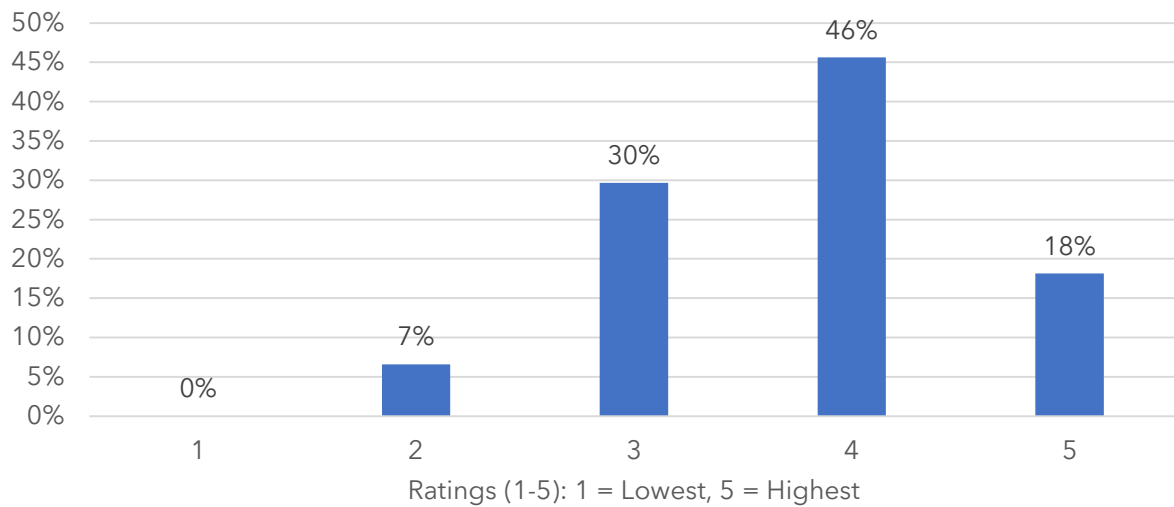
**Figure C.16: Most Used Gym Equipment**



Source: LACD Customer Survey (2024)  
N=283

The gyms received a mix of ratings, although generally positive, with 64% rating them either as Good (4) or Very good (5), **Figure C.17**.

Figure C.17: Gym Ratings



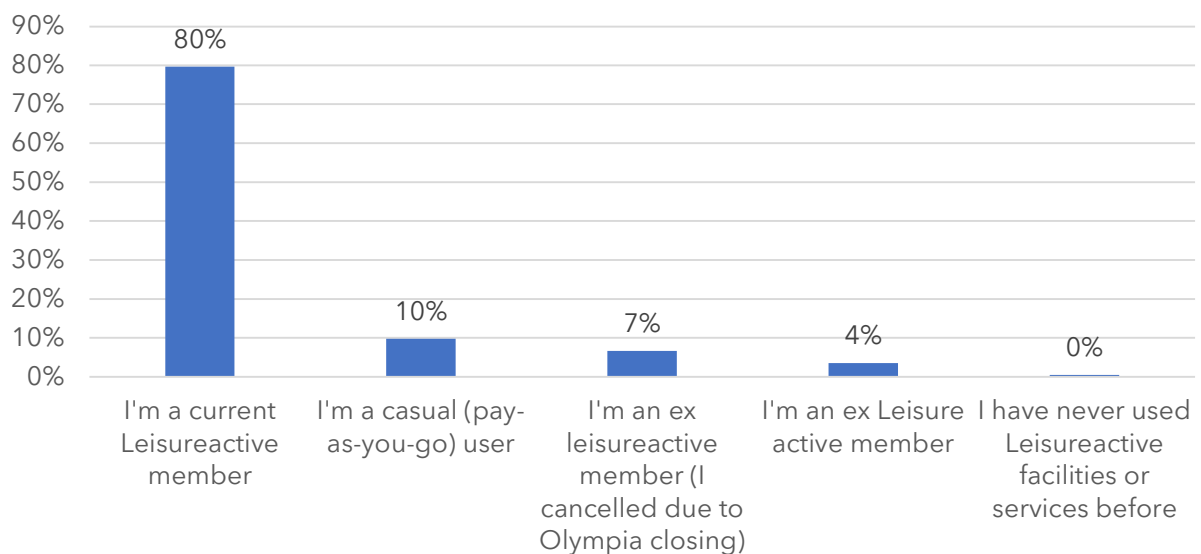
Source: LACD Customer Survey (2024)  
N= 182

## Swimming pool user survey

The following section sets out the findings from the Swimming Pool Survey.

The vast majority (80%) of respondents are current Leisureactive members, with 10% casual pay-as-you-go users, **Figure C.18**.

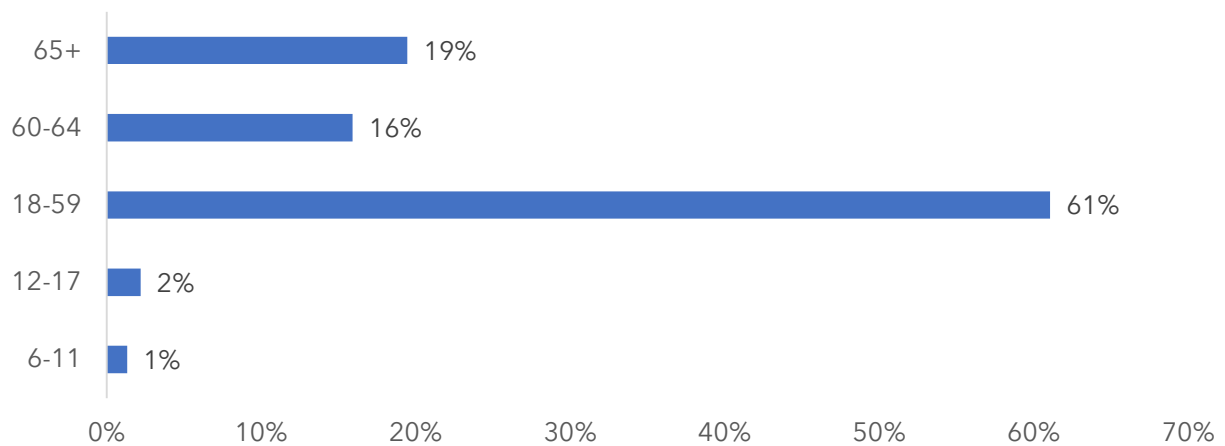
Figure C.18: Swimming Pool Membership Type



Source: LACD Customer Survey (2024)  
N= 226

In terms of the age profile of respondents, most (61%) were aged between 18 and 59, with 19% over the age of 65, **Figure C.19**.

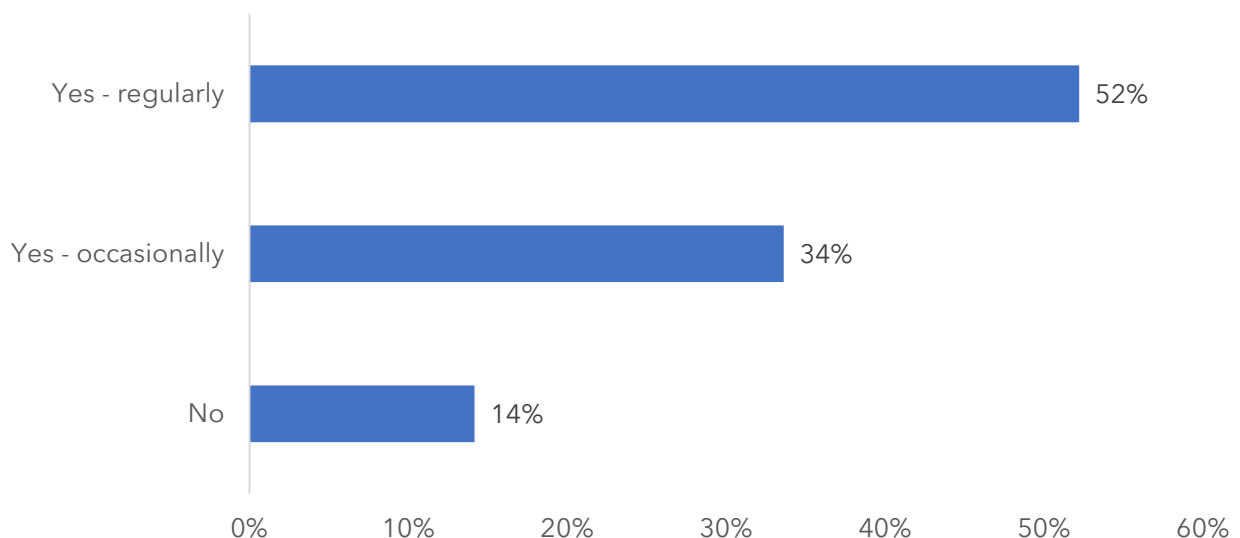
**Figure C.19: Age distribution of Swimming Pool Users**



Source: LACD Customer Survey (2024)  
N= 226

Just over half (52%) of respondents said they use the pool(s) regularly (i.e., multiple times a week), with 14% saying they don't use the swimming pool(s), **Figure C.20**.

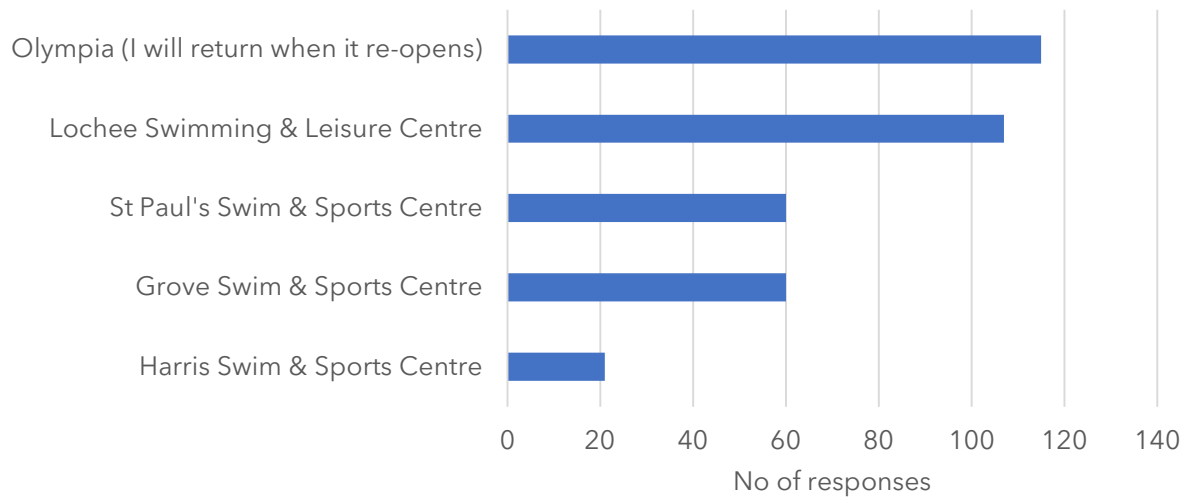
**Figure C.20: Frequency of Swimming Visits**



Source: LACD Customer Survey (2024)  
N= 226

Most used pools were the Olympia (although it is currently closed), Lochee Swimming and Leisure Centre and St Paul's Swim & Sports Centre, **Figure C.21**.

**Figure C.21: Most Frequently Used Swimming Pool Locations**



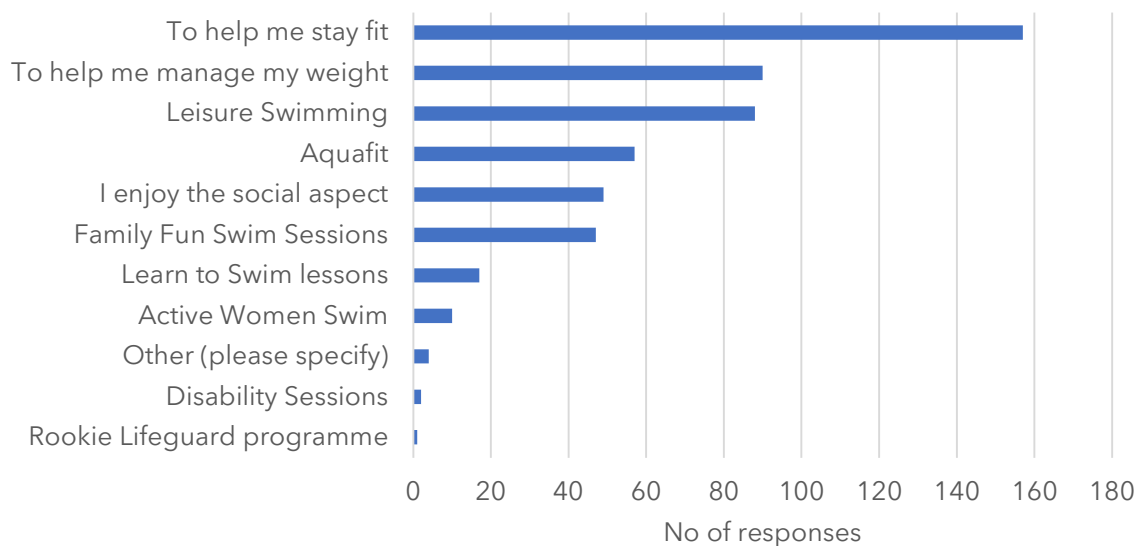
Source: LACD Customer Survey (2024)

Notes: Respondents could provide multiple responses to this question.

N=Unknown

The most common reason for participating in swimming was simply 'To help me stay fit', followed by 'To help me manage my weight' and thirdly as 'Leisure', **Figure C.22**.

**Figure C.22: Participation in Different Swimming Activities**



Source: LACD Customer Survey (2024)

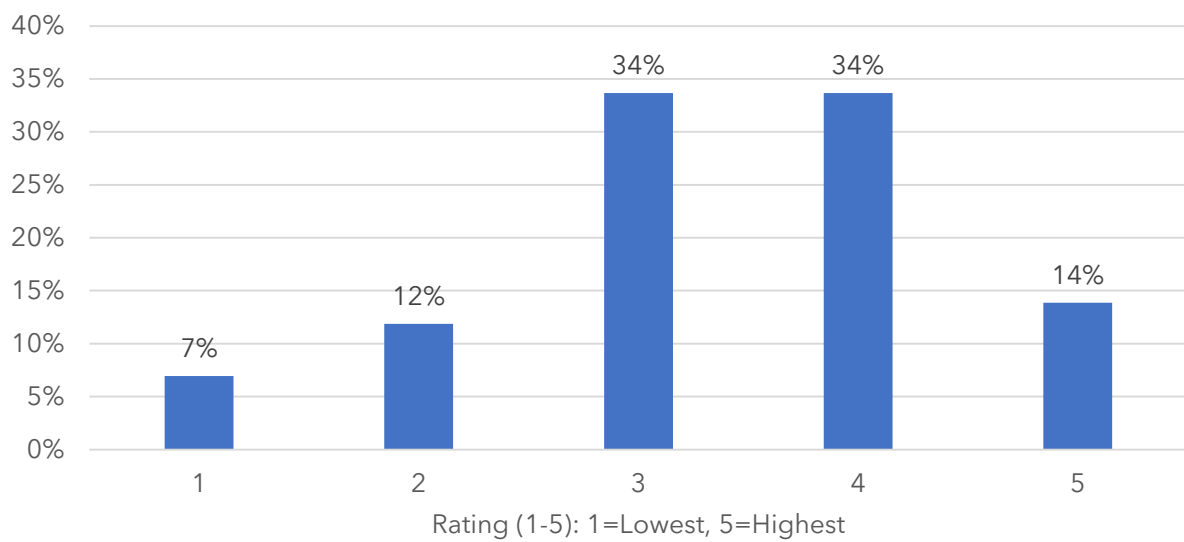
Notes: Respondents could provide multiple responses to this question.

N=Unknown

Respondents were asked to provide a rating for the swimming pools within LACD's ownership, with 1 being the lowest rating and 5 the highest. Responses were fairly mixed, although more positive than negative, with 48% of response 4 or above, as opposed to 19% of responses being 1 or 2,

**Figure C.23.**

**Figure C.23: Overall Swimming Pool Ratings**



Source: LACD Customer Survey (2024)  
N=202

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## Appendix D: Data Tables

Table D.1: Life expectancy by local authority (2021-2023) (ranked female - low to high)

Local Authority	Females	Male
Glasgow City	78.3	73.6
East Ayrshire	78.6	75.2
North Lanarkshire	78.7	74.9
West Dunbartonshire	79.2	74.3
<b>Dundee City</b>	<b>79.2</b>	<b>74.6</b>
North Ayrshire	79.3	74.9
Inverclyde	79.6	75.5
Falkirk	79.7	76.2
Clackmannanshire	80	75.8
South Lanarkshire	80.3	76.3
Renfrewshire	80.6	76.1
Fife	80.7	77.1
West Lothian	80.7	76.8
Dumfries and Galloway	80.9	76.9
Aberdeen City	80.9	76.9
South Ayrshire	81.1	76.7
Na h-Eileanan Siar	81.2	76.4
Angus	81.2	78.2
Midlothian	81.6	77.8
Argyll and Bute	81.8	78.3
Stirling	81.9	78.3
Highland	81.9	77.4
City of Edinburgh	82	77.8
East Lothian	82	78.8
Moray	82	77.5
Scottish Borders	82.6	78.7
Perth and Kinross	82.6	78.8
Aberdeenshire	82.7	79.3
Orkney Islands	82.7	78.7
Shetland Islands	83.9	78.6
East Dunbartonshire	83.9	80.3
East Renfrewshire	84.5	81
<b>Scotland</b> (National Records of Scotland)	<b>80.8</b>	<b>76.8</b>

**Table D.2: Primary 1 Body Mass Index statistics by local authority (School Year 2023-2024)**

Local Authority	Healthy	At risk of underweight	At risk of overweight or obesity
Aberdeen City	77.3%	0.7%	22%
Aberdeenshire	78.9%	0.5%	20.6%
Angus	71.7%	0.7%	27.6%
Argyll and Bute	77.4%	1.4%	21.2%
City of Edinburgh	80.8%	2.8%	16.4%
Clackmannanshire	80.1%	2.6%	17.3%
Dumfries and Galloway	75.6%	1.4%	23.0%
<b>Dundee City</b>	<b>74.3%</b>	<b>0.6%</b>	<b>25.1%</b>
East Ayrshire	75.8%	0.3%	23.9%
East Dunbartonshire	81.7%	0.6%	17.7%
East Lothian	78.4%	0.6%	21.0%
East Renfrewshire	81.5%	1.5%	17%
Falkirk	76.3%	2.8%	20.9%
Fife	74.7%	1.1%	24.2%
Glasgow City	74.8%	1.5%	23.7%
Highland	74.9%	0.7%	24.4%
Inverclyde	74.0%	0.9%	25.1%
Midlothian	75.7%	1.4%	22.9%
Moray	77.7%	1.2%	21.1%
Na h-Eileanan Siar	74.4%	1.2%	24.4%
North Ayrshire	74.8%	1.3%	23.9%
North Lanarkshire	74.5%	0.6%	24.9%
Orkney Islands	67.9%	0.5%	31.6%
Perth and Kinross	75.6%	1.0%	23.4%
Renfrewshire	77.2%	0.8%	22.0%
<b>Scotland</b>	<b>76.5%</b>	<b>1.2%</b>	<b>22.3%</b>
Scottish Borders	78.1%	0.7%	21.2%
Shetland Islands	72.3%	1.9%	25.8%
South Ayrshire	75.9%	1.3%	22.8%
South Lanarkshire	76.2%	0.9%	22.9%
Stirling	79.5%	2.7%	17.8%
West Dunbartonshire	74.1%	0.3%	25.6%
West Lothian	77.0%	1.4%	21.6%

Source: Public Health Scotland



**REPORT TO:** CITY GOVERNANCE COMMITTEE - 22 SEPTEMBER 2025

**REPORT ON:** STANDING ORDERS AND SCHEMES OF ADMINISTRATION FOR FINANCIAL REGULATIONS, TENDER PROCEDURES AND DELEGATION OF POWERS TO OFFICERS

**REPORT BY:** CHIEF EXECUTIVE

**REPORT NO:** 293-2025

## 1.0 PURPOSE OF REPORT

The purpose of this report is to review the Council's Standing Orders and Schemes of Administration for Financial Regulations, Tender Procedures and Delegation of Powers to Officers.

## 2.0 RECOMMENDATIONS

The Committee is recommended to:-

- (i) approve the attached Standing Orders; and
- (ii) remit to the Head of Democratic and Legal Services to make any further consequential amendments to the Standing Orders.

## 3.0 FINANCIAL IMPLICATIONS

None.

## 4.0 MAIN TEXT

- 4.1 Reference is made to the Minute of Meeting of the City Governance Committee on 21 August 2023 when the Committee agreed:-
- (i) to approve the Order of Reference to Committees as detailed in Appendix 2 of the Report; and
  - (ii) to remit the Head of Democratic and Legal Services to review the Council's Standing Orders and Schemes of Administration for Financial Regulations, Tender Procedures and Delegation of Powers to Officers, in consultation with the Council Leadership Team, and to report back with recommendations in due course.
- 4.2 The Council's Standing Orders and Schemes of Administration for Financial Regulations Tender Procedures and Delegation of Powers to Officers have been reviewed on an ad hoc basis since the Council came into being in 1996, principally when the Tender Procedures were updated in October 2018, when the Delegation of Powers to Officers were updated in October 2020 in response to the COVID-19 Pandemic, when the Councillor's Code of Conduct was amended in April 2022 and when the Order of Reference to Committees was amended in July 2023. This is the first complete review of Standing Orders.
- 4.3 Following consultation with the Council Leadership Team, the Chief Executive recommends that the changes highlighted in red in the Appendix are approved.

4.4 Elected Members' attention is particularly drawn to the following proposals:-

- The Children, Families and Communities Committee is retitled the Children and Families Committee with amended Terms of Reference.
- The Terms of Reference of the City Governance Committee are amended.
- The Climate, Environment and Biodiversity Committee is retitled the Climate, Net Zero and Environment Committee.
- The Fair Work, Economic Growth and Infrastructure Committee is retitled the City Growth and Infrastructure Committee.
- The Neighbourhood Resources, Housing and Estate Management Committee is retitled the Neighbourhood, Housing and Communities Committee with amended Terms of Reference. (If agreed, Police and Fire and Rescue Service Performance Reports will be considered on a six monthly basis).
- The Scrutiny Committee is retitled the Scrutiny and Audit Committee with amended Terms of Reference.
- The Council's Tender Procedures have been renamed as Contract Standing Orders and updated in line with the principles set out in the Council's approved Corporate Procurement Strategy.

## **5.0 POLICY IMPLICATIONS**

This report has been subject to the Pre-IIA Screening Tool and does not make any recommendations for change to strategy, policy, procedures, services or funding and so has not been subject to an Integrated Impact Assessment. An appropriate senior manager has reviewed and agreed with this assessment.

## **6.0 CONSULTATIONS**

The Council Leadership Team were consulted in the preparation of this report.

## **7.0 BACKGROUND PAPERS**

None.

GREG COLGAN  
CHIEF EXECUTIVE

DATE: 11 SEPTEMBER 2025



# **STANDING ORDERS**

## **OF**

## **THE COUNCIL**

## **AND**

# **SCHEMES OF ADMINISTRATION**

(Approved at Policy and Resources Committee: 11 December 2017)

(Order of Reference to Committees [approved: July 2023](#))

(Tender Procedures updated: October 2018)

(Delegation to Officers of the Council updated: October 2020 - COVID-19)

(Times of Meetings updated: Policy and Resources Committee: 7 December 2020)

(Updated with amended Code of Conduct: April 2022)

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**STANDING ORDERS  
OF  
THE COUNCIL**

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## DUNDEE CITY COUNCIL STANDING ORDERS

### PART I PRELIMINARY

#### Definitions

1. In these Standing Orders the following words and expressions shall have the meanings hereinafter respectively assigned to them, viz:-

*"the 1973 Act"* means the Local Government (Scotland) Act 1973 as amended or extended by or under any other enactment.

*"Council"* means the Dundee City Council established by the Local Government etc (Scotland) Act 1994.

*"Standing Committees"* are those so specified or referred to in Standing Order 44 and any others which may be so designated by the Council at any time.

*"functions"* includes powers and duties.

*"delegated"* means remitted with power to exercise on behalf of the remitting body the functions specified in the remit, in the like manner as the remitting body would have exercised such functions, and the expressions *"delegation"* and *"stand delegated"* shall be construed accordingly.

*"referred"* means remitted for consideration and report but without power to exercise any function on behalf of the remitting body, and the expressions *"reference"* and *"stand referred"* shall be construed accordingly.

*"Order of Reference"* means the Order of Reference specifying the functions referred and the functions delegated to the respective Standing Committees annexed to these Standing Orders.

*"single block nominations"* means members must vote for one single list of candidates.

#### Returning Officer for Elections

2. The Chief Executive of the Council or such other officer as the Council may appoint shall be the Returning Officer for each election of Councillors in accordance with Section 6 of the 1973 Act.

#### Proper Officer of the Council

3. The Proper Officer of the Council for the purposes of Sections 33A, 34, 40, 231 and Schedule 7 of the 1973 Act shall be the Chief Executive, whom failing for any reason, the Head of Democratic and Legal Services; the Proper Officer for the purposes of Sections 92, 145, 190, 191, 197, 202 and 204 shall be the Head of Democratic and Legal Services who shall also be the Proper Officer for the purposes of Sections 50B, 50C and 50F; the Proper Officer for the purposes of Section 50D (identification of background papers for reports) shall be the Head of the Service in whose name a report is issued, with the first named being so designated in the case of a joint report; the Proper Officer for the administration of the financial affairs of the Council in accordance with Section 95 of the 1973 Act shall be the Executive Director of Corporate Services of the Council; and the Proper Officer for any other purposes of the 1973 Act shall be such officer as the Council may appoint at any time. In the case of the Proper Officer for the purpose of signing deeds (Requirements of Writing (Scotland) Act 1995) the authorised signatories shall be the Chief Executive, Head of Democratic and Legal Services and Legal Manager. The Head of Democratic and Legal Services shall be the Monitoring Officer and the Proper Officer for the purposes of the Ethical Standards in Public Life etc (Scotland) Act 2000 (Register of Interests) Regulations 2003. The Proper Officer for the purposes of the Freedom of Information (Scotland) Act 2002 shall be the Head of Democratic and Legal Services. The Head of Democratic and Legal Services shall also be the Proper Officer under Rule 60(b) of the Scottish Local Government Elections Order 2011. The Chief Social Work Officer for the purposes of Sections 3 and 5(1B) of the Social Work (Scotland) Act 1968 is the Head of ~~Integrated Children's Services and Community Justice Service~~ Service – Children's and

Community Justice Social Work.

**Use of Seal**

4. The Chief Executive, whom failing for any reason, the Head of Democratic and Legal Services of the Council may have the common seal of the Council affixed to any deed or other document to which the Council is a party.

**Application of Standing Orders to Committees and Sub-Committees**

5. Standing Orders in Part II, marked thus † in the margin shall apply with the necessary changes to Committees and Sub-Committees.

**Application of Interpretation Act**

6. The Interpretation Act 1978, shall apply to the interpretation of these Standing Orders as it applies to the interpretation of an Act of Parliament.

**Commencement**

7. These Standing Orders shall apply and have effect on and from the day they are adopted by the ~~Policy and Resources~~ City Governance Committee with such amendments as may be made by the ~~Policy and Resources~~ City Governance Committee from time to time in accordance with Standing Order 70 hereof.

**PART II**

**MEETINGS AND PROCEEDINGS OF THE COUNCIL**

**Days and Times of the Meetings**

8. (1) The ordinary meetings of the Council shall, except as hereinafter provided, be held in accordance with the timetable approved by the ~~Policy and Resources~~ City Governance Committee.
- (2) The meeting of the Council to be held in pursuance of Paragraph 1(1) of Schedule 7 to the 1973 Act (first meeting after election day) shall be held on a day following the date of the election and to be selected by the Council *and at that meeting the Council shall as their first business, appoint the Convener*, and thereafter the Depute Convener and the Conveners and Depute Conveners of the Standing Committees so far as appropriate.
- (3) For the avoidance of doubt, the appointment of Conveners and Depute Conveners of the Standing Committees and representatives on outside bodies shall be dealt with as a single item of business, ie a block. Any vacancies arising thereafter will be considered on a similar basis except in the case of an individual casual vacancy occurring in which event the vacancy shall be filled in accordance with Standing Order ~~No~~ 33.
- †9. (1) Regular meetings of the Council shall be held in accordance with the timetable approved by the ~~Policy and Resources~~ City Governance Committee and all other meetings shall be held on such days and as at such times as may be fixed from time to time by the respective Convener or, in their absence, the Depute Convener.
- (2) Unless in special circumstances (of which the Convener or, in their absence, the Depute Convener, shall be the sole judge) or as required by Standing Order 13, no meetings of the Council shall be held:-
  - (a) on any days designated public holidays in the City of Dundee including any days designated as public holidays for employees of Dundee City Council;
  - (b) during any designated Recess period;



Notwithstanding paragraph 9(2)(b) above, a Recess Sub-Committee shall be set up to deal with any urgent business which the Chief Executive or Head of Democratic and Legal Services determine cannot wait to the next ordinary meeting of the Committee concerned during the Summer Recess.

- (c) no meetings of the Council shall be held on Saturdays or Sundays;
  - (d) on such other days as the Council may fix.
10. All meetings of the Council shall be held at 5.00 pm except that in the event of the Convener or, in their absence, the Depute Convener, considering special circumstances so require, they may fix another hour for any meeting.
- †11. When necessary, in the interests of the expeditious transaction of the Council's business, the Chief Executive shall, in liaison with the Convener, be authorised to alter the timetable with regard to any regular meeting of the Council, on a one-off basis.

### **Precedence of Council Meetings**

12. Meetings of the Council in any capacity shall, unless the Convener or, in their absence, the Depute Convener, otherwise decides, take precedence over meetings of all Committees, ~~subject to a Council meeting being held immediately after a pre-determination hearing held by the Planning Committee in terms of Section 38A(1) of the Town and Country Planning (Scotland) Act 1997 and Regulation 27 of the Town and Country Planning (Development Management Procedures) (Scotland) Regulations 2008 to determine the application.~~

### **Special Meetings**

13. (1) *The Chief Executive shall call a meeting of the Council at any time on being required to do so by the Convener or, in their absence, the Depute Convener, or on receiving a requisition in writing for that purpose signed by at least eight members of the Council specifying the business proposed to be transacted at the meeting, which meeting shall be held within fourteen days of receipt of the requisition.*
- (2) The Chief Executive shall call a special meeting of a Committee on being required to do so by the Convener of such Committee or by the Convener of the Council, or on receiving a requisition in writing for that purpose specifying the business proposed to be considered at the meeting, signed by members of such Committee not less in number than a quorum, and on receipt of such requisition the Chief Executive shall call a special meeting for the consideration of the business specified in the requisition within twenty one days of receipt of the requisition, and it shall not be competent, notwithstanding anything contained in these Standing Orders, to consider any other business at such special meeting.

### **Calling of Meetings**

- †14. (1) Notice of all meetings of the Council shall be given by the Chief Executive and the notice shall specify the business proposed to be transacted at the meeting and the order in which such business is to be brought before the meeting.
- (2) *Not less than three clear days before a meeting of the Council:-*
- (a) *notice of the time and place of the meeting shall be published at the Principal Offices of the Council, and where the meeting is called by members of the Council the notice shall be signed by those members and shall specify the business proposed to be transacted thereat; and*
  - (b) *a summons to attend the meeting, specifying the business to be transacted thereat and signed by the Chief Executive shall be left at or sent by post either to the usual place of residence of every member of the Council or (if a member gives notice in writing to the Chief Executive that he desires summonses to be sent to him at some address specified in the notice other than his place of residence) to that other address.*
- (3) *Want of service of a summons on any member of the Council shall not affect the*

*validity of a meeting of the Council.*

- (4) Unless in cases of urgency, members shall receive written notice of all meetings of the Council five clear days before the date of the meeting.

### **Quorum**

15. *The quorum of the Council shall be determined in accordance with Paragraph 4 of Schedule 7 to the 1973 Act.*

- "4. (1) *Subject to sub-paragraph (2) below, no business shall be transacted at a meeting of a Council unless at least one-fourth of the whole number of members of the Council are present.*
- (2) *Where there are at the same time vacancies in the case of more than one-third of the members of a Council, then until the number of members in office is increased to not less than two-thirds of the whole number of members of the Council, the quorum of the Council shall be determined by reference to the number of members of the Council remaining instead of by reference to the whole number of members of the Council, so however that the quorum shall never be less than one-eighth of the whole number of members of the Council or three members, whichever is the greater number."*

### **Order of Business**

- †16. The business of the Council at an ordinary meeting shall (unless otherwise directed by the Convener who may, at their discretion, alter the order of business at any stage) proceed in the following order:-
- (a) Reception of deputations.
  - (b) Minutes of the Council and Committees (which shall be read, or held as read, and, so far as not reported for information only, considered and disposed of).
  - (c) Ordinary business including business on agenda at the request of members.
  - (d) Matters of urgency of which no previous notice has been given, provided that consideration of any such matters shall be subject to the provisions of Standing Order 17.

### **Matters of Urgency**

- †17. *Without prejudice to the provisions of Schedule 7 to the 1973 Act no item of business shall be considered at a meeting of the Council unless either:-*
- (a) *a copy of the agenda, including the item, has been open to inspection by the public in terms of Part IIIA of the 1973 Act; or*
  - (b) *by reason of special circumstances, which shall be specified in the minutes, the Convener of the meeting is of the opinion that the item should be considered at the meeting as a matter of urgency.*
- †18. The Council shall not at any meeting consider the minutes of any Committee which have not been in the hands of the members for at least twenty four hours before the meeting unless by reason of special circumstances, which shall be specified in the minutes, the Convener of the meeting is of the opinion that the said minutes should be considered at the meeting as a matter of urgency.

### **Convener**

19. (1) *The Lord Provost, if present, shall preside at meetings of the Council and, in their absence, the Depute Lord Provost shall preside at such meetings. If both are absent, the Leader of the Administration shall preside, whom failing, another member of the Council chosen by the members present shall preside.*
- (2) The Lord Provost shall not preside over any meeting called for the purpose of

removing them from office. The Deputy Lord Provost shall preside at such meetings. In their absence, the Leader of the Administration shall preside, whom failing, another member of the Council chosen by members shall preside.

- (3) The Deputy Lord Provost shall not preside over any meetings called for the purpose of removing them from office. The Lord Provost shall preside at such meetings. In their absence, the Leader of the Administration shall preside, whom failing, another member of the Council chosen by members shall preside.

### **Removal of Lord Provost, Deputy Lord Provost, Conveners and Deputy Conveners**

#### **Removal of Lord Provost**

20. (1) A simple majority of Councillors present and voting at any meeting of the Council called for that purpose may remove the Lord Provost from office with immediate effect.

#### **Removal of Deputy Lord Provost**

- (2) A simple majority of Councillors present and voting at any meeting of the Council called for that purpose may remove the Deputy Lord Provost from office with immediate effect.

#### **Removal of Conveners and Deputy Conveners**

- (3) A simple majority of Councillors present and voting at any meeting of the Council called for that purpose may remove all Conveners and Deputy Conveners including, for the avoidance of doubt, the Convener and Deputy Convener of the Council (Lord Provost and Deputy Lord Provost), from office with immediate effect.

### **Powers and Duties of Convener**

†21. It shall be the duty of the Convener:-

- (a) to preserve order, and to ensure that every member of the Council shall have a fair hearing;
- (b) to decide all matters of order, competency and relevancy;
- (c) to decide between two or more members of the Council ~~rising~~ wishing to speak by calling on the member who has first caught their eye; and
- (d) to ensure that due and sufficient opportunity is given to members of the Council who wish to speak to express their views on the subject under discussion.

†22. The decision of the Convener on all matters within their competency shall be final, and shall not be open to question or discussion.

†23. Deference shall at all times be paid to the authority of the Convener. When the Convener speaks they shall be heard without interruption, and any member then speaking shall conclude their speech and no member shall speak until the Convener has concluded their speech.

### **Suspension of Members**

†24. If any member of the Council disregards the authority of the Convener, or obstructs the meeting, or conducts themselves offensively at the meeting, such member may be suspended for the remainder of the sitting. A motion to suspend a member shall be made and seconded without discussion and forthwith put to the meeting. Any member of the Council so suspended, shall forthwith leave the meeting and shall not, without the consent of the meeting again enter the meeting, and if any member so suspended refuses to leave the meeting when so required by the Convener, they may immediately by order of the Convener be removed from the meeting by a Council Officer or by any other person authorised by the Convener to remove them.

### **Adjournment of Meetings**

- †25. (1) In the event of disorder arising at any meeting of the Council, the person in the Chair may adjourn the meeting to a date they may fix or which the Convener of the Council may afterwards fix, and the quitting of the Chair by the Chairperson shall be the signal that the meeting is adjourned.
- (2) The Council may, at any of their meetings, adjourn the same to such date as they may then fix, failing which as the Convener of the Council or, in their absence, the Depute Convener, may thereafter fix.
- (3) A motion for the adjournment of the meeting may be made at any time (not being in the course of a speech) and shall have precedence over all other motions. It shall be moved and seconded without discussion, and shall forthwith be put to the meeting.
- †26. Meetings of the Council shall end not later than 8.30 pm and on that hour being reached, any meeting then in session shall stand adjourned until such time as may then be fixed by the Chairperson or as may thereafter be fixed by the Convener, or, in their absence, the Depute Convener.
- †27. When an adjourned meeting is resumed, the proceedings shall (subject to the discretion conferred on the Convener under Standing Order 16) be commenced at the point at which they ceased at the adjournment.

### **Reception of Deputations**

- †28. (1) All applications requesting the Council to receive a deputation shall be in writing, duly signed, addressed and, where possible, delivered to the Chief Executive at least five clear working days prior to the date of the meeting at which the subject may be considered. Applications requesting a deputation to be received at a meeting of the Planning Committee shall be considered only from the applicant or their agent or those who have previously submitted a letter of representation (whether a letter of support or a letter of objection) in respect of the original planning application to which the request relates. Any later requests for deputations to be received shall be reported to the relevant meeting and shall be dealt with in accordance with the provisions of the remainder of this Standing Order except in the case of the Planning Committee where no later requests for deputations will be considered or reported.
- (2) No deputation exceeding ten in number shall be received by the Council or any Committee.
- (3) Not more than two speakers on any deputation shall be heard, and the time allowed to the deputation for speaking shall not exceed seven minutes except at the discretion of the Convener.
- (4) Any member of the Council may put any relevant question to the deputation, but no member shall express an opinion upon, nor shall the Council discuss, the subject on which the deputation has been heard, until the deputation has withdrawn.
- (5) In addition to requests for deputations to speak to items on the agenda, the Scrutiny and Audit Committee may also invite deputations to seek their views in relation to items on the agenda.

### **Order of Debate**

- †29. (1) Any member of the Council desiring to speak at any meeting of the Council shall, when called upon, address the Chair, and direct their speech:-
- (a) to the matter before the meeting by proposing, seconding, or supporting a motion or any amendment relative thereto;
- (b) to a point of order; or
- (c) to asking a question.

- (2) A member shall not speak supporting a motion or any amendment until the same shall have been seconded.
- (3) Subject to the right of the mover of a motion to reply, a member shall not speak more than once on the same issue at any meeting of the Council, except on a point of order, or with the permission of the Convener, in explanation or to clear up a misunderstanding in regard to some material part of their speech, in which case no new matter shall be introduced.
- (4) The mover of an original motion shall have a right of reply, but they shall introduce no new matter, and, after they has commenced their reply, no other member shall speak on the issue except as provided in the immediately preceding paragraph of this Standing Order.

### **Motions and Amendments**

- †30.
- (1) All motions and amendments should be submitted in writing to the Head of Democratic and Legal Services on or before 12 noon on the day of the meeting at which the item is to be considered. The Head of Democratic and Legal Services will check motions and amendments for compliance with ~~law~~Law, Standing Orders, Code of Conduct, previous decisions of the Council and financial accuracy.
  - (2) Notwithstanding the provisions of the above with regard to daytime meetings, all motions and amendments should be submitted in writing to the Head of Democratic and Legal Services on or before 12 noon one clear working day prior to the meeting.
  - (3) Any further motions and amendments not anticipated in advance of the meeting should be submitted in writing to the Head of Democratic and Legal Services at the meeting and will be checked for compliance with ~~law~~Law, Standing Orders, Code of Conduct, previous decisions of the Council and financial accuracy.
  - (4) The Chair will determine their competency (including whether they are relevant to the motion, substantially different to it and to all other amendments).
  - (5) The import of all motions and amendments shall be stated immediately on their being proposed to the meeting by the mover before being spoken to, and such motions and amendments (except motions for the approval or disapproval, simpliciter, of any matter before the Council, purely negative amendments, amendments to remit for further consideration and report, and motions and amendments which are fully set out in a minute of a Committee) shall be reduced to writing, ~~signed by the mover, and delivered submitted~~ to the Head of Democratic and Legal Services immediately on being moved.
  - (6) All amendments must be relative to the motion and after the first amendment has been voted upon, all subsequent amendments must be substantially different from the first amendment.
  - (7) In any case, where a motion or an amendment has been duly seconded, neither the motion nor the amendment, as the case may be, shall be altered in substance or withdrawn without the consent of a majority of the members present.
  - (8) Except as provided at paragraphs (9) and (10) of this Standing Order, whenever an amendment upon an original motion has been moved and seconded, no further amendment shall be moved until the result of the first amendment has been determined. If an amendment be rejected, further amendments to the original motion may be moved. If any amendment be carried, such amendment shall take the place of the original motion and shall become the motion upon which any further amendments may be moved.
  - (9) Subject to the provisions of paragraph (10) below, in the case of the Planning Committee, when there are more amendments to the motion than one, the first amendment shall be voted on against the second amendment and the amendment which is carried shall be voted on against the third amendment and so on until there remains only one amendment which shall be voted on against the original motion and whichever is carried that shall be the finding of the meeting.

- (10) In dealing with an application for planning consent, as soon as it becomes apparent that there is not unanimity, the Convener of the Planning Committee shall ascertain whether there is any competent motion for a deferral and if such a motion is moved and seconded, it shall be voted on against any amendment for the direct negative should such be moved and seconded, before any further motions or amendments are proceeded with as outlined in paragraph (9) above.
- (11) A motion for the approval of a minute of a meeting of a Committee, or of any part of such minute, shall be considered as an original motion and any motion involving alteration or rejection of such minute or any part of such minute shall be dealt with as an amendment.
- (12) The Convener of a Committee shall, if present, have the right to move the approval of the minute of any meeting of that Committee or of any part of such minute.
- (13) Motions and amendments moved, but not seconded, shall not be put to the meeting, nor shall they be recorded in the minutes unless the movers shall, at such meetings, request that they be so recorded.
- (14) Where any motion or proposal is accepted by a meeting, the name of the mover and of the seconder, if any, shall, notwithstanding that there may not be a division, be recorded in the minutes.

#### **Time Allowed for Speaking**

- †31. In moving a motion (other than a motion for the adoption of Annual Reports, Accounts or Estimates) or an amendment, a member shall not speak for more than seven minutes, each other speaker shall not speak for more than four minutes, and the mover of the original motion in their reply shall not speak for more than four minutes. The foregoing limits of time may be exceeded with the consent of a majority of the members present, and it shall be competent for the Chairperson to determine (without the necessity of taking a division) whether a majority of the members present are agreeable to the foregoing limits of time being exceeded in any speech.

#### **Closure of Debate**

- †32. (1) At any meeting of the Council it shall be competent, after not fewer than five members (excluding the mover and seconder of the original motion) shall have spoken on the subject under discussion, for any member of the Council who has not spoken on the subject to move that the question be now put.
- (2) Such motion shall be moved and seconded without discussion and shall forthwith be put to the meeting, and if a majority of the members present vote for the motion, the debate on the matter under discussion shall cease (subject to the right of the mover of the original motion to reply) and thereafter the subject under discussion shall be voted on in the ordinary way. No further amendment shall be competent on that particular item of business unless with the consent of the Convener. If the motion for closure is not carried, the debate shall be resumed.
- (3) Subsequent motions for closure may be made after every three additional members have spoken.
- (4) A motion for closure shall not be made during the course of a speech.

#### **Vacancies and Appointments Voting**

- †33. (1) In the filling of vacancies and making of appointments, the following provisions as to voting shall apply:-
- (a) Nominations for vacancies or appointments shall be moved and seconded without discussion and shall forthwith be put to the meeting.
  - (b) Except as aftermentioned, members shall be entitled to vote for as many candidates as there are vacancies to be filled.

- (c) If, as a result of voting, there is an absolute majority of those present and voting in favour of the number of candidates equal to the number of vacancies to be filled, such candidate or candidates shall be declared duly appointed.
- (d) If no such absolute majority is obtained, the names of the candidates receiving the lowest number of votes (together with any candidate receiving no votes) shall be struck out, and a further vote shall be taken, provided, however, that:-
  - (i) if two or more candidates tie as receiving the lowest number of votes, a vote (with each member exercising only one vote) shall be taken between such candidates, and the candidate who receives the lower or lowest number of votes shall be dropped; and
  - (ii) after any vote the members may by unanimous agreement exclude from a further vote candidates whom they consider have no prospect of being appointed.

In subsequent votes, the same procedure shall be followed until there is an absolute majority in favour of the number of candidates equal to the number of vacancies to be filled, when such candidate or candidates shall be declared duly appointed.

#### **Vacancies and Appointments (Single Block Nominations)**

- (2) In the case of appointments being made in terms of Standing Order 8(3), members shall vote for a single block nomination. If as a result of voting there is an absolute majority of those present and voting in favour of one single block, such candidates as are named in the block shall be declared duly appointed.

If no such absolute majority is obtained, the block receiving the lowest number of votes shall be struck out and a further vote shall be taken providing however that:-

- (i) if two or more blocks tie as receiving the lowest number of votes, a vote (with each member exercising only one vote) shall be taken between such blocks, and the block which receives the lower or lowest number of votes shall be dropped; and
- (ii) after any vote the members may by unanimous agreement exclude from further vote blocks which they consider have no prospect of succeeding.

In subsequent votes, the same procedure shall be followed until there is an absolute majority in favour of one single block, such candidates as are named in the block shall then be declared duly appointed.

#### **Method of Voting**

- †34. (1) The vote of the Council shall be taken by calling the roll of those present, beginning with the Convener, and the voting shall be recorded in the minutes.
- (2) After the Convener or the Chief Executive has announced the issue on which the vote is to be taken, no member shall interrupt the proceedings in any way whatsoever (except that, in the case where their name has not been called, a member may direct attention to the fact and request that their name be called) until the result of the division has been intimated.
- (3) A member who is absent from the meeting when their name is called in a division shall be entitled to record their vote if they enter the meeting before the result of the division has been intimated, provided the attention of the Chief Executive is directed to the return of such member before the result of the division has been intimated.
- (4) The provisions of paragraph (3) of this Standing Order shall not apply in the case of proceedings of a judicial or quasi-judicial nature, and in such cases only those members present during the whole of the proceedings shall be entitled to vote or take part in the deliberations.

In the case of proceedings to which this paragraph applies:-

- (a) intimation to that effect shall so far as reasonably practicable be given in the notice calling the meeting; and
- (b) the Convener shall direct the attention of members to the provisions of this paragraph at the commencement of the proceedings.

### **Casting Vote**

- †35. *Subject to the provisions of any enactment and of any Statutory Order or Instrument the person presiding at a meeting of the Council shall, in the case of an equality of votes, have a second or casting vote except where the matter which is the subject of the vote relates to the appointment of a member of the Council to any particular office or Committee, in which case the decision shall be by lot.*

### **Points of Order**

- †36. (1) Any member of the Council may, at any meeting of the Council, speak upon a point of order if they do so as soon as it arises, and if they state that they wish to raise a point of order and forthwith states the point of order.
- (2) The member who is then addressing the Council shall ~~resume their seat~~cease speaking, and the member who raises the point of order shall, when they ~~has~~have concluded, also ~~resume their seat~~cease speaking. No other member shall be entitled to speak to the point of order raised except by permission of the Convener.
- (3) The Convener shall thereupon decide the question, and, thereafter, the member who was addressing the Council at the time the point of order was raised shall be entitled (if the ruling permits them so to do) to continue to speak, giving effect to the ruling of the Convener.

### **Questions**

- †37. (1) If any member has a detailed question for officers relating to any item to be considered by ~~Committee the Council~~ they should approach the appropriate Executive Director in advance and seek an answer before the Committee.
- (2) At any meeting of the Council any member may put a question to the Convener of the meeting relative to any matter under consideration.
- (3) Questions will be allowed only so far as they are deemed relevant and competent by the Convener.
- (4) One supplementary question, if necessary for the elucidation of the answer given, may be asked by (a) the original questioner, and (b) one other member.
- (5) Questions and answers thereto shall not be recorded in the minutes of meetings of the Council.

### **Inclusion of Business on Council Agenda at the Request of Members**

- †38. (1) Subject to the provisions of the 1973 Act, any member of the Council who wishes brought before the Council any matter which can be competently considered thereby, shall submit to the Chief Executive, a detailed written statement and notice of the matter not later than five clear working days before the issue of the agenda and papers to members in order that the Proper Officer in terms of Sections 50B, 50C and 50F of the 1973 Act may determine whether exempt information as included in Schedule 7A to the said Act is likely to be disclosed. A member whose item is included on an agenda in terms of this Standing Order shall, when that item is ~~rendered~~considered, be called upon to speak first.
- (2) In the case of the Scrutiny and Audit Committee, the Committee shall consider any item submitted by any member, such item having first been submitted to and agreed by the Chief Executive in consultation with the Convener.



### **Alteration or Revocation of Previous Resolution**

- †39. (1) Subject to the provisions of paragraph (2) of this Standing Order, no resolution of the Council shall be altered or revoked except by a subsequent resolution made by the Council and arising from a recommendation, involving alteration or revocation, approved by a majority of the members present at a meeting of the ~~Committee Council~~ concerned, to which recommendation attention is specially directed at the meeting of the Council to which the minute of the ~~Committee Council~~ is submitted. Provided that no resolution shall be altered or revoked within six months of its adoption.
- (2) Notwithstanding the provisions of the remainder of this Standing Order, it shall be competent for the ~~Policy and Resources~~ City Governance Committee to review the Capital and Revenue Budgets and alter or revoke decisions of previous meetings irrespective of whether six months has elapsed since such decisions were made.
- (3) The alteration or revocation of any resolution of the Council shall not affect or prejudice any proceedings, action, or liability competently done or undertaken under any such resolution prior to its alteration or revocation.

### **Members Declaring Interests at Meetings**

- †40. *In terms of the Councillors' Code, it is the responsibility of members to make decisions about whether to declare an interest in any item on an agenda and whether to take part in any discussion or voting. This includes all interests whether or not entered in the Register of Interests which might be perceived as influencing an elected member's opinion/vote on any matter.*

### **Admission of Press and Public to Meetings**

- †41. (1) *Subject to paragraphs (2) and (3) of this Standing Order, every meeting of the Council shall be open to the public and press.*
- (2) *The public and press shall be excluded from any meeting of the Council during consideration of an item of business whenever it is likely, in view of the nature of the business, that, if they were present, information would be disclosed which was confidential in terms of Part IIIA of the 1973 Act that is to say:-*
- (a) *information furnished to the authority by a government department upon terms which forbid the disclosure of the information to the public; or*
- (b) *information, the disclosure of which to the public is prohibited by or under any enactment or by the order of a Court.*
- (3) The Council may, by resolution, exclude the public and press from any meeting of the Council during consideration of an item of business whenever it is likely, in view of the nature of the business, that, if they were present, information would be disclosed which falls within one or more of the categories of exempt information in terms of Part IIIA of the 1973 Act.
- (4) A resolution under paragraph 3 of this Standing Order shall:-
- (a) identify the proceedings or the part of the proceedings to which it applies; and
- (b) state, in terms of the Act, the category or categories of exempt information concerned.

### **Suspension of Standing Orders**

- †42. It shall be competent for a member of the Council at any time to move the suspension of any Standing Order as far as applicable (except those Standing Orders or portions thereof which are printed in italics) which motion shall, without any discussion, be moved and seconded and be put to the meeting, and the motion shall be held to be carried if supported by a simple majority of those present and voting.

**PART III****CONSTITUTION, MEETINGS, AND PROCEEDINGS OF  
COMMITTEES AND SUB-COMMITTEES****Appointment of Committees and Sub-Committees**

43. The Council may, as they shall deem necessary from time to time, and shall, if and when required by any Act of Parliament, appoint Committees and Sub-Committees for the fulfilment of any of the functions of the Council and shall ~~in May as soon as possible~~ ef-in each election year, appoint the Standing Committees hereinafter mentioned for the performance of the functions referred or delegated to such Committees and Sub-Committees in pursuance of these Standing Orders or of any Act of Parliament or Statutory Order, Instrument or Scheme.

**Standing Committees and Sub-Committees Constitution**

44. The Constitution of Standing Committees shall, so far as is practicable, reflect the political balance of the Council's membership. With the exception of the Licensing and Scrutiny and Audit Committees, Committees will comprise all members of the Council. Membership of the Licensing Committee and Scrutiny and Audit Committee will be as indicated below:-

~~Children and Families Services~~ Children and Families, Families and Communities Committee  
~~Policy and Resources~~ City Governance Committee  
~~Climate, Net Zero and Environment~~ Environment and Biodiversity Committee  
~~City Development Fair Work, Economic~~ City Growth and Infrastructure Committee  
 Licensing Committee - 8 members plus 8 trained substitutes  
~~Neighbourhood, Housing and Communities~~ Committee Services Regeneration, Housing and Estate Management Committee  
 Planning Committee  
~~Community Safety and Public Protection~~ Committee  
 Scrutiny and Audit Committee - 8 members

**Membership of Committees and Sub-Committees**

45. (1) With regard to the allocation of places on Committees and Standing Sub-Committees between the recognised political groupings on the Council, they shall be fixed at the statutory meeting following the elections and may be amended at any meeting of the Council so long as approved by a simple majority of those present and voting.
- (2) With regard to the allocation of places on Committees and Sub-Committees between the recognised political groupings on the Council, should it be necessary or expedient for any of these groups to change their nominated representatives at any time other than at the statutory meeting of the Council immediately following the election, it shall be competent for such changes to be intimated to the Committee or Sub-Committee concerned and if approved, the change shall have effect from the next meeting of that Committee or Sub-Committee.
- (3) Notwithstanding the provisions of the above, it shall be competent for substitutions to be intimated and effected for individual meetings of any Sub-Committees and the Scrutiny and Audit Committee.

**Conveners and Depute Conveners of Committees and Sub-Committees**

46. (1) The Conveners and Depute Conveners of all Committees, except as hereinafter provided, shall be appointed by the Council ~~in May of as soon as possible in~~ each election year at the meeting to be held in terms of Standing Order 8(2) and at such other times as may be necessary.
- (2) The Leader of the Administration shall be ex officio Convener of the ~~Policy and Resources~~ City Governance Committee and the Personnel Appointments Sub-Committee.
- (3) Conveners of Sub-Committees shall be the Conveners of the relevant parent Committees except as otherwise determined.

**Reference to Committees and Sub-Committees**

47. (1) Subject to the terms of Standing Order 48 and to the provisions of any enactment and of any Statutory Order, Instrument or Scheme, the functions of the Council shall stand referred to the various Standing Committees and Standing Sub-Committees in accordance with the Order of Reference annexed to these Standing Orders.
- (2) Subject to the terms of any enactment and of any Scheme made thereunder, each Committee shall have power to appoint Sub-Committees for such purpose as they are required to by law or are deemed necessary, and any reference to a Committee shall be deemed to include a reference to a Sub-Committee of that Committee.
- (3) Notwithstanding these Standing Orders, the Council may at any time, if they so determine, deal with any matter included in a reference to a Committee, although no report from such Committee is before them.
- (4) Notwithstanding these Standing Orders, the Council may at any time vary, add to, restrict, or recall any reference to any Committee, or by specific remit refer any function to any Committee and the terms of a specific remit shall supersede any general remit contained in the Order of Reference.
- (5) If a Committee report has implications for more than one Committee, the item will be submitted to the ~~Policy and Resources~~City Governance Committee unless the Chief Executive decides otherwise.

**Delegation to Committees and Sub-Committees**

48. Subject to the provisions of any enactment and of any Statutory Order, Instrument, or Scheme, the Council may at any time delegate any function to a Committee, or a Sub-Committee, or a Principal Officer of the Council and any matters not so delegated (other than to Principal Officers) shall be indicated by an asterisk in the Order of Reference to these Standing Orders and in the relevant minutes.

**Agenda and Business of Meetings**

49. (1) Every member of the Council shall receive the agenda and papers for all Committees and Sub-Committees subject to the provisions of the 1973 Act.
- (2) The appropriate Principal Officers shall deliver to the Chief Executive, not later than five clear working days before the issue of the agenda and papers to members for a Committee or Sub-Committee, a detailed statement of the business to be brought before such Committee or Sub-Committee in order that the Proper Officer in terms of Sections 50B, 50C and 50F of the 1973 Act may determine whether exempt information as defined in Schedule 7A to the said Act is likely to be disclosed.
- (3) Subject to the provisions of the 1973 Act, any member of the Council who wishes brought before any Committee, whether or not they are a member of such Committee, any matter which can be competently considered thereby, shall submit to the Chief Executive a detailed written statement and notice of the matter not later than five clear working days before the issue of the agenda and papers to members in order that the Proper Officer in terms of Sections 50B, 50C and 50F of the 1973 Act may judge whether exempt information as included in Schedule 7A to the said Act is likely to be disclosed. A member whose item is included on an agenda in terms of this Standing Order shall, when that item is ~~rendered~~ considered, be called upon to speak first.

**Attendance of Members of Council at Meetings of Committees and Sub-Committees of which they are not Members**

50. (1) Every member of the Council shall be entitled to attend all meetings of all Committees and Sub-Committees thereof although not called to such meetings, and they shall be entitled to intimate to the Convener of such meetings the terms of any questions on matters under consideration which they wish to ask and shall thereafter, with the consent of the majority of the members of the Committee present, be permitted to put such questions and to receive answers subject to the provisions of the paragraph immediately below.

- (2) In view of the nature of the business and role of the Scrutiny and Audit Committee, it will only be permissible for members of the Committee to ask questions.
- (3) Where a member who is not a member of a particular Committee or Sub-Committee has an item of business included on an agenda at their request, the member concerned shall be entitled to appear before the Committee or Sub-Committee solely to explain or support the matter, but shall not otherwise participate in the proceedings.
- (4) Non-members of a Committee or Sub-Committee may be required to leave any meeting during consideration of matters which, in terms of the 1973 Act are confidential or exempt.

#### **Quorum of Committees and Sub-Committees**

- 51. (1) The quorum of all Standing Committees other than those referred to in paragraph (2) and (3) hereof shall be eight members.
- (2) The quorum of the Licensing Committee shall be four members.
- (3) The quorum of the Scrutiny and Audit Committee shall be three members. The quorum must include a representative from the Administration and the Major Opposition Group.
- (4) Unless otherwise stipulated by an appointing Committee, the quorum of all Sub-Committees shall be three.

#### **Convener of Meetings of Committees and Sub-Committees**

- 52. (1) The Convener of a Committee or Sub-Committee, or, in their absence, the Depute Convener, whom failing, the Leader of the Administration, shall preside at meetings of Committees or Sub-Committees.
- (2) In the absence of any of the office bearers referred to above, the members of the Committee or Sub-Committee present shall elect a Convener of the meeting who shall preside over the meeting for such time as the Convener is absent.
- (3) The foregoing paragraph shall not apply to meetings of the Personnel Appeals Sub-Committee from which the Convener or Depute Convener are absent, in which event, the members of the Sub-Committee present shall elect a Convener of the meeting.
- (4) The foregoing paragraph shall not apply to meetings of the Scrutiny and Audit Committee from which the Convener and Depute Convener are absent, in which event members shall elect a Convener of the meeting from the ~~opposition~~Opposition.
- (5) Notwithstanding the provisions of the above, if present the Depute ~~Convener~~Leader of the Administration of Policy and Resources~~City Governance~~ will chair the meeting of the ~~Policy and Resources City Governance~~ Committee which sets the Council's Revenue Budget and Council Tax.

#### **Minutes of Meetings of Committees and Sub-Committees**

- 53. (1) Minutes of meetings of Committees and Sub-Committees shall, except as provided in paragraphs (2) and (3) hereof, be submitted as soon as practicable after such meetings to the Council or to the Parent Committee, as the case may be, and the Council or the Parent Committee shall determine with respect thereto as they think fit except insofar as such minutes relate to matters delegated to such Committees or Sub-Committees, in which case they shall be submitted to the Council or to the Parent Committee for information only.
- (2) Minutes of meetings of Sub-Committees shall normally be submitted to the Council along with the minute of meeting of the Committee by which the Sub-Committee was appointed, provided that in any case of urgency, the said Committee may instruct that the minute of the Sub-Committee shall be submitted direct to the Council.

- (3) Minutes of meetings of Special Committees or of Sub-Committees relative to a particular remit shall be submitted in accordance with the terms of paragraph (1) hereof after the discharge of such remit by the Special Committee or Sub-Committee, but, in any case within a period of three months from the date of such remit, provided that such Committees or Sub-Committees may submit an interim report to the Council on any question or ask for directions at any stage of their deliberations.

### **Annual Accounts of the Council**

54. *The Executive Director of Corporate Services shall submit to the Council not later than the 30 June of each year, an Abstract of Accounts for the previous financial year. The audited copy of the Abstract, together with the Audit Report, shall be laid before a meeting of the Council held not later than two months after receipt of the certification.*

### **Authority to Attend Meetings, Conferences, Events etc**

55. (1) Notwithstanding the provisions of the Order of Reference to Committees or Scheme of Delegation of Powers to Officers and subject to the provisions of any enactment and of any Statutory Order or Instrument any Committee may authorise attendance at meetings, conferences or events on matters affecting the interests of the Committee.
- (2) The Leader of the Administration and the Conveners of Committees may attend meetings convened by or with other local authorities, government departments or bodies at which matters affecting the interests of the Council or relevant Committees are to be considered and the Leader or any such Conveners may be accompanied at such meetings by the Chief Executive or appropriate Executive Director, or they may authorise the Chief Executive or appropriate Executive Director to attend such meetings in their absence.  
  
In the event of any Convener being unable to attend any such meetings, they may, with the approval of the Lord Provost or the Leader of the Administration, nominate another member of the relevant Committee to attend such meetings in their stead.
- (3) The Lord Provost, Depute Lord Provost or any member deputising on their behalf, may attend meetings, functions and events associated with the performance of their civic duties.
- (4) Subject to the provisions of the Constitution of the Convention of Scottish Local Authorities, meetings of the Convention or Committees thereof may be attended by such members nominated or approved by the Council and those officers approved by the Convention, and also by any Conveners of Committees or officers whose attendance may be considered necessary on any particular occasion.
- (5) The Chief Executive or any appropriate Executive Director may attend, at the expense of the Council, meetings arranged by any appropriate body for the discussion of matters relating to any of the functions of the Council. An officer other than the Chief Executive or an Executive Director may incur such expenditure only with the approval of the Chief Executive or appropriate Executive Director.
- (6) The expenses and allowances payable to members of the Council in attending meetings, conferences or events on the business of the Council shall be as specified in any enactment or Statutory Instrument relative thereto.
- (7) The Chief Executive shall, where they consider it relevant and expedient in the interests of the Council, be authorised to approve the attendance of members and officers of the Council at meetings, conferences or events held both within and outwith the United Kingdom.

**Schemes of Administration for Tender Procedures – Financial Regulations, Contract Standing Orders and Delegated-Delegation of Powers to Officers**

56. (1) The Executive Director of Corporate Services shall prepare and submit to the ~~Policy and Resources~~ City Governance Committee, ~~a Scheme of Administration on~~ Financial Regulations and such Regulations, once approved and adopted by the Committee, shall be observed by all members and officers of the Council. Any revisions or alterations to the said Financial Regulations shall require to be approved by the ~~Policy and Resources~~ City Governance Committee.
- (2) The ~~Head of Democratic and Legal Services~~ Executive Director of Corporate Services shall prepare and submit to the ~~Policy and Resources~~ City Governance Committee ~~- Scheme of Administration on Tender Procedures Contract Standing Orders~~ and such procedures, once approved and adopted by the Committee, shall be observed by all members and officers of the Council. Any revisions or alterations to the said ~~Tender Procedures Contract Standing Orders~~ shall require to be approved by the ~~Policy and Resources~~ City Governance Committee.
- (3) The Head of Democratic and Legal Services shall prepare and maintain ~~a Scheme of Administration on Delegated the Delegation of Powers to Officers~~ recording all powers delegated to officers as required by Section 50G(2) of the Local Government (Scotland) Act 1973. As and when any powers are so delegated by the Council or any of its Committees, or when any such delegated powers are altered or withdrawn by the Council or any Committee, the Head of Democratic and Legal Services will make an appropriate amendment to the ~~Scheme of Administration on Delegated Powers~~ Delegation of Powers to Officers.

**PART IV**

**MISCELLANEOUS**

**Freedom of the City**

57. (1) *The Council may, by resolution passed by not less than two thirds of the members voting thereon at a meeting of the Council, the notice of which specifies the proposed admission as an item of business, award the Freedom of the City to persons of distinction and any persons who have rendered eminent service to the City.*
- (2) *The Chief Executive shall keep a roll containing the names of persons awarded the Freedom of the City under this section.*

**Access of Members to Council Books, Information etc**

58. (1) Subject to the provisions of the 1973 Act, any member of the Council shall be entitled to examine but shall not remove any books, minutes, writings, accounts and other documents relating to the business of the Council, in any office of the Council and to make such copies as they may think proper, provided, that where it appears to the Head of Democratic and Legal Services that a document discloses exempt information falling within any of the paragraphs of Schedule 7A ~~of to~~ the 1973 Act ~~that officer they~~ may require that the prior consent of the appropriate Committee be obtained.
- (2) Where a member requires information on any subject affecting or arising from the actions of the Council, such requests should be made direct to the Executive Director of the service concerned. Where the matter relates to more than one service, the request should be made direct to the Chief Executive or, in their absence, the Head of Democratic and Legal Services. Such requests will be responded to in writing within five working days of the request being received. In the case of requests arising from matters included on agenda, wherever practicable, responses shall be provided prior to Council or Committee meetings taking place.



**Reports by Officers**

59. (1) Not later than five clear working days before the issue of the agenda to which an officer intends to submit any report requested by the Council or a Committee or Sub-Committee, the officer shall forward copies to all members of the Council ~~Management—Leadership~~ Team, and any observations by these officers shall accompany the officer's report.
- (2) Every member of the Council shall receive a copy of reports by officers issued to members of Standing Committees etc, subject to the provisions of the 1973 Act.

**Reports etc to Press**

60. Press representatives shall receive copies of:-
- (a) agenda of meetings of the Council and its Committees and Sub-Committees;
  - (b) reports issued with such agenda;
  - (c) minutes of meetings of Sub-Committees to be submitted to Committees; and
  - (d) minutes of meetings of Committees to be submitted to the Council.

But subject to the provisions of the Local Government (Scotland) Act 1973 relative to the withholding of minutes and reports and sections of minutes and reports containing exempt information as specified in Schedule 7A ~~of to~~ the 1973 Act.

**Appointments of Officers and Staff**

61. (1) Subject to the terms of any enactment, all appointments to the post of Chief Executive and Executive Directors shall be made by the Council. The filling of such vacancies shall stand delegated to ~~a the~~ Personnel Appointments Sub-Committee.
- (2) On the occurrence of any vacancies within the Council for a permanent post other than that of an official specified in paragraph (1) of this Standing Order, the Chief Executive or appropriate Executive Director, shall (a) determine whether the vacancy is to be filled, (b) ensure that finance is available, and (c) request the Head of ~~Human Resources and Business Support~~ People Services to take appropriate steps for the filling of the vacancy in accordance with the policies of the Council. All appointments shall be made by the Executive Director concerned in consultation with the Head of ~~Human Resources and Business Support~~ People Services. In the case of second tier management posts, an invitation shall also be extended to the Chief Executive and relevant Convener to participate in the selection process if they so wish.
- (3) Subject to Standing Order 61(1), authority for the establishment and filling of posts, extension of posts and deletion of posts shall fall to the Chief Executive irrespective of the nature of the post eg temporary or permanent.

**Salaries, Wages and Conditions of Service of Employees**

62. (1) Where the Council is represented, either directly or by virtue of its membership of an Association of Local Authorities or Joint Councils for the regulation of salaries and wages and conditions of service, the Council shall give effect to the awards of such Joint Councils, reserving always to the Council any right of appeal competent to them against such awards; provided that where there are conflicting decisions by different Joint Councils on any question, the Council may accept such of the decisions as they may deem most appropriate or they may themselves decide the question.
- (2) In the case of employees whose salaries or wages and conditions of service are not regulated in terms of the preceding paragraph of this Standing Order, the Council shall pay salaries and wages and observe conditions of service not less favourable than those commonly recognised by employers' associations and trade unions or associations in the trade or employment in the district where the work is carried out.

- (3) Subject to the provisions of any enactment, Statutory Order or Instrument and to the terms of this Standing Order, the grade of any post shall not be varied without the approval of the Chief Executive.

#### **Restriction on Employees Undertaking Other Paid Employment**

63. An employee who wishes to undertake other paid employment or business activity must request permission to do so from their Head of Service. In the event of such permission being refused, the employee would have the right to appeal to their Executive Director.

#### **Officers not to retain Fees or Commissions**

64. An officer or other employee in receipt of a regular salary shall not be entitled to retain any fees or commissions collected or received in connection with the duties of their office unless with the sanction of the ~~Policy and Resources~~ City Governance Committee.

#### **Employees accepting Gratuity etc**

65. Any officer or other employee of the Council who corruptly accepts any gratuity, bonus, discount, bribe or consideration of any sort in connection with the duties of their office or employment shall be liable to summary dismissal.

#### **Public Notices, Invitations etc**

66. Subject to the provisions of any enactment, all public notices, intimations and invitations whether by press advertisement or otherwise required to be given by or on behalf of the Council or any Committee or service thereof, shall be made by and in the name of the Chief Executive for the time being or by such other officer or in such other manner as they may authorise.

#### **Use of Photographic and Sound Recording Equipment**

67. Subject to the provisions of Standing Order 41, the use of photographic and sound recording equipment by the media and members of the public at meetings of the Council and its Committees and Sub-Committees shall not be permitted without the prior approval of the members present at the meeting concerned. All requests must be made in writing and delivered to the Head of Democratic and Legal Services.

#### **The Ethical Standards in Public Life etc (Scotland) Act 2000**

68. All members of the Council shall be guided by the provisions of the Code of Conduct for Councillors, as appended hereto.

#### **Corporate Governance**

69. The Council shall operate in accordance with the principles of the CIPFA/SOLACE Framework on Corporate Governance in Local Government.

## **PART V**

### **REVISION OF STANDING ORDERS**

70. (1) Subject to the terms of any enactment and of any Standing Order, Instrument or Scheme, the foregoing Standing Orders and Order of Reference to Committees may be altered or revoked at any ordinary meeting of the ~~Policy and Resources~~ City Governance Committee, if the motion for alteration or revocation is supported by a majority of the Committee present and voting.
- (2) The preceding paragraph of this Standing Order shall not apply to these Standing Orders or portions thereof which incorporate the provisions of statutes or of Statutory Orders or Instruments which cannot be altered or revoked by the Council. (The Standing Orders (or portions thereof) to which this paragraph applies are printed in italics).



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SUB-COMMITTEES**

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**ORDER OF REFERENCE**  
**TO THE CITY COUNCIL, ITS COMMITTEES AND ~~TO~~ SUB-COMMITTEES**

Any reference in this Order to an Act of Parliament or Act of the Scottish Parliament shall be deemed to include a reference to Acts amending or extending the same.

**GENERAL**

All Committees have powers to deal with the undernoted as far as their interest is concerned and so far as it is not delegated to officers:-

- Supervision and control of the ~~services~~ Services reporting to the Committee concerned.
- Consideration of ~~Policy~~ policy, ~~Performance~~ performance and ~~Strategic~~ strategic issues.
- Consideration of applications and proposals for grants and subscriptions and monitoring of financial and performance information in accordance with the Council's Guidance on Following the Public Pound.
- Any items of business not detailed in the Order of Reference and which fall outwith the extent of powers detailed in the ~~Scheme of Delegation to officers~~ Delegation of Powers to Officers shall stand delegated to the Committee which deals with matters of a similar nature.

**CHILDREN ~~AND FAMILIES~~, FAMILIES AND COMMUNITIES COMMITTEE**

**Education**

- All functions of the Council as Education Authority under the Education (Scotland) Acts or under other legislation shall stand referred to this Committee and except where such delegation is excluded by the provisions of these Standing Orders and Schemes of Administration shall be delegated to it.

**Social Work**

Policies and Strategies for Children and Families including:-

- services for children in need and their families
- child protection services
- services to the Children's Hearing System
- adoption and fostering services
- family support
- residential and secure care
- throughcare and aftercare
- youth justice
- children with disabilities

**~~[From current Order of Reference to Children and Families Services Committee]~~**

- Child Sexual Exploitation

**~~[From current Order of Reference to Community Safety and Public Protection Committee]~~**

- ~~Policy and strategies for community learning and development opportunities for adults and young people.~~
- ~~Policy and strategies for Community Regeneration, Community Safety and Adult Literacy.~~
- ~~Policy and strategies for Voluntary and Community Organisations.~~

~~• Local Community Plans and strategies for community engagement.~~

~~• Schemes for the Establishment of Community Councils/Community Representative Structures.~~

~~[From current Order of Reference to Neighbourhood Services Committee]~~

#### **CITY GOVERNANCE COMMITTEE**

- Development, implementation and monitoring of corporate policies and plans, including the Council's role in Community Planning and Business Continuity Planning.
- Strategies on deprivation and social inclusion.
- Systems to monitor performance and ensure ~~best~~ Best value ~~Value~~.
- Organisation, administration and management procedures of the Council.
- Setting the Council Tax.
- Council Tax, Community Charge and Non-Domestic Rates.
- Housing and Council Tax Benefits.
- Rent Setting.
- Consideration of the annual and three year Revenue and Capital Budgets, ~~common~~ Common good ~~Good~~ budget, monitoring of ~~revenue~~ Revenue and ~~capital~~ Capital expenditure and reviews of R ~~revenue~~ and C ~~capital~~ expenditure during the financial year.
- ~~• Consideration of audited accounts.~~
- Consideration of any item referred to it in terms of the Financial Regulations.
- Financial services including Payroll, Purchase Ledger and Sales Ledger, Procurement (including approval of the Annual Procurement Strategy), Internal Audit, Insurance and Risk Management.
- Treasury Management including compliance with the CIPFA Code of Practice on Treasury Management in the Public Services.
- Superannuation funds and any other fund of a similar nature set up by the Council in pursuance of statutory powers including the review of investments, and the investment of new funds at the disposal of the Council.
- Insurance fund.
- Scheme of Salaries, Pensions and Expenses for ~~members~~ Members.
- Development and provision of information technology services.
- Policy and strategies for press and public relations, design services, printing and stationery.
- Human Resources functions for all employees (excluding teachers) including recruitment, training and development; conditions of service, maintenance of effective industrial relations; organisational development including the design of jobs and processes; equal opportunities in employment and provision of health and safety guidance.
- Consideration of proposals for the amendment or revocation of any of the Standing Orders or Schemes of Administration.

- Any matters not specifically referred to or delegated to any other Committee or not routinely dealt with at meetings of the ~~full City~~ Council.
- Leisure, Culture, Libraries, Sport and Physical Activity and Outdoor Learning Strategies and Development.
- To receive the annual report of the Chief Social Work Officer.
- Policies and Strategies on Welfare Rights.
- Scrutiny of Integrated Health and Social Care.
- Delivering services commissioned by Dundee Health and Social Care Integration Joint Board.
- Community Asset Transfer.

#### ~~[From current Order of Reference to Policy and Resources Committee]~~

- Receive annual report relating to the Council's statutory and regulatory duties for public protection including Child Protection, Adult Protection, Violence Against Women, Alcohol and Drugs Partnership and Multi Agency Public Protection.
- Provide assurance on the Council's duty to deliver an effective adult justice service determined by statutory inspections
- Consider and approve proposals to improve/transform services.
- Consider the Corporate Risk Register.
- Consideration of Tender Reports insofar as it is not delegated to Officers in terms of the ~~Tender Procedures Contract Standing Orders~~ and does not fall within the Terms of Reference of the ~~Fair Work, Economic City~~ Growth and Infrastructure Committee or the Neighbourhood, Housing and Communities Committee ~~Regeneration and Estate Management Committee~~.

#### ~~[Not in current Order of Reference]~~

- Policy and strategies for Criminal Justice, Community Justice, ~~Community Safety~~ and Public Protection.
- ~~To monitor the development and delivery of the Dundee Community Safety Partnership Strategy and Action Plan.~~
- Oversight of the Council's use of the Regulation of Investigatory Powers (Scotland) Act 2000 and Regulation of Investigatory Powers Act 2000.

#### ~~[From current Order of Reference to Community Safety and Public Protection Committee]~~

## CLIMATE, NET ZERO AND ENVIRONMENT-AND-BIODIVERSITY COMMITTEE

- Policies and strategies on refuse collection and waste disposal and waste regulation; street cleaning; removal of abandoned vehicles; recycling; public conveniences.
- Strategies on waste and sustainability.
- Policies and strategies for the management and maintenance of parks, children's play areas, playing fields, landscaped areas, cemeteries and all other areas of open space, including the development of asset management strategies for these areas.
- Environmental Strategies including Open Space and Allotment strategies.
- Functions under Part I of the Land Reform (Scotland) Act 2003 and Nature Conservation.
- Policies and strategies for Bereavement Services.
- Policies and strategies for community facilities in parks and outdoor events.

## [From current Order of Reference to Neighbourhood Services Committee]

- Policies and strategies relating to the public health of the City, including control of epidemic, endemic and infectious diseases; delivery of official controls for food safety and food standards; health and safety in relation to local authority regulated premises; protection of the community by abatement of pollution, in all its forms, including atmospheric pollution, contaminated land; poor sanitation and waste storage; inadequate ventilation; noise control; smoking prohibition; alcoholic licensing; animal and pest control; port health; aspects of anti-social behaviour; local air quality management and any other aspects of environmental health as it relates to the Council.
- Policies and strategies in relation to trading standards and consumer protection including weights and measures; product safety; consumer credit; age-restricted sales; tobacco control; agriculture and animal health; storage of petrol; storage of pyrotechnics and any other aspects of trading standards as it related to the Council.

## [From current Order of Reference to Community Safety and Public Protection Committee]

- Biodiversity strategies and activities.
- Land contamination strategy.
- Climate Change Activity.
- Reports related to the activities of the Dundee Climate Leadership Group.
- Low Emission Zone.
- Monitor the Council's compliance with its environmental targets, including its carbon budget, and statutory obligations, and any charters or memorandums of understanding which it enters, in relation to matters such as net zero, climate change, environmental sustainability, food growing and biodiversity.
- Approve the annual Climate Change Report for submission to the Scottish Government.
- Approve the Council's Climate Change Plan and monitor its delivery.
- Approve the Council's Biodiversity Duty Report.

- Monitor key performance indicators in relation to, and progress towards, the Council's decarbonisation pathway, climate adaption and the 2045 target for zero carbon.

~~[Not in current Order of Reference]~~

**FAIR WORK, ECONOMIC CITY GROWTH AND INFRASTRUCTURE COMMITTEE**

- Development plans and policies on land use, urban design and regeneration, conservation, tree protection, environmental improvements, public art projects, public rights of way, names of streets and safety at sports grounds.
- Transportation issues including walking, cycling, public transport infrastructure, schemes and contracts for concessionary bus and taxi fares, school transport, parking, traffic management and traffic calming.
- Policies and programmes for the maintenance of roads, bridges, footpaths and street lighting including construction of new and extensions of existing public roads.
- Proposals for the making of Traffic Regulation Orders, Stopping-Up Orders, Side Road Orders and Stopping-Up of Private Accesses Orders under the Road Traffic Regulation Act 1984, the Roads (Scotland) Act 1984 and the Town and Country Planning (Scotland) Act 1997, and to undertake all necessary consultations and consider objections and, where appropriate, to arrange hearings in accordance with the Local Roads Authorities' Traffic Orders (Procedure) (Scotland) Regulations 1987.
- Consider all matters relating to speed reduction measures and pedestrian safety issues adjacent to carriageways.
- Land reclamation and the Foreshore, Broughty Ferry Beach and Harbour.
- Stimulation of economic activity through inward investment, business development, trade promotion, tourism, training and employment assistance, development of industrial and commercial land and property, and marketing and promotional activity.
- Estates management for non-housing Council properties, including consideration of maintenance programmes and improvements, valuations, sales, leases and wayleaves.
- Co-ordination of all external funding sources including Scottish Government and UK Government Funding relating to the Terms of Reference of this Committee.
- City Centre and District Centre Management.
- Acquisition or disposal of land and buildings (excluding Council house sales under the Right to Buy legislation and Community Asset Transfer) required for or surplus to requirements held on any account.
- Consideration of tender reports involving all property insofar as it is not delegated to officers in terms of the ~~Tender Procedures~~Contract Standing Orders (excluding Housing Revenue Account properties).
- Corporate fleet management policies and strategies.

~~[From current Order of Reference to City Development]~~

- Strategies to support development of the City and Regional Economy.

~~[Not in current Order of Reference]~~

**LICENSING COMMITTEE**

- To exercise the Council's functions in respect of all licensing and permissions required under Public General Statutes and Local Acts having effect within the area of the City or any part

thereof unless the licensing issue/permission has been specifically delegated to another Committee.

- Approve licence fees and charges required by statute as far as the Committee's interest is concerned.

### [From current Order of Reference to Licensing Committee]

#### **NEIGHBOURHOOD, HOUSING AND COMMUNITIES COMMITTEE REGENERATION, HOUSING AND ESTATE MANAGEMENT COMMITTEE**

- Local Housing Strategy and Strategic Housing Investment Plan.
- Policies and Strategies on Housing Services.
- Working with other organisations in the public and private sectors to ensure quality and choice of housing throughout the City.

### [From current Order of Reference to Neighbourhood Services Committee]

- Provision of sheltered housing services, caretaking services, estate management services, permissions and tenancy management.
- Planned and reactive maintenance services for Council Housing including energy efficiency works, factoring services for owners of ex-Council houses and regeneration strategies.
- Policies and strategies on refugee resettlement.
- Policies and strategies on Dundee Construction Services.
- Consideration of Tender Reports insofar as it is not delegated to Officers in terms of the ~~Tender Procedures~~ Contract Standing Orders for Housing Revenue Account Properties.

### [Not in current Order of Reference]

- Grants from the Community Safety Fund to promote community safety, support community safety initiatives and diversionary youth work.
- Policies and Strategies in relation to the private housing sector including the provision of grants and other support services.
- Policy and strategies for community learning and development opportunities for adults and young people.
- Policy and strategies for Community Regeneration, Community Safety and Adult Literacy.
- Policy and strategies for Voluntary and Community Organisations.
- Local Community Plans and strategies for community engagement.
- Schemes for the Establishment of Community Councils/Community Representative Structures.
- To monitor the development and delivery of the Dundee Community Safety Partnership Strategy and Action Plan.
- Policy and strategies for Community Safety.
- Consideration of the local Policy Plan and scrutiny of Police performance reports.

- Consideration of the local Fire and Rescue Plan and scrutiny of Fire and Rescue Service performance reports.

### [From current Order of Reference to Community Safety and Public Protection Committee]

#### **PLANNING COMMITTEE**

- All functions, powers and duties of the Council as Planning Authority under any enactments so far as they relate to development management which term is deemed to include processing of all notifications and applications for permission or consent as provided under the Town and Country Planning (Scotland) Acts and subsidiary legislation including:-
- ~~Making a decision to hold a pre-determination hearing and the holding of that pre-determination hearing in terms of Section 38A(1) of the Town and Country Planning (Scotland) Act 1997 and Regulation 27 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013. Immediately after the pre-determination hearing, determining the application heard at the pre-determination hearing, and thereafter determining the application.~~
- Making a decision under Section 43A(6) of the Town and Country Planning (Scotland) Act 1997 to determine an application which would otherwise fall to be determined under the mandatory Scheme of Delegation under Section 43A of that Act but excluding reviews in terms of Section 43A of the Town and Country Planning (Scotland) Act 1997 which will be considered by the Planning Local Review body.
- The consideration of proposals to vary conditions or agreements attached to or relating to consents under the Town and Country Planning (Scotland) Acts and subsidiary legislation.
- All functions of the Council under the Building (Scotland) Act 2003 and all regulations made thereunder, and in relation to defective or dangerous buildings.

### [From current Order of Reference to Planning Committee]

#### **SCRUTINY COMMITTEE**

- ~~To scrutinise, review and examine reports and action plans relating to service delivery and Council policy referred to the Committee from the City Council, its Committees and Sub-Committees (excluding reports referred to a Best Value Working Group) and report back where necessary.~~
- ~~To examine and review external inspection reports from HMIE on individual schools or from the Care Inspectorate on individual establishments which would benefit from scrutiny and report back to the relevant service committee as appropriate. Where external inspection reports are good or better and would not benefit from in-depth scrutiny scores will be reported together with any best practice to improve performance at other schools and establishments.~~
- ~~To examine the Scottish Public Services Ombudsman (SPSO) annual report and report back to the relevant Committee as appropriate and the SPSO annual report and report back to the relevant Committee as appropriate.~~
- ~~To review and monitor the Council's complaints system and report back to the relevant Committee as appropriate.~~
- ~~To review annually the Council's corporate governance arrangements and report back to the City Governance Committee as appropriate.~~
- ~~To consider any reports by the Standards Commission for Scotland relevant to members of the Council submitted by the Monitoring Officer and thereafter report back to the City Council or relevant Committee as appropriate.~~



- ~~To consider matters concerning the maintenance and public availability of a Register of Interests for Members and Executive Directors, including any information which might require to be redacted.~~
- ~~To remit to Scrutiny Panels to review no more than two specific areas at a time identified by the Scrutiny Committee and to report back.~~
- ~~To monitor the Public Performance Report considered by the City Governance Committee.~~
- ~~To consider and monitor the strategy, plan and performance of the Council's risk management arrangements and seek assurances that action is being taken on risk related issues.~~
- ~~To consider and monitor the strategy, plan and performance of the Council's Internal Audit Service.~~
- ~~To consider the strategy and plans of the Council's External Auditor.~~
- ~~To consider internal and external audit reports and seek assurance that appropriate action has been taken.~~
- ~~To monitor the implementation of internal and external audit recommendations agreed with management.~~
- ~~To receive the annual report of the Senior Manager Internal Auditor.~~
- ~~To consider and monitor the effectiveness of the Council's anti-fraud and anti-corruption arrangements and receive reports on an exception basis.~~
- ~~To review performance reports and progress in implementing the Council Plan, Service Plans and the Local Outcome Improvement Plan.~~
- ~~To consider Public Service Improvement Framework Self-Assessment reviews.~~
- ~~To consider any item submitted by any member such item having first being submitted to and agreed by the Chief Executive in consultation with the Convener.~~
- ~~Consideration of unaudited and audited accounts.~~

### [From current Order of Reference to Scrutiny Committee]

- ~~Consideration of the Local Policing Plan and scrutiny of Police performance reports.~~
- ~~Consideration of the Local Fire and Rescue Plan and Scrutiny of Fire and Rescue Service performance reports.~~

### [From current Order of Reference to Community Safety and Public Protection Committee]

## **SCRUTINY AND AUDIT COMMITTEE**

### **Introduction**

- The Committee's purpose is to provide an independent and high-level focus on the adequacy of governance, risk and control arrangements. Its role in ensuring there is sufficient assurance over governance, risk and control gives greater confidence to all those charged with governance that those arrangements are effective.
- The Committee has oversight of both internal and external audit, together with the financial and governance reports, helping to ensure there are adequate arrangements in place for both internal challenge and public accountability.

### **Governance, risk and control**

- To review annually the Council's corporate governance arrangements and report back to the City Governance Committee as appropriate.
- To examine the Scottish Public Services Ombudsman (SPSO) annual report and report back to the relevant Committee as appropriate and the SPSO annual report and report back to the relevant Committee as appropriate.
- To consider any reports by the Standards Commission for Scotland relevant to members of the Council submitted by the Monitoring Officer and thereafter report back to the City Council or relevant Committee as appropriate.
- To consider matters concerning the maintenance and public availability of a Register of Interests for Members and Executive Directors, including any information which might require to be redacted.
- To consider and monitor the strategy, plan and performance of the Council's risk management arrangements and seek assurances that action is being taken on risk related issues.
- To consider internal and external audit reports and seek assurance that appropriate action has been taken.
- To monitor the implementation of internal and external audit recommendations agreed with management.
- To consider reports on the effectiveness of financial management arrangements, including compliance with CIPFA's Financial Management Code.
- To consider the Council's arrangements to secure value for money and review assurances and assessments on the effectiveness of these arrangements.
- To review the assessment of fraud risks and potential harm to the Council from fraud and corruption.
- To consider and monitor the effectiveness of the Council's anti-fraud and anti-corruption arrangements and receive reports on an exception basis.
- To review the governance and assurance arrangements for significant partnerships or collaborations.

#### **Financial and governance reporting**

- To review the Annual Governance Statement (AGS) prior to approval and consider whether it properly reflects the risk environment and supporting assurances, including the head of internal audit's annual opinion.
- To consider whether the annual evaluation for the AGS fairly concludes that governance arrangements are fit for purpose, supporting the achievement of the authority's objectives.
- To monitor the arrangements and preparations for financial reporting to ensure that statutory requirements and professional standards can be met.
- To review the annual statement of accounts. Specifically, to consider whether appropriate accounting policies have been followed and whether there are concerns arising from the financial statements or from the audit that need to be brought to the attention of the Council.
- To consider the external auditor's report to those charged with governance on issues arising from the audit of the accounts from the audit of the accounts.

#### **Arrangements for audit and assurance**

##### **External audit**

- To consider the external auditor's annual audit plan, relevant reports and the report to those charged with governance.
- To consider additional commissions of work from external audit.
- To advise and recommend on the effectiveness of relationships between external and internal audit and other inspection agencies or relevant bodies.
- To provide free and unfettered access to the Audit Committee chair for the auditors, including the opportunity for a private meeting with the Committee.

### **Internal audit**

- To approve the internal audit charter and mandate.
- To review proposals made in relation to the appointment of external providers of internal audit services and to make recommendations.
- To approve the risk-based internal audit plan, including internal audit's resource requirements, the approach to using other sources of assurance and any work required to place reliance upon those other sources.
- To approve significant interim changes to the risk-based internal audit plan and resource requirements.
- To make appropriate enquiries of both management and the head of internal audit to determine if there are any inappropriate scope or resource limitations.
- To consider any impairments to the independence or objectivity of the head of internal audit arising from additional roles or responsibilities outside of internal auditing and to approve and periodically review safeguards to limit such impairments.
- To consider reports from the head of internal audit on internal audit's performance during the year, including the performance of external providers of internal audit services. These will include:-
  - updates on the work of internal audit, including key findings, issues of concern and action in hand as a result of internal audit work;
  - regular reports on the results of the Quality Assurance and Improvement Programme (QAIP);
  - reports on instances where the internal audit function does not conform to the Global Internal Audit Standards (UK Public Sector), considering whether the non-conformance is significant enough that it must be included in the AGS.
- To consider the head of internal audit's annual report, including:-
  - the statement of the level of conformance with the PSIAS and LGAN and the results of the QAIP that support the statement (these will indicate the reliability of the conclusions of internal audit);
  - the opinion on the overall adequacy and effectiveness of the Council's framework of governance, risk management and control, together with the summary of the work supporting the opinion (these will assist the Committee in reviewing the AGS).
- To consider summaries of specific internal audit reports as requested.
- To receive reports outlining the action taken where the head of internal audit has concluded that management has accepted a level of risk that may be unacceptable to the authority or there are concerns about progress with the implementation of agreed actions.
- To contribute to the QAIP and the external quality assessment of internal audit that takes place at least once every five years.

- to provide free and unfettered access to the audit committee chair for the head of internal audit, including the opportunity for a private meeting with the committee.

### **Accountability Arrangements**

- To report to those charged with governance on the committee's findings, conclusions and recommendations concerning the adequacy and effectiveness of their governance, risk management and internal control frameworks, financial reporting arrangements and internal and external audit functions.
- To report to full council on a regular basis on the committee's performance in relation to the terms of reference and the effectiveness of the committee in meeting its purpose.
- To publish an annual report on the work of the committee, including a conclusion on the compliance with the **CIPFA Position Statement**.
- To consider any item submitted by any member such item having first being submitted to and agreed by the Chief Executive in consultation with the Convener.

### **Scrutiny Elements**

- To consider any item submitted by any member such item having first being submitted to and agreed by the Chief Executive in consultation with the Convener.
- To scrutinise, review and examine reports and action plans relating to service delivery and Council policy referred to the Committee from the City Council, its Committees and Sub-Committees (excluding reports referred to a Best Value Working Group) and report back where necessary.
- To examine and review external inspection reports from HMIE on individual schools or from the Care Inspectorate on individual establishments which would benefit from scrutiny and report back to the relevant service committee as appropriate.
- Where external inspection reports are good or better and would not benefit from in-depth scrutiny scores will be reported together with any best practice to improve performance at other schools and establishments.
- To review and monitor the Council's complaints system and report back to the relevant Committee as appropriate.
- To remit to Scrutiny Panels to review no more than two specific areas at a time identified by the Scrutiny and Audit Committee and to report back.
- To monitor the Public Performance Report considered by the City Governance Committee.
- To review performance reports.
- To review progress in implementing the City Plan, Council Plan, Service Plans and the Single Outcome Agreement.
- To consider Public Service Improvement Framework Self-Assessment reviews.

## **ORDER OF REFERENCE** **FOR ROUTINE MEETINGS OF THE CITY COUNCIL**

### **CITY COUNCIL**

- Consideration and disposal of the minutes of meetings of the Council's Committees or Sub-Committees so far as necessary in terms of the Council's Standing Orders.
- All the functions of the Council under any enactments governing the election of the Council including consideration of any proposals for changes to electoral boundaries.
- The consideration of any requests for permission to use the Council's Coat of Arms.
- Proposals to award of any persons the Freedom of the City.
- To be responsible for the maintenance and development of the Council's twinning links.
- The consideration of any requests for hospitality which fall outwith the extent of the powers delegated to the Head of Democratic and Legal Services as detailed in the ~~Scheme of Administration~~—Delegation of Powers to Officers.

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- Appointment of representatives to external bodies.
- The making of Compulsory Purchase Orders.
- The promotion of or initiating of opposition to private legislation.
- ~~The determination of applications in terms of Section 38A(1) of the Town and Country Planning (Scotland) Act 1997 and Regulation 27 of the Town and Country Planning (Development Management Procedures) (Scotland) Regulations 2008 subject to the pre-determination hearing being heard by the Planning Committee.~~
- Consideration of any reports by the Standards Commission for Scotland including decisions of the Standards Commission for Scotland in terms of Section 18 of the Ethical Standards in Public Life (Scotland) Act 2000 (~~"the Act"~~) and Rule 10.9 of the Standard Commission's Hearing Rules.

~~[From current Order of Reference to City Council]~~

**LOCAL GOVERNMENT (SCOTLAND) ACT 1973****SECTION 43****SCHEDULE 7**

(As amended by Section 38 of the Local Government (Scotland) Act 1975 and Paragraph 26 of Schedule 3 to the Local Government and Planning (Scotland) Act 1982).

**Meetings and Proceedings of Local Authorities**

1. (1) A Council shall hold in every year such meetings as they think necessary and in an election year shall hold a meeting within 21 days from the date of the election.
- (2) Meetings shall be held at such hours and on such days as the Council at their first meeting decide or by standing order determine.
- (3) Meetings shall be held at such place, either within or without their area, as the Council may direct.
- (4) A special meeting may be called at any time by the convener of the Council or on the requisition of at least one-fourth of the whole number of members of the Council, which meeting shall be held within 14 days of receipt of the requisition by the Proper Officer of the Council.
2. (1) Three clear days at least before a meeting of a Council:-
  - (a) notice of the time and place of the intended meeting shall be published at the Council's offices and, where the meeting is called by members of the Council, the notice shall be signed by those members and shall specify the business proposed to be transacted thereat; and
  - (b) a summons to attend the meeting, specifying the business to be transacted thereat and signed by the Proper Officer of the Council, shall, subject to sub-paragraph (2) below, be left at or sent to the usual place of residence of every member of the Council.
- (2) If a member of a Council gives notice in writing to the Proper Officer of the Council that he/she desires summonses to attend meetings of the Council to be sent to him/her at some address specified in the notice other than his/her place of residence, any summons addressed to him/her and left at or sent by post to that address shall be deemed sufficient service of the summons.
- (3) Want of service of a summons on any member of a Council shall not affect the validity of a meeting of the Council.
- (4) Except in the case of business required by or under this or any other Act to be transacted at a meeting of a Council and any other business brought before that meeting as a matter of urgency in accordance with the Council's standing orders, no business shall be transacted at a meeting of the Council other than that specified in the summons relating thereto.
3. (1) At a meeting of a Council the convener, if present, shall preside.
- (2) If the convener is absent from a meeting of the Council, the depute-convener shall preside.
- (3) If the convener and depute-convener are absent from a meeting of the Council, another member of the Council chosen by the members present shall preside.
4. (1) Subject to sub-paragraph (2) below, no business shall be transacted at a meeting of a Council unless at least one-fourth of the whole number of members of the Council are present.

- (2) Where there are at the same time vacancies in the case of more than one-third of the members of the Council, then until the number of members in office is increased to not less than two-thirds of the whole number of members of the Council, the quorum of the Council shall be determined by reference to the number of members of the Council remaining instead of by reference to the whole number of members of the Council, so however that the quorum shall never be less than one-eighth of the whole number of members of the Council or three members, whichever is the greater number.
5.
  - (1) Subject to this or any other Act and to any provisions of standing orders relating to the suspension of such orders or to the procedure for early removal from office of the convener or depute-convener, all questions coming or arising before a Council shall be decided by a majority of the members of the Council present and voting thereon at a meeting of the Council.
  - (2) In the case of an equality of votes, the person presiding at the meeting shall have a second or casting vote except where the matter which is the subject of the vote relates to the appointment of a member of the Council to any particular office or committee, in which case the decision shall be by lot.
6. The names of the members present at a meeting of a Council shall be recorded.
7.
  - (1) Minutes of the proceedings of a meeting of a Council shall be drawn up and shall be signed at the same or next following meeting of the Council by the person presiding thereat, and any minute purporting to be so signed shall be received in evidence without further proof.
  - (2) Until the contrary is proved, a meeting of a Council a minute of whose proceedings has been made and signed in accordance with this paragraph shall be deemed to have been duly convened and held, and all the members present at the meeting shall be deemed to have been duly qualified.
8. Subject to the provisions of this Act, a Council may make standing orders for the regulation of their proceedings and business and may vary or revoke any such orders.
9. The proceedings of a Council shall not be invalidated by any vacancy among their number or by any defect in the election or qualifications of any member thereof.
10.
  - (1) Paragraphs 5 to 9 above (except paragraph 7(2)) shall apply in relation to:-
    - (a) a Committee (including a Joint Committee) of a Council and that Committee's members; or
    - (b) a Sub-Committee of any such Committee of a Council and that Sub-Committee's members, as those paragraphs apply in relation to a Council and that Council's members.
  - (2) Until the contrary is proved, where a minute of any meeting of any such Committee or Sub-Committee has been made and signed in accordance with paragraph 7 above as applied by this paragraph, the Committee or Sub-Committee shall be deemed to have been duly constituted and to have had power to deal with the matters referred to in the minute, the meeting shall be deemed to have been duly convened and held and the members recorded under paragraph 6 above as having been present at the meeting shall be deemed to have been duly qualified.

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## **APPENDIX**

# **THE ETHICAL STANDARDS IN PUBLIC LIFE ETC (SCOTLAND) ACT 2000**

## **CODE OF CONDUCT FOR COUNCILLORS**

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# FINANCIAL REGULATIONS

OF

~~DUNDEE CITY COUNCIL~~

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## **FINANCIAL REGULATIONS**

### **1. Introduction**

#### **1.1 General**

Dundee City Council is committed to delivering high quality, integrated services at the heart of a network of partners. The Council has adopted modern business processes, enabled by technology, so that services are organised around the needs of citizens.

These Regulations are prepared under Section 95 of the Local Government (Scotland) Act 1973, the Local Authority Accounts (Scotland) Regulations 2014 and the Council's Standing Orders.

Dundee City Council has a commitment to demonstrate effective stewardship of public money and reassurance through transparent accounting practices and robust financial controls. The Financial Regulations form an integral part of the financial stewardship and corporate governance of the Council.

A brief summary of and hyperlink to the associated codes, procedure manuals and documents is included at the end of this document.

#### **1.2 Executive Director of Corporate Services as Proper Officer**

The Executive Director of Corporate Services, being the Proper Officer as required by Section 95 of the Local Government (Scotland) Act 1973, shall be responsible to the ~~Policy and Resources~~ City Governance Committee for the proper administration of the Council's financial affairs. The Local Authority Accounts (Scotland) Regulations 2014 require the Proper Officer to determine the form of and maintain accounting control systems and supporting accounting records and to ensure that the accounts and records are kept up-to-date by the relevant Executive Director. The Proper Officer must ensure that the accounting control systems are observed and that the accounting records of the local authority are kept up-to-date.

#### **1.3 Executive Director of Corporate Services as Adviser**

The Executive Director of Corporate Services shall report to the ~~Policy and Resources~~ City Governance Committee with respect to the level of financial resources proposed to be utilised in each financial year by the Council, shall keep the ~~Policy and Resources~~ City Governance Committee informed as to the detailed administration and application of such resources, and shall keep other Committees informed with respect to the financial implications of their activities.

### **2. Responsibilities and Observance of Financial Regulations**

#### **2.1 Obligation to Observe Financial Regulations**

The Financial Regulations of Dundee City Council set out the mandatory framework for the proper financial administration of the financial affairs of the Council and apply to every financial transaction and all Council officers. Failure to comply with the requirements of the Financial Regulations of Dundee City Council may result in disciplinary action or dismissal.

#### **2.2 Executive Director of Corporate Services**

It shall be the responsibility of the Executive Director of Corporate Services, or designated officer, to ensure that the Financial Regulations are kept up-to-date and monitored for effectiveness and continuing validity. Changes in Statute, professional guidance or Council policy that have a financial impact shall be reflected within the Financial Regulations.

## 2.3 Responsibility of Service Executive Directors

It shall be the duty of each Executive Director to ensure that this Code of Practice and all associated procedure manuals and documents as listed at the end of this document are made known to appropriate staff members and shall ensure full compliance with them. Each Executive Director shall prepare revenue estimates in respect of their services in consultation with the Executive Director of Corporate Services. Executive Directors are also responsible for contributing towards the preparation of the Capital Plan, ~~the Annual Service Plan, and Improvement Reports~~. Executive Directors shall ensure that the Executive Director of Corporate Services is informed of all financial matters that may have a significant impact on their services, seeking financial advice where necessary.

## 2.4 Responsibility of Managing Directors and Chief Executives of associated or Subsidiary Companies, Trusts etc

It shall be the responsibility of all Managing Directors and Chief Executives of associated or subsidiary companies, trusts, etc whose accounts form part of the Council's Group Accounts to adhere to the principles of good financial management as contained in these Financial Regulations and the procedures manuals and documents referred to at the end of this document. It is recognised that related companies and charitable trusts will be required to operate to different standards of financial accounting and reporting. In all other matters Managing Directors and Chief Executives will be expected to follow the principles laid down in these regulations. Managing Directors and Chief Executives are also responsible for the submission of an Annual Governance Assurance Statement.

## 2.5 Audit Responsibility

### 2.5.1 Internal Audit

The primary purpose of internal audit reporting is to communicate to management and Elected Members information that provides an independent and objective opinion on the control environment and risk exposure and to prompt management to implement the agreed actions.

The Internal Audit Service is a statutory assurance function that provides an independent and objective opinion to the organisation on the control environment by evaluating its effectiveness in achieving the organisation's objectives. The control environment comprises the systems of governance, risk management and internal control. The remit of the service is to objectively examine, evaluate and report on the adequacy of internal control as a contribution to the proper, economic, efficient and effective use of resources throughout the Council's activities.

It is a fundamental element of the Council's governance and assurance framework. The Service operates in accordance with the mandatory ~~Public Sector Internal Audit Standards~~ which encompass the principles fundamental to the professional practice of internal auditing within the public sector and its purpose, authority and responsibility are formally defined in an Internal Audit Charter.

The existence of Internal Audit does not diminish the responsibility of management to establish the extent of internal control in the organisation's systems and management should not depend on Internal Audit as a substitute for effective controls.

Internal Audit should be independent of the activities it reviews to enable auditors to perform their duties in a way that allows them to make impartial and effective professional judgements and recommendations. Internal Auditors should therefore not have any operational responsibilities.

Given the scope of internal audit work covers the organisation's entire control environment, Internal Audit is required to have unrestricted access to all records, assets, personnel and premises and the authority to obtain such information and explanations it considers necessary to discharge its responsibilities.

The Service includes a Corporate Fraud Team, responsible for the detection and prevention of corporate fraud, including potential cases relating to Council Tax discounts and exemptions, Council Tax Reduction Scheme, blue badges and licensing.

Responsibilities surrounding the National Fraud Initiative also rest with the Service.

The ~~Senior Manager – Internal Audit~~ Chief Internal Auditor (whether employed or engaged to act on behalf of the Council) or duly authorised representative may:-

- Enter at all reasonable times any Council premises or land;
- Have access to all records (electronic or manual), documents and correspondence relating to any financial or other transaction of the Council;
- Require and receive such explanations as are necessary concerning any matter under examination;
- Require any employee to produce cash, stores, or any other Council property under their control;
- Examine financial records of organisations in receipt of grant aid from the Council.

Whenever any matter arises which involves, or is thought to involve, irregularities concerning funds, stores or other property of the Council or associated or subsidiary companies and trusts or any suspected irregularity in the exercise of the functions of the authority, the Service Executive Director or Managing Director/Chief Executive concerned shall notify in writing to the ~~Senior Manager – Internal Audit~~ Chief Internal Auditor who shall take whatever steps are necessary by way of investigation and report. The ~~Senior Manager – Internal Audit~~ Chief Internal Auditor shall deal with such irregularities in accordance with the Council's Whistleblowing Policy and following consultation with the Chief Executive or Executive Director of Corporate Services shall, where appropriate, report the matter to Police Scotland.

The Council's Fraud Guidelines detail the approach and procedures in relation to the investigation of fraudulent activities.

There is a requirement for each department to report all cases of suspected fraud to Internal Audit, who have a duty to record, monitor and formally report on such matters to the Council's External Auditor.

As the nature and complexity of fraudulent activities varies considerably, the approach to an investigation will be decided on a case by case basis. The Chief Executive, the Executive Director concerned, ~~Head of Human Resources and Business Support~~ Head of People Services and the Executive Director of Corporate Services may be consulted, as deemed appropriate, as to the approach to be adopted.

It is the responsibility of the Executive Director of the department to ensure that the Chief Executive and the ~~Head of Human Resources and Business Support~~ Head of People Services are advised of any suspected irregularities.

It is the responsibility of the ~~Senior Manager – Internal Audit~~ Chief Internal Auditor to advise the Executive Director of Corporate Services of any suspected irregularities and provide updates during the investigation as deemed appropriate.

## 2.5.2 Councillors

A Committee of the Council shall be charged with overseeing the work of the Audit function. The Terms of Reference for the Committee will be published in accordance with the standing orders of the Council. The Committee responsible for oversight of the audit function is the Scrutiny and Audit Committee. A full copy of the Committee's Terms of Reference can be found on the Council's Internet site.

## 2.5.3 External Audit

The Council's External Auditor shall have the right to demand access to all records (electronic or manual), documents and correspondence relating to any financial or other transactions of the Council and receive such explanations as are necessary concerning any matter under examination. Officers of the Council, officers in associated or subsidiary companies, trusts etc and officials of grant aided bodies will ensure that these rights are given to External Auditors.

## **2.6 Responsibility of the Head of Democratic and Legal Services**

The Head of Democratic and Legal Services (the Monitoring Officer) will provide advice on the legal powers the Council has to act and the legality or otherwise of proposed income and expenditure. The Head of Democratic and Legal and Services shall deal with reported irregularities in accordance with the Council's Whistleblowing Policy and following consultation with the Chief Executive or Executive Director of Corporate Services shall, where appropriate, report the matter to Police Scotland. A register of matters relating to Fraud, Bribery and Corruption and Whistleblowing will be retained by the Head of Democratic and Legal Services and a report on matters arising from concluded investigations will be presented to the Scrutiny and Audit Committee annually.

## **2.7 Non-Compliance**

Any breach or non-compliance with these Regulations must on discovery be reported immediately to the Executive Director of Corporate Services who may consult the Chief Executive and/or the relevant Executive Director considered appropriate in order to determine the proper action to be taken.

## **3. Financial Stewardship**

### **3.1 Roles and Responsibilities**

The roles and responsibilities of Councillors and Officers are clearly defined in the Standing Orders of the authority, the Scheme of Delegation of Powers to Officers of the Council, the Scheme of Tender Procedures and the Scheme of Financial Regulations.

The Council has a Members/Officers Code of Conduct in addition to the Financial Regulations, Standing Orders and Disciplinary Procedures.

The Council's Chief Executive is responsible to the authority for all aspects of executive management. The Chief Executive, Executive Director of Corporate Services and Head of Democratic and Legal Services are responsible for ensuring that agreed procedures are followed and that all applicable statutes, regulations and statements of good practice are complied with.

The Executive Director of Corporate Services is responsible for ensuring appropriate advice is given to the Council on all financial matters, keeping proper financial records and accounts and maintaining an effective system of internal financial control under the terms of the Financial Regulations.

### **3.2 Introduction**

Dundee City Council is committed to achieving Best Value and the highest possible standards in the delivery of its services. The Council attaches a very high priority to exercising strong control over the management of its financial resources. Both objectives are facilitated by the provision of high quality financial management and control, through continuous improvement, to meet both statutory requirements and the needs of clients/customers in the most efficient and effective manner in terms of Best Value.

Financial management is provided to the Council, its Committees and Services through an accounting function that provides corporate financial management and service specific accounting. Within all Services, budget holders undertake financial management in varying degrees to their conveners, Committees and their directorate.

These financial regulations clearly define the respective roles and responsibilities of officers in both the accounting function and Services. Implementation of the recommended procedures will improve the effectiveness of financial management and control and ensure the continued development of best practice.

### 3.3 Councillors

As Council and Committee Members, Councillors have a personal, individual and collective responsibility for the Council's organisation and activities. Councillors are responsible for ensuring that adequate management arrangements are in place, developing and taking decisions on the use of the Council's physical, financial and human resources and to concern themselves with the performance, development, continuity and overall well-being of the organisation (extract from the Code of Conduct for Councillors).

To enable Councillors to discharge their responsibilities in this respect, officers must present to Councillors appropriate information on the Council's performance both in operational and financial terms to allow them to ask relevant questions. Councillors will also expect to be advised on all legal matters pertaining to the operation of the Council.

### 3.4 Chief Executive

The Chief Executive has a responsibility, through the Executive Director of Corporate Services, to ensure that Standing Orders and these Financial Regulations are applied across the Council, and the appropriate Committee structures are in place. It is the responsibility of the Executive Director of Corporate Services to ensure that the relevant Committees operate to the agreed standard.

The Chief Executive, as Head of Paid Service, has an authority over all officers and has responsibility for ensuring that the Council maintains an efficient use of the resources at its disposal. However, the Chief Executive relies on senior officers of the Council to inform him of the up-to-date position of an operation. Executive Directors shall therefore give the Chief Executive a commentary on specific matters.

The Chief Executive does not have operational responsibility for Services, which is delegated to Executive Directors. Similarly, the Chief Executive has delegated, to the Executive Director of Corporate Services, the responsibility for establishing the appropriate financial reporting framework. Consequently, the Executive Director shall formally report any major problems identified to the Executive Director of Corporate Services and to the Chief Executive who can instruct on appropriate action and report as appropriate.

On a periodic basis a summary of the financial position of each service shall also be reported to the Chief Executive. In pursuance of this, a regular monitoring statement shall be included on the agenda of the Council Management Team.

### 3.5 Executive Director of Corporate Services

The Chief Financial Officer is a statutory appointment under Section 95 of the Local Government (Scotland) Act 1973. This states that every local authority shall make arrangements for the proper administration of its financial affairs and shall ensure that one of its officers has responsibility for the administration of these affairs. The primary legislation is supplemented by Scottish Executive Regulations. In Dundee City Council, the Executive Director of Corporate Services is the responsible officer.

Further, the Chartered Institute of Public Finance and Accountancy (CIPFA) has defined in detail the role of the Chief Financial Officer within local government.

CIPFA specifically outlines the role of the Chief Financial Officer as being:-

- a key member of the Leadership Team, helping it to develop and implement strategy and to resource and deliver the authority's strategic objectives sustainably and in the public interest;
- actively involved in, and able to bring influence to bear on, all material business decisions to ensure immediate and longer-term implications, opportunities and risks are fully considered, and alignment with the authority's financial strategy;
- and must lead the promotion and delivery by the whole authority of good financial management so that public money is safeguarded at all times and used appropriately, economically, efficiently and effectively.

To deliver these responsibilities the Chief Financial Officer:-

- must lead and direct a finance function that is resourced to be fit for purpose; and must be professionally qualified and suitably experienced.

There exists, however, a degree of decentralisation of financial administration within the Council and the responsibilities of the Executive Director of Corporate Services must be seen in this context. This Code of Practice delegates much of the day to day financial administration to staff within Corporate Finance and to Executive Directors, the extent of which shall be outlined within a framework of job descriptions.

### 3.5.1 Financial Management

As head of strategic and operational financial management and administration, it is the responsibility of the Executive Director of Corporate Services to:-

- ensure that a proper and prudential financial framework exists within the Council in terms of relevant legislation and codes of practice;
- secure effective systems of financial administration;
- ensure that financial management arrangements are in line with strategic policies and objectives and the Council's overall management arrangements.

Specifically, the Executive Director of Corporate Services will:-

- advise on effective systems of internal control such as financial regulations;
- secure effective systems of internal financial control to ensure that income collected and payments made are accurate, complete and timely;
- advise on anti-fraud and anti-corruption measures through an effective internal audit function;
- ensure that all staff with financial management responsibilities are made aware of the existence and content of this Code of Practice and their requirement to comply with the code.

### 3.5.2 Supporting the Democratic Process

In supporting and advising the democratic process, the Executive Director of Corporate Services is expected to:-

- advise on the respective roles of Councillors and officers on financial management;
- advise Councillors on an overall financial strategy which serves policy and service objectives;
- provide Councillors with clear, accurate and impartial advice when considering service plans and budgets;
- provide timely, accurate and impartial advice on reported financial performance, including reporting any concerns and/or disagreements with Executive Directors on the stated financial position and the reliability of financial systems;
- ensure that Councillors have adequate access to financial skills and are provided with an appropriate level of financial training on an ongoing basis.

### 3.5.3 Contributing to Corporate Management and Leadership

The Executive Director of Corporate Services has an essential part to play in the corporate management of the authority by:-

- contributing to the effective leadership of the authority;
- contributing to the management of the authority;
- ensuring that the authority's financial resources are well managed;
- contributing to cross-authority issues and to the development of the authority.

#### 3.5.4 Supporting and Advising Operational Officers

In supporting and advising operational officers, the Executive Director of Corporate Services shall:-

- ensure that financial strategy and arrangements serve policy and service objectives, advising Services on all strategic and operational financial matters and on the availability of resources;
- advise officers on performance and standards to be adhered to in relation to financial matters;
- delegate responsibility for financial management and control to Executive Directors, ensuring the development and maintenance of appropriate management accounting systems, functions and controls and that these are compatible with the corporate financial reporting systems;
- ensure that officers' roles and responsibilities are clear and understood and that budget managers have access to adequate financial skills;
- provide timely, accurate and impartial advice to the Chief Executive on any concerns or disagreements with Executive Directors on the reported financial position or reliability of financial systems.

#### 3.5.5 Leading and Managing an Effective and Responsive Financial Service

In leading and managing the authority's finance function, the Executive Director of Corporate Services will:-

- secure high standards of performance and service to the public;
- demonstrate accountability to the public by providing robust financial and performance information;
- establish a good, professional working relationship with external auditors and other statutory agencies;
- act as head of profession for all finance staff in the authority.

### 3.6 **Executive Directors**

Within the overall framework of the financial management and administration arrangements, it is the responsibility of the Executive Directors to:-

- ensure adherence to these financial regulations, Standing Orders, and any other legislative or Council requirements;
- manage the expenditure and income of the Service and ensure its control within approved budgets;
- prepare draft budget and service plan submissions, in conjunction with the Executive Director of Corporate Services and Chief Executive;
- provide data necessary to enable the completion of budgets, monitoring reports, annual reports and all Government or other returns, in conjunction with the Executive Director of Corporate Services;

- formally report any major financial problems identified within the Service to the Executive Director of Corporate Services and, if appropriate, the Chief Executive, who can instruct appropriate action and report if required.

In practice, duties will be delegated to operational managers within the Service, the extent of which shall be covered by a framework of job descriptions clearly defining individual responsibilities.

### **3.7 Corporate Finance Staff**

Roles and responsibilities of Corporate finance staff in relation to service and budget holders:-

#### **3.7.1 Financial Leadership**

- Build a culture of effective financial management within the service.
- Ensure financial standards are applied across the service and act as a role model.
- Demonstrate a commitment to good financial management.
- Scan the external environment for future developments that impact financial management.
- Help assess the financial culture in the service and provide feedback and support.
- Create the framework for good financial governance and manage effective reporting and control mechanisms.
- Work in partnership with services to develop strategy that will strengthen the business.

#### **3.7.2 Insight and Solutions**

- Identify opportunities arising from external and internal changes.
- Create and implement appropriate plans to deliver best value.
- Generate and assess options and deliver them.
- Balance long and short-term decision making considering cross Council implications.
- Support the decision-making process by providing pro-active advice, commercial insight and creative solutions.
- Ask appropriate probing questions and assess the financial impact of decisions.
- Support the framework for effective decision making and manage risk.
- Regulate governance of partner organisations and effectively supervise contracts.

#### **3.7.3 Stakeholder Engagement**

- Demonstrate a partnership with finance service.
- Maintain required skills and competencies.
- Engage appropriate people within and outside the team and commit appropriate resource to managing the business.
- Role model standards of professional competency in financial matters within the service and support a shared understanding of effective financial management.
- Effectively advise, support, train and challenge budget holders supporting a shared understanding of service operations and the financial position.
- Operate an effective performance culture that encourages customer feedback.
- Facilitate productive budget holder meetings.

#### **3.7.4 High Quality Reporting, Planning and Analysis**

- Demonstrate knowledge of the financial situation in the service.
- Contribute to accurate forecasting and identify and assess variances.
- Make informed decisions.
- Lead effective financial planning and monitoring processes within the service and drive action planning that supports service and financial performance.
- Provide high quality financial information, advice and challenge to the budget setting and monitoring processes.
- Lead and enable effective analysis of financial information in conjunction with service and operational implications.



### 3.7.5 Financial Controls and Transaction Processing

- Maintain efficient and effective application of financial controls, systems and processes within the service.
- Set standards, design and maintain robust financial controls, systems and processes that enable efficient processes to operate within the organisation.

### 3.7.6 Line Responsibilities/Accountabilities

The Executive Director of Corporate Services has overall responsibility for the management and administration of the Council's financial affairs and consequently for all staff engaged in delivering the service. All Corporate finance staff are responsible to the Executive Director of Corporate Services for maintaining professional accounting standards and the highest standards of conduct and integrity. All staff engaged in financial management within the Council have a similar responsibility, not only to their Executive Director, but corporately to the Executive Director of Corporate Services. Further, Corporate Finance staff have a responsibility to Executive Directors for the provision of impartial advice and guidance on all financial matters, including contributing to and assisting in corporate and service reviews, option appraisal and the process of continuous improvement across the Council.

The Executive Director of Corporate Services has the power to draw to the attention of an Executive Director any circumstances where they consider that a member of staff engaged in financial management has not met the required standards. The Executive Director of Corporate Services is also empowered to recommend how the matter shall be taken forward. Conversely, any Executive Director has recourse to the Executive Director of Corporate Services where it is considered that any member of staff in Corporate Finance has not met the required standards. In the event that an Executive Director and the Executive Director of Corporate Services fail to agree, the matter shall be raised with the Chief Executive who will be the final arbiter.

## 3.8 **Internal Control**

### 3.8.1 Introduction

Internal Control is the policies and procedures management used to achieve the following goals:-

- Safeguard of Council Assets - well designed internal controls protect assets from accidental loss or loss from fraud.
- Reliability and integrity of financial information - Internal controls ensure that management has accurate, timely and complete information, including accounting records, in order to plan, monitor and report business operations.
- Compliance - Internal controls ensure the Council is in compliance with the laws and regulations affecting the operations of the organisation.
- Promote efficient and effective operations - Internal controls provide an environment in which managers and staff can maximise the efficiency and effectiveness of their operations.
- Accomplishment of goals and objectives - Internal controls system provide a mechanism for management to monitor the achievement of operational goals and objectives.

### 3.8.2 Responsibilities

Executive Directors are responsible for maintaining an adequate system of financial control and are expected to communicate the expectations and duties of staff as part of a control environment. They are also responsible for ensuring that the major areas of an internal control framework are addressed and that weaknesses highlighted are acted upon.

Staff are responsible for carrying out the internal control activities set out by the Executive Director of Corporate Services and Service Executive Directors.

### 3.8.3 Control Framework

The framework of good internal control includes:-

- The Control environment: A sound control environment is created by management through communication, attitude and example. This includes a focus on integrity, a commitment to investigating discrepancies, diligence in designing systems and assigning responsibilities.
- Risk Assessment: This involves identifying the areas in which the greatest threat or risk of inaccuracies or loss exist. To be most efficient, the greatest risks should receive the greatest amount of effort and level of control. For example, the value or the nature of the transaction (for instance, those that involve cash) might be an indication of the related risk.
- Monitoring and Reviewing: The system of internal control should be periodically reviewed by management. By performing a periodic assessment, management assures that internal control activities have not become obsolete or lost due to staff turnover or other factors. They should also be enhanced to remain sufficient for the current level and extent of risks.
- Information and communication: The availability of information and a clear and evident plan for communicating responsibilities and expectations is paramount to a good internal control system.
- Control activities: These are the activities that occur within an internal control system. These are described in 3.8.4 below.

### 3.8.4 Internal Control Activities

These activities are the policies and procedures as well as the daily activities that occur within a system of internal control. The ~~Head of Customer Services and Information Technology~~ Head of Digital and Customer Services in conjunction with the Executive Director of Corporate Services, will ensure that all computerised systems include both prevention and detection activities.

- Prevention control activities aim to deter the instances of error or fraud. Activities include comprehensive documentation, authorisation processes, segregation of duties and security. These activities prevent undesirable transactions from happening and therefore require well thought out procedures and risk identification.
- Detection control activities aim to identify any undesirable transactions after the fact, and in financial situations the most frequently used detection controls are reconciliation along with monitoring and review.
- Appropriate controls shall be established to ensure that the financial information system accurately collates, sums and reports all authorised input and that regular and sufficient back up is maintained.

### 3.8.5 Embedding Internal Control Activities into Operations

- Control activities occur at all levels and functions of the Council. Executive Directors should establish control activities that are effective and efficient.
- When designing and implementing control activities, the aim should be to get the maximum benefit at the lowest cost. Consideration should be given to the following:-
  - The cost of the control activity should not exceed the cost that would be incurred by the Council if the undesirable event occurred;
  - Control activities should be built into business processes and systems as the processes and systems are being designed. Adding control activities after the development of a process or system is generally more costly and may enable errors or fraud to occur;
  - The allocation of resources among control activities should be based on the likelihood and impact of the risk;

- For any given risk, there may be multiple appropriate control activities that can be put into place, either individually or in combination with other control activities; and
- Excessive use of controls could impede productivity.

### 3.8.6 Commonly Used Controls

- The following brief descriptions of the commonly used control activities will help managers to identify and select appropriate activities to prevent and detect error and fraud.
  - Documented Systems/Process - Comprehensive documentation of systems and processes provides clarity to those involved and a structure to enable checking to be carried out.
  - Authorisation - Control activities in this category are designed to provide reasonable assurance that all transactions are within the limits set by policy or that exceptions to policy have been granted by the appropriate officer(s).
  - Review and approval - Control activities in this category are designed to provide reasonable assurance that transactions have been reviewed for accuracy and completeness by appropriate officers.
  - Verification - Control activities in this category include a variety of computer and manual controls designed to provide reasonable assurance that all accounting information has been correctly captured.
  - Reconciliation - Control activities in this category are designed to provide assurance of the accuracy of financial records through the periodic comparison of source documents to data recorded in accounting information systems.
  - Physical security over assets - Control activities in this category are designed to provide reasonable assurance that assets are safeguarded and protected from loss or damage due to accident, natural disaster, negligence or intentional acts of fraud, theft or abuse.
  - Segregation of duties - Control activities in this category reduce the risk of error and fraud by requiring that more than one person is involved in completing a particular financial process.
  - Education, training and development - Control activities in this category reduce the risk of error and inefficiency in operations by ensuring that staff have the proper education and training to perform their duties effectively.
  - Education and training programs should be periodically reviewed to ensure they remain relevant to the current Council operating environment and financial processing procedures.
  - Performance planning and evaluation - Control activities in this category establish key performance indicators for the Council that may be used to identify unexpected results or unusual trends in data which could indicate situations that require further investigation and/or corrective actions. Evaluations may be done at multiple levels within the Council, as appropriate: the Council as a whole; major projects; specific Services/functions; or specific activities. Performance reviews may focus on compliance, financial or operational issues. For example, financial reviews should be made of actual performance versus budgets, forecasts and performance in prior periods.
- This list is not exhaustive and advice should be sought from the Executive Director of Corporate Services or ~~Senior Manager – Internal Audit Chief Internal Auditor~~ if any manager is uncertain about incorporating appropriate control activities into their operations.

### 3.8.7 Financial Resources

The Executive Director of Corporate Services shall be entitled to report upon the financial implications of any matter coming before the Council, Service Committees or other Committees, and shall further report to the ~~Policy and Resources~~ City Governance Committee, if necessary, in the interests of the financial affairs of the Council.

The Chief Executive as the Head of the Paid Service will receive regular reports from the Executive Director of Corporate Services on the Revenue and Capital spending of the Council. The Executive Director of Corporate Services will report any significant under or overspending to the ~~Policy and Resources~~ City Governance Committee.

### 3.8.8 Financial Reporting to Committee by Executive Directors

Any Executive Director who intends to submit a report which has financial implications to the Council, Committee or Sub-Committee must forward a copy of the report to the Executive Director of Corporate Services no later than fourteen days before the meeting. Any observations on the report made by the Executive Director of Corporate Services shall be incorporated in the Executive Director's report.

### 3.8.9 Best Value

Under the Local Government in Scotland Act 2003, it is the duty of each local authority to secure best value. The Council shall at all times endeavour to secure the best value for the money it spends, make full use of all common supplies and services provided by the Council and encourage the use throughout Council departments of the best management techniques.

### 3.8.10 Financial Systems

The Executive Director of Corporate Services is responsible for ensuring that financial systems exist to ensure proper financial control is exercised throughout the Council. The Executive Director of Corporate Services is also responsible for ensuring that financial management systems exist to enable Executive Directors to make financial decisions, and take corrective action to deal with under or overspending, in order to achieve value for money and best value.

### 3.8.11 Duty of Confidentiality

There is a general duty on all Council officers not to disclose financial matters, except to authorised personnel.

## 4. Annual Revenue Budgets

### 4.1 **Responsibility of the Executive Director of Corporate Services**

The detailed form of the annual Revenue Budgets shall be determined by the Executive Director of Corporate Services in accordance with the general instruction of the ~~Policy and Resources~~ City Governance Committee.

### 4.2 **Responsibility of Executive Directors**

Executive Directors shall prepare an annual Revenue Budget of income and expenditure and, for this purpose, Executive Directors shall furnish the Executive Director of Corporate Services timeously with all necessary information regarding requirements of their services.

### 4.3 **Review of Charges**

The annual budgetary procedure will include a review of charges for all users of Council services for which charges apply and for which the Council has discretion over, with proposals where appropriate to increase these charges and the anticipated additional revenue which would accrue if implemented.

#### 4.4 Decision-Making

Decisions relating to the Revenue Budget and Council Tax shall be taken by the ~~Policy and Resources~~ City Governance Committee. The Executive Director of Corporate Services shall submit the draft Revenue Budget directly to the ~~Policy and Resources~~ City Governance Committee for detailed consideration.

#### 4.5 Determination of Revenue Budget and Council Tax

The ~~Policy and Resources~~ City Governance Committee shall consider all proposals, together with a report from the Executive Director of Corporate Services containing all other relevant information, for the purposes of approving the Revenue Budget and thereafter determining the Council Tax to be levied in respect of the forthcoming financial year, including the position on reserves and balances. The ~~Policy and Resources~~ City Governance Committee shall also take any decisions, as required, relating to the Revenue Budget for future financial years.

#### 4.6 Determination of Housing Revenue Account and Housing Rents and Other Housing Charges

The ~~Policy and Resources~~ City Governance Committee shall consider all proposals, together with a report from the Executive Director of Corporate Services and the Executive Director of Neighbourhood Services containing all other relevant information, for the purposes of approving the Housing Revenue Budget and determining the housing rents to be levied in respect of the forthcoming financial year, including the position on reserves and balances.

### 5. Revenue Monitoring

#### 5.1 Responsibility of Executive Director of Corporate Services

The Executive Director of Corporate Services shall furnish each Executive Director with periodical statements of income, expenditure and commitments under each approved budget head and such other relevant information as they require. It will, however, be the responsibility of each Executive Director to ensure that they have all relevant financial information to control the actual expenditure and income for their service against the budget.

The Executive Director of Corporate Services has a responsibility to ensure that revenue monitoring by Executive Directors is carried out and that relevant financial information is provided in a format and within a timetable suitable to allow such monitoring.

#### 5.2 Responsibility of Executive Directors

The primary responsibility for detailed monitoring and control of service revenue income and expenditure lies with each relevant Executive Director in accordance with the Revenue Budgetary Control Manual issued to all Executive Directors by the Executive Director of Corporate Services.

#### 5.3 Restrictions

Revenue income and expenditure shall be restricted to that included in the Revenue Budget, unless proposals for revision have been approved by the ~~Policy and Resources~~ City Governance Committee.

#### 5.4 Essential/Emergency Expenditure

Notwithstanding paragraph 5.3, the Executive Director of Corporate Services may approve any revenue expenditure which, after consultation with the Depute Convener of the ~~Policy and Resources~~ City Governance Committee and the appropriate Finance spokesperson from other groups and the Chief Executive, they consider essential in the interest of the Council and being of an emergency nature that cannot await consideration by the ~~Policy and Resources~~ City Governance Committee.

#### 5.5 Inter-Service Income and Expenditure

In conjunction with ~~Finance and Support~~ Accounting Services Managers, the Executive Director of Corporate Services will monitor inter-service income and expenditure. Services will

ensure that any budget that they have for inter-service expenditure is matched by income in the receiving service, and vice-versa.

## 6. Virement

### 6.1 Purpose of Virement

The term "virement" refers to the switching of budgetary provision from one budget head to another.

Any proposal for virement involving a new policy, or variation of existing policy, which may have a significant impact upon the corporate plans of the Council, will be subject to the approval of the appropriate Service Committee, in the first instance, and thereafter the Policy and Resources-City Governance Committee.

The Chief Executive, Executive Directors, Heads of Service and Budget Managers may exercise virement, as set out below in 6.2, within the Services' overall Revenue Budget provided:-

- The Executive Director of Corporate Services has been notified; and
- The virement does not create an additional financial commitment into future financial years.

### 6.2 Use of Virement

Virement may be employed as a means of funding desirable or essential expenditure through identified budget underspend. Virement may only be applied in respect of values of £5,000 or more and subject to agreement with the Executive Director of Corporate Services.

Capital financing costs can only be vired with the approval of the Executive Director of Corporate Services. The Executive Director of Corporate Services will have authority to vire expenditure from any contingency provision or cash-backed fund or reserve.

All virement proposals should be submitted for approval on the appropriate pro-forma documentation to the Executive Director of Corporate Services, who will monitor the overall use of virement and its effect on Revenue Budget performance.

Executive Directors shall consider the implications on future years' budgets when viring funds to finance purchases which have ongoing revenue implications.

Any virement proposals to fund expenditure on IT equipment or software must be submitted in the first instance to the Head of Customer Services and Information Technology-Head of Digital and Customer Services for approval.

Virement cannot be used by services in the following situations:-

- for expected savings on finance costs or recharges;
- for recurring items of expenditure in place of non-recurring savings;
- for property items such as rates and utilities;
- any savings against a property which has been declared surplus under the Council's surplus asset procedure;
- to reinstate an item deleted by Council during budget considerations unless approved by the appropriate Service Committee and the Policy and Resources-City Governance Committee;
- for service budgets which are committed to and included within partnership agreements;
- between services that are budgeted and funded through Council house rents and the Council tax ie the Housing Revenue Account and General Fund budgets;
- to finance a new service or change an existing Council policy decision without the agreement of the Service Committee and Policy and Resources-City Governance Committee;
- to add to the permanent establishment of the authority without the approval of the Executive Director of Corporate Services;

- to affect the amount to be paid to another service of the authority without the agreement of the Executive Director of that other service; and
- for Capital Funded from Current Revenue (CFCR), capital programmes or central service recharge to services (subject to paragraph 5.3).

## **7. Capital Plans**

### **7.1 General**

Capital expenditure shall be restricted to that included in the Capital Plan, unless proposals for revision of expenditure have been approved by the ~~Policy and Resources~~ City Governance Committee.

### **7.2 Role of Executive Directors**

Executive Directors, in conjunction with the Executive Director of Corporate Services and Head of Design and Property Services, shall prepare long-term capital plans, to be financed from either:-

- (i) borrowing;
- (ii) combination of borrowing and capital receipts;
- (iii) borrowing, but where the additional revenue costs (capital financing costs, mainly), are funded from additional revenue savings or income;
- (iv) grants or contributions from other external bodies;
- (v) alternative UK or Scottish Government funding mechanisms.

An Executive Director shall not incur capital expenditure, which has not been included in the Capital Plan, without prior approval from the Chief Executive/Executive Director of Corporate Services. The Executive Director must identify the source of funding for the project and, where necessary, ensure virements are approved and passed to Corporate Services to adjust the Capital Plan.

### **7.3 Role of Executive Director of Corporate Services**

The Executive Director of Corporate Services will prepare and submit an annual report to the ~~Policy and Resources~~ City Governance Committee, which will detail the Council's proposed medium-term capital programme and how it is to be financed.

### **7.4 Prudential Borrowing**

The level of prudential borrowing utilised by the Council will be based on a set of prudential indicators prepared by the Executive Director of Corporate Services and approved by the ~~Policy and Resources~~ City Governance Committee.

The Executive Director of Corporate Services will submit a report annually to the ~~Policy and Resources~~ City Governance Committee comparing the actual prudential indicators against those approved.

## **8. Capital Monitoring**

The Executive Director of Corporate Services, in conjunction with the Head of Design and Property Services, shall monitor and manage income and expenditure on capital projects during the year in accordance with the Capital Budgetary Control Manual issued to all Executive Directors by the Executive Director of Corporate Services.

A Committee report shall be prepared by the Executive Director of Corporate Services for the ~~Policy and Resources~~ City Governance Committee, reporting on actual income and expenditure to date, vis-à-vis projected outturns and project timescales.

This report will highlight any individual projects with an overspend of 10% of the approved cost of the project or £100,000, whichever is the higher, and approval will be sought for the overspend.

## **9. Capital Financing**



The Executive Director of Corporate Services will borrow sufficient funds to meet the approved capital expenditure and will ensure that the amounts borrowed are written off over the useful life of the asset. The Executive Director of Corporate Services will maintain, for audit purposes, appropriate records showing the amount borrowed and the amount repaid each year.

The Code of Practice on Local Authority Accounting in Great Britain requires the Council to adopt a system of accounting for capital assets. The arrangements will be based upon generally accepted accounting practice, practicality and the need to avoid impact upon the levels of locally raised taxes and Council house rents.

## 10. Tenders

The procedure for obtaining competitive tenders and Committee approvals for all suppliers and work as details in the Council's ~~Tendering Procedures-Contract Standing Orders~~ should be followed at all times.

No tender will be invited for an individual project estimated to cost over £1,000,000 unless and until the project has been subject to a report to the ~~appropriate Committee Capital Governance Group~~ by the Executive Director. The report will include a financial appraisal of all additional revenue and capital costs and any resultant savings.

At the same time as tenders are reported to Committee, the appropriate Executive Director will submit a report to the relevant Committee that will include a financial appraisal of all additional revenue and capital costs and any resultant savings.

Tendering will be undertaken by the Corporate Procurement Team on behalf of Council departments with the following thresholds being observed (Legislation is fixed in Euros):

### PROCUREMENT REFORM (SCOTLAND) ACT 2014

TYPE OF CONTRACT	THRESHOLD
Public contract (other than public works contract)	£50,000
Public works contract	£2,000,000

### PUBLIC CONTRACTS (SCOTLAND) REGULATIONS 2015

	SUPPLIES	SERVICES	WORKS
Public sector contracting authorities	£164,176 <del>and</del> <del>£139,688</del> <del>€209,000</del>	£164,176 <del>and</del> <del>£139,688</del> <del>€209,000</del>	£4,104,394 <del>and</del> <del>£5,372,609</del> <del>€5,225,000</del>
Social and other specified services in schedule 3	N/A	£589,148 <del>and</del> <del>£663,540</del> <del>€750,000</del>	N/A

## 11. Accounting and Administration

### 11.1 Introduction

Under Section 14(1) of the Local Government in Scotland Act 2003, the Council has a statutory duty to observe proper accounting practice. All accounting procedures and records of the Council and its officers shall be determined by the Executive Director of Corporate Services and all accounts and accounting records of the Council shall be compiled by the Executive Director of Corporate Services or under their direction.

The following principles shall be observed in the allocation of accounting duties:-



- (a) Duties of providing information regarding sums due to or from the Council and of calculating, checking and recording these sums, shall be separated as completely as possible from the duty of collecting or disbursing them.
- (b) Officers charged with the duty of examining and checking the accounts of cash transactions shall not themselves be engaged in any of these transactions.

The Executive Director of Corporate Services shall submit to the auditor and the Council's Scrutiny and Audit Committee not later than 30 June of each year, the unaudited Annual Accounts for the previous financial year. The audited copy of the Annual Accounts, together with the audit report, shall be laid before a meeting of the Council's Scrutiny and Audit Committee no later than 30 September.

## 11.2 Income

Except as otherwise determined by the Council, the rate of charge for goods or services supplied by the Council to the public and external organisations shall be approved by the Policy and Resources City Governance Committee and shall not be altered without the approval of this Committee.

It shall be the duty of the Executive Director of Corporate Services to make adequate financial and accounting arrangements to ensure the proper recording of all monies due to the Council and for the proper collection, custody, control and banking of all cash in all services of the Council.

Particulars of all charges to be made for work done and services rendered or for goods supplied by the various services of the Council and of all other amounts due to the Council shall be promptly notified to the Executive Director of Corporate Services in a form approved by them and all accounts due to the Council shall be rendered by or under arrangements approved by the Executive Director of Corporate Services.

All receipt forms, books, tickets and other such items shall be in a form approved by the Executive Director of Corporate Services who shall satisfy themselves as to the arrangement for the ordering, supply and control by each service. It will be a requirement that all such records, forms etc aforementioned shall be retained by each service for a period stipulated by the Executive Director of Corporate Services.

All monies received on behalf of the Council in any service shall be deposited promptly with the Executive Director of Corporate Services or the Council's bankers in accordance with the arrangements made with the Executive Director of Corporate Services. No deduction may be made from such money except to the extent that the Executive Director of Corporate Services may specifically authorise.

Personal cheques shall not be cashed out of money held on behalf of the Council.

All transfers of cash from one member of staff to another will be evidenced in the records of the services concerned by the signature of the receiving officer.

It shall be the responsibility of each Executive Director to ensure that all their service income is billed expeditiously.

## 11.3 Anti-Money Laundering

Money laundering is the generic term used to describe the process by which criminals disguise the original ownership and control of the proceeds of criminal conduct by making such proceeds appear to have derived from a legitimate source. The Money Laundering Reporting Officer (MLRO) nominated to receive disclosures about money laundering activity within the Council is the Senior Service Manager - Financial Services. Any employee who suspects money laundering activity must report their suspicion promptly to the MLRO or nominated officer, using the relevant documentation (provided with policy and guidance). The employee must follow any subsequent directions of the MLRO, and must not themselves make any further enquiries into the matter unless instructed. They must not take any further steps in any related transaction without authorisation from the MLRO. The employee must not disclose or otherwise indicate their suspicions to the person or others of the suspicion of

money laundering and no note is to be made within their records of this disclosure to the MLRO.

It is the responsibility of the MLRO to promptly evaluate any AML Reporting form received as soon as practicable and determine whether it should be reported to the National Crime Agency (NCA), and to make relevant report if required on behalf of the Council. It is a criminal offence for the MLRO to know or suspect, or have reasonable grounds to do so, through a disclosure being made to them, that another person is engaged in money laundering and they do not disclose this as soon as practicable to NCA.

## **11.4 External Funding/Grants Receivable**

### **11.4.1 General**

External funding is a very important source of income, but funding conditions need to be carefully considered to ensure they are compatible with the objectives of Dundee City Council. Funds from external agencies provide additional resources to enable the Council to deliver services to the local community. Grant conditions can be inflexible, restrictive and resource intensive (to evidence compliance) and this should be evaluated in conjunction with the Executive Director of Corporate Services prior to submission or acceptance.

There are many sources of external funding, such as ~~the European Union~~, the Scottish Government and other Public Bodies and officers are to be alert to the opportunity of securing additional funding, especially in the context of projects.

### **11.4.2 Match Funding**

Where External Funding is Receivable - Evidenced match funding approval should be obtained for all capital and for revenue expenditure exceeding £25,000 through the production of a business case prior to submitting an application for external funding and entering into long-term agreements. This should be signed off by the Executive Director of the relevant Service and the Executive Director of Corporate Services. Where match funding is being demonstrated by attributing a value to specific staff or property costs then a mechanism for justifying and accounting for those values must be put in place. This may involve the use of time recording systems and where appropriate accounting guidance and proper accounting practice to evidence those costs.

It is essential that match funding and project costs are regularly updated to take account of changes in cost profiles and to ensure that the full project value is captured and reflected in the Council's Capital Plan.

## **11.5 Government Grants**

The Executive Director of Corporate Services shall be advised timeously of all the relevant information necessary to submit or certify applications for Government Grants due to the Council.

## **11.6 Insurance**

The Executive Director of Corporate Services shall effect, as necessary, insurance cover and negotiate all claims in consultation with other officers as necessary. Such insurances as required can be placed either with insurance companies or the risk carried in the Council's General Insurance Fund. This fund was established by the former Dundee Corporation and confirmed by the Dundee Corporation (Consolidated Powers) Order Confirmation Act 1957.

Each Executive Director shall give prompt notification to the Executive Director of Corporate Services of potential liabilities, property or vehicles which require to be insured or which may affect the Council's insurance or self-insurance arrangements.

Executive Directors shall as soon as practicable notify the Executive Director of Corporate Services of any loss of property or any action or event which may give rise to an insured or self-insured claim.

All appropriate employees of the Council shall be included in a fidelity guarantee insurance.

The Executive Director of Corporate Services shall annually or as necessary, review all insurances and self-insurance arrangements, in consultation with Executive Directors where necessary.

All investments of monies for the General Insurance Fund shall be made by the Executive Director of Corporate Services in the name of the Council. Any investments made will be made in accordance with the policy determined by the ~~Policy and Resources~~ City Governance Committee.

#### **11.7 Stores and Inventories**

The safe custody of stores and equipment shall be the responsibility of the Executive Director concerned and the Executive Director shall make a return of all material stocks and stores to the Executive Director of Corporate Services at the end of each financial year. An inventory list of all significant furniture and fittings, vehicles, plant and equipment should be maintained by services in a format determined by the Executive Director of Corporate Services and shall be submitted by Executive Directors to the Executive Director of Corporate Services when requested.

The Executive Director, in consultation with the Executive Director of Corporate Services, shall be responsible for maintaining an efficient system of stores accounting including stock control. Stores accounting systems must be approved by the Executive Director of Corporate Services. Stock reconciliation will be carried out on a continuous basis within the service and a full stocktaking done at least annually at the year end and/or at the request of the Executive Director of Corporate Services.

No adjustments in respect of stocks and stores shall be made to write-off deficiencies or to bring surpluses into charge unless authorised by the Executive Director of Corporate Services.

All surplus (after due consideration of alternative use) plant, vehicles, tools, equipment, furnishings, materials or commodities in value to be disposed of by any service of the Council shall be advertised for sale either by the invitation of sale offers or by public auction unless in special circumstances of which the Committee concerned shall be the sole judge it is otherwise decided.

The Council's property shall not be removed otherwise than in accordance with the ordinary course of the Council's business or used otherwise than for the Council's purposes except in accordance with specific directions issued by the Executive Director concerned.

#### **11.8 Security**

Each Executive Director is responsible for maintaining proper security at all times for all buildings, stock, stores, furniture, equipment, cash, records etc under their control. They shall consult with the Executive Director of Corporate Services in any case where security is thought to be defective or where it is considered that special security arrangements may be needed.

Maximum limits for cash holdings shall be agreed with the Executive Director of Corporate Services and shall not be exceeded without their express permission.

Keys to safes and similar receptacles are the responsibility of the keyholder who shall make suitable arrangements for their security at all times. The loss of any such keys must be reported to the Executive Director of Corporate Services immediately. For insurance purposes, keys should be removed from premises overnight.

Each Executive Director shall be responsible for ensuring proper security and confidentiality of information held in the computer installations and in the use to which such information may be put. The Chief Executive shall make such arrangements as may be required to ensure confidentiality of information under the terms of the Data Protection Act.

#### **11.9 Petty Cash**

The Executive Director of Corporate Services shall make appropriate petty cash advances and determine accounting periods in connection with the payment of expenses and petty outlays chargeable to the Council.

The limit for any one payment from petty cash shall be determined by the Executive Director of Corporate Services.

The Executive Director of Corporate Services shall arrange to their satisfaction the proper security for money advanced in this way.

The recipient of any advance of petty cash shall account for this money to the Executive Director of Corporate Services when required.

#### **11.10 Staff Travel and Subsistence**

All claims for payment of car allowances, subsistence allowances, travelling and incidental expenses shall be submitted, duly certified, in a form approved by the Executive Director of Corporate Services to them at such regular intervals as are agreed. The names of officers authorised to approve such records shall be sent to the Executive Director of Corporate Services by each Executive Director and shall be amended on the occasion of any change. The level of officers so authorised shall be determined in agreement with the Executive Director of Corporate Services.

The certification by or on behalf of an Executive Director shall be taken to mean that the certifying officer is satisfied that the journeys were properly authorised, the expenditure properly and necessarily incurred and that the allowances are properly payable.

Employees' claims submitted more than two months after the expenses were incurred will not be paid unless the Executive Director of Corporate Services is satisfied with the reasons given for the delay.

#### **11.11 Members' Allowances and Expenses**

The Executive Director of Corporate Services if necessary shall prepare a scheme of members' allowances in accordance with the regulations approved by the Scottish Parliament, which shall be submitted for approval to the Policy and Resources City Governance Committee and members will be paid in accordance with the approved scheme.

Payment to members of the Council in respect of expenses incurred by members will be made on receipt of the prescribed form duly completed. Final claims for a financial year must be submitted within ten working days of the end of that financial year.

#### **11.12 Expenditure on Service Inspections, Hospitality, etc**

Requests or proposals for the provision of hospitality or entertainment of persons visiting the area of the Council, and functions considered necessary or desirable for maintaining the civic role of the Council shall be dealt with by the Head of Democratic and Legal Services in consultation with the Lord Provost. The Head of Democratic and Legal Services shall be authorised to incur expenditure not exceeding the sum of £5,000 on any event, subject to the amount allowed in the Revenue Budget in any one financial year not being exceeded. A record of all hospitality or entertainment granted shall be maintained.

The Executive Director of any service may, in consultation with the appropriate Convener, authorise the provision of hospitality to an amount not exceeding £2,000 in any one financial year and £300 on any one occasion where members and/or officers of the Council are meeting with members or officers of other local authorities or public bodies, Members of Parliament, firms, consultants or others who are assisting or co-operating with the Council in carrying out its functions. A record of all hospitality or entertainment granted shall be maintained.

#### **11.13 Grants/Subscriptions Payable - Following the Public Pound**

All applications for grants or subscriptions to charitable societies, associations or institutions must comply with the Accounts Commission/COSLA Code of Guidance on Following the Public Pound.

A report by the relevant Executive Director shall be considered for approval by the appropriate Service Committee except where the Executive Director has been granted delegated

authority. The Executive Director must ensure that in all material respects, the Code has been complied with, including receipt by the authority of the organisation's latest audited accounts.

A formal agreement must be entered into for each of the organisations and submitted to the Head of Democratic and Legal Services. This should be drawn up with reference to the requirements of the Accounts Commission/COSLA Code of Guidance on Following the Public Pound. In particular, the agreement must refer to the financial and performance requirements expected of the organisations.

Executive Directors are also required to identify all arrangements where a substantial funding relationship exists or is to be entered into and make a submission of such arrangements to the Executive Director of Corporate Services. This information must be updated on an annual basis.

Grants, payments and subscriptions etc will be submitted to the appropriate Committee subject to the undernoted directions.

The following grants, payments and subscriptions etc will be considered by the Committee shown.

(a) City Development Committee

Grants and loans or guarantees to industrial or commercial undertakings or, where appropriate, to other bodies provided that where such assistance is to be given under the powers contained in Section 171A of the Local Government (Scotland) Act 1973 the Committee shall act within the terms of such guidance as shall be provided by the Policy and Resources-City Governance Committee and the Council.

Grants to businesses subject to the following limits:-

- Grants to young businesses of up to £750 per new job created subject to a maximum grant of £2,250 through the Dundee Development Grant initiative;
- Kick-Start Grants to new businesses up to £750 through the E-Zone initiative;
- Loans of up to £10,000 on terms as to interest rates and repayment periods to be determined;
- Grants from the Vacant and Derelict Land Fund to help improve vacant and derelict land and property;
- Grants to support Festivals and Events in the City.

(b) Children and Families Committee

- Grants to new registered childminders of up to £200 to support the purchase of essential resources;
- Payments to bodies providing training and support to those working in childcare cross Dundee;
- Grants to Out of School Care Clubs;
- Grants to Voluntary Sector Partners for the delivery of Dundee's Early Years and Childcare Strategy.

The Executive Director of Children and Families has delegated authority:-

- to make a revenue grant up to £500 to support playgroups;
- to defray expenses of parents, relatives or other connected persons in respect of visiting a person, other than a child, in the care of the authority or receiving assistance from the authority or a child who is being looked after by the authority, or attending the funeral of such a person in terms of Section 29 of

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the Social Work (Scotland) Act 1968 as amended by paragraph 15(13) of Schedule 4 of the Children (Scotland) Act 1995;

- to make direct payments under Section 12B of the Social Work (Scotland) Act 1968;
- to pay adoption allowances;
- to have the power to provide financial assistance towards expenses of education or training of a young person, under the age of 21, formerly looked after by the local authority, including contributions to accommodation and maintenance in terms of Section 30 of the Children (Scotland) Act 1995;
- to agree funding for care packages in respect of children and young persons.

(c) Neighbourhood Services Committee

Grants and other forms of assistance under the Education (Scotland) Acts and Regulations made thereunder to voluntary organisations (including youth organisations) promoting social activities unless the grant is under £5,000, in which case the Executive Director of Neighbourhood Services has authority to approve an application to any one group in any financial year subject to (i) the details of any award being reported to Committee for information and record purposes, and (ii) any award made meeting criteria laid down by the Committee.

The Executive Director of Neighbourhood Services has delegated authority:-

- to process applications for improvement grants, repairs grants and improvement loans and to approve such applications where they meet the criteria laid down by the Neighbourhood Services Committee from time to time;
- to make grants to Community Councils and Neighbourhood Representative Structures;
- for Administrative Grants to Registered Tenant Organisations;
- to make grants to Adult Education Associations.

(d) ~~Policy and Resources~~ City Governance Committee

The Chief Executive has delegated authority to:-

- award grants from the Equality and Diversity Grant Fund to promote social inclusion and contribute towards equal opportunities within the City;

The Executive Director of Corporate Services has delegated authority to:-

- award grants from the Common Good Fund provided these are subsequently reported to the Committee;
- award grants to British Legion Scotland and the Blood Transfusion Service for use of the Caird Hall complex as necessary.

(e) Community Safety and Public Protection Committee

Grants from the Community Safety Fund to promote community safety, support community safety initiatives and diversionary youth work.

The Executive Director of Neighbourhood Services has delegated authority to process awards from the Dundee Community Regeneration Fund.



No leasing of equipment or capital assets shall be undertaken on behalf of the Council without the prior approval of the Executive Director of Corporate Services.

- All leases must be effected in the name of the Council;
- Financing of capital expenditure on all assets may be achieved through finance leasing, operational leasing or borrowing. In appropriate circumstances, services must have undertaken a funding options appraisal which must be submitted to the Executive Director of Corporate Services for approval;
- Leased equipment is the property of the lessor and cannot be sold, assigned or otherwise disposed of by services.

### 11.15 Trading Operations and Accounts

The Executive Director of Corporate Services in conjunction with the appropriate Executive Director shall determine which, if any, activities within their services constitute significant trading operations under the Local Government in Scotland Act 2003.

The appropriate Executive Director for each significant trading operation shall, in conjunction with the Executive Director of Corporate Services prepare an annual Revenue Budget. These budgets are required to reflect the statutory requirement under the Local Government in Scotland Act 2003 in relation to every three year period and taking every year with the two previous years' revenue is not less than expenditure.

The Executive Director of Corporate Services shall submit on a monthly basis trading statements for each significant trading operation to the appropriate Executive Director. That officer will provide any information timeously which is required for the purpose of the preparation of these trading statements. These trading statements will monitor the financial performance of each significant trading operation.

In accordance with statutory requirements for significant trading operations under the Local Government in Scotland Act 2003, the Executive Director of Corporate Services shall prepare the annual accounts for each trading activity. In order to prepare these accounts, the appropriate Executive Director will provide timeously the information required by the Executive Director of Corporate Services in order to complete the accounts. These accounts or a summary will be incorporated into the Council's Annual Accounts and Public Performance Report.

### 11.16 Consultants and Sub-Contractors

#### 11.16.1 General

Consultants, usually professional specialists who charge a fee, can be used to carry out work or to undertake specialised work for which there is a lack of experience/expertise by Council employees. It is therefore necessary to control the work and terms and conditions of such people or companies in order to ensure that value for money is achieved and that the Council's services are not compromised. If Council officers would normally be expected to provide the service or advice but have sub-contracted the work due to lack of capacity then, this should not be regarded as consultancy work, but rather as sub-contracted work and treated accordingly.

The rules set out in the Council's ~~Standing Orders relating to Contracts~~ Contract Standing Orders and Procurement detail the process that must be followed for commissioning all goods, services and works. In appointing consultants Executive Directors/Heads of Service must ensure that:-

- the terms of agreement are controlled;
- knowledge transfer to the Council's officers should be effected where beneficial.

The appointment of consultants shall, wherever possible, be on the basis of three quotes for contracts with an estimated contract value of less than £50,000 and satisfy the regulations for the ordering of services as set out in Standing Order 6. The appointment of consultants with a total cost in excess of £50,000 will be approved by the appropriate Committee. It should be noted that where a contract is likely to extend beyond one financial year then the total value of

the contract is determined by adding together the estimated value in each financial year of the estimated contract period. In all cases reference should be made to the Corporate Procurement Team to establish if there is a suitable framework agreement.

#### 11.16.2 Contract

Where consultants (including architects, engineers, quantity surveyors, accountants, and others) are engaged to carry out professional services for the Council, the relevant Head of Service shall be responsible for ensuring that an appropriate contract is in place setting out the terms on which they are engaged. The contract shall specify:-

- the precise scope of the commission;
- cost limits and controls;
- lines and levels of reporting, responsibility and authority;
- insurance cover (which must be verified by Council officers);
- the method of determining completion of work and payment thereof;
- standard Dundee City Council terms of payment; and
- the ownership of intellectual property rights relating to any material or computer software developed during the consultancy.

It is the responsibility of the Executive Director/Head of Service to ensure that in any contract there is no inadvertent or unnecessary conflict with the Council's Standing Orders or Financial Regulations. In the event of there being any conflict it should immediately be brought to the attention of the Executive Director of Corporate Services and the Head of Democratic and Legal Services.

#### 11.16.3 Payment of Fees

The relevant Executive Director/Head of Service should ensure that fees are only paid when the work fulfils the specification. It is acceptable for stage/interim payments to be made during the period of the engagement provided the consultant/sub-contractor has demonstrated that the claim for payment reflects the work that has been undertaken to that point.

### 11.17 **Governance of VAT and Taxation**

The Executive Director of Corporate Services will be responsible for the taxation procedures of the Council, ensuring where possible, that tax liabilities and obligations are properly reported and accounted for, avoiding any possible losses. Taxation will include VAT, PAYE (including IR35), Construction Industry Scheme, Corporation and Land and Buildings Transaction Tax. Where transactions of a new or unusual nature are being considered the Executive Director of Corporate Services should be consulted on the tax implications before committing the Council.

The Executive Director of Corporate Services is the senior accounting officer of the Council group therefore all Corporate, Service and Finance Officers working in the ALEOs are responsible to the Executive Director of Corporate Services for the provision of accurate VAT information through the Council's VAT Compliance Officer.

Executive Directors shall ensure that arrangements are in place to properly establish the correct liability, process and accounting for VAT. For major works, service reform and other changes in service delivery, the appropriate information must be provided to the Council's VAT Compliance Officer. In response the VAT Compliance Officer will provide, appropriate VAT advice. This will include identification of any potential risks, restrictions and/or liability to charge VAT on any identified income or funding. Where necessary appropriate mitigating actions will be recommended.

Failure to refer changes in service delivery, proposed capital projects or major items revenue expenditure could place the Council at risk of incurring VAT penalties and interest.

This operational framework is designed to protect the Council by assisting the Executive Director of Corporate Services to ensure that all VAT related issues arising from capital contracts, major revenue works and changes in working practices are properly taken account of at each stage of the process from formulation to asset construction and/or service delivery etc.



Executive Directors shall keep records, as determined by the Executive Director of Corporate Services, for the prescribed statutory period, of all matters relating to the administration and accounting of VAT. This includes records of all supplier invoices, including any relevant back up and authorisation documents. To reclaim VAT, the Council must have a valid tax invoice from a VAT registered trader and be able to produce it on request. If input tax is claimed and not supported by a valid invoice, the Council may be liable for penalties for mis-declaration of VAT. In particular, to be aware that when errors arise due to incorrect VAT coding, this can impact on the amount of revenue posted to the income and expenditure account.

Executive Directors will retain documentation supporting all income raised by a debtors invoice and documentation supporting all non-invoiced income, including amounts lodged directly with the bank and cash collected directly with services. It is crucial that the treasury team and the bank reconciliation team within Financial Services are given the relevant documentation, financial coding and VAT coding for any transactions coming into or going out of the bank account.

#### 11.18 Common Good

The Executive Director of Corporate Services will submit a Revenue Budget to the ~~Policy and Resources~~ City Governance Committee each year. The Executive Director of Corporate Services will have authority to incur expenditure within the approved budget.

All investments of money shall be made by the Executive Director of Corporate Services in the name of the Council. Any investments made will be made in accordance with the policy determined by the ~~Policy and Resources~~ City Governance Committee.

All securities which are the property of, or in the name of the Council, shall be held in custody under the supervision of the Executive Director of Corporate Services.

#### 11.19 Trusts and Charitable Funds

The Executive Director of Corporate Services shall ensure the proper and safe custody and control of all charitable funds held by the Council and shall ensure that all expenditure is in accordance with the conditions of the trustees etc.

All officers acting as trustees by virtue of their official position shall deposit all securities etc relating to the trust or charitable fund with the Executive Director of Corporate Services.

All investments of money shall be made by the Executive Director of Corporate Services in the name of Council. Any investments made will be made in accordance with the policy determined by the ~~Policy and Resources~~ City Governance Committee.

The Executive Director of Corporate Services and other relevant officers shall ensure compliance with the requirements of the Office of the Scottish Charities Regulator (OSCR).

Director, Leisure and Communities in the capacity of Managing Director, Leisure and Culture Dundee shall ensure safe custody and control of the administration of grant funds allocated to Leisure and Culture Dundee for the promotion of cultural and/or recreational activities.

#### 11.20 Partnerships and Relationships with Arm's Length External Organisations (ALEO's)

##### General

Executive Directors and Heads of Service will be responsible for ensuring that any funding relationships with external bodies, other than those which are operated on a contractual basis, are operated in accordance with the "Code of Guidance on Funding External Bodies and Following the Public Pound" issued by the Accounts Commission, the associated COSLA Operational Guidance, and the Council's own local code of practice.

##### Relationship Management

The Council will appoint a suitable individual to establish and maintain the relationship between itself and the ALEO. In considering an application for funding, due consideration in line with the code of practice should be given to the following areas:-

- Aims and objectives of the ALEO and how they align to those of the Council.
- Financial viability, risk and control.

The Council will put in place an appropriate funding agreement in order to set out the responsibilities of the ALEO to report back on outcomes and achievements in order to demonstrate their accountability towards the funds and the value that has been derived.

Detailed advice and checklists are available in the Dundee City Council Local Code of Practice for funding external bodies and following the public pound.

### 11.21 Group Entities

The Council recognises the importance of its relationships with those organisations that form part of its group. In so doing, the Council has approved a range of requirements to be adhered to by the group entities.

These include requirements for the Council to scrutinise group entities, with specific reference to:-

- Management assurance;
- Internal and external audit reports;
- Business Planning;
- The system of risk management; and
- The roles and responsibilities of the board.

Each group entity must provide year end information for inclusion in the Council's Annual Accounts in accordance with the timetable set by the Executive Director of Corporate Services.

### 11.22 Revision of Financial Regulations

These Financial Regulations may be altered or revoked by the Council at the ordinary meeting of the ~~Policy and Resources~~ City Governance Committee, if the motion for alteration or revocation is supported by a majority of the Committee present and voting.

## 12. Reserves and Balances

To assist authorities in developing a framework for reserves, CIPFA has issued guidance in the form of the Local Authority Accounting Panel (LAAP) Bulletin 55 - Guidance Note on Local Authority Reserves and Balances. This guidance outlines the framework for reserves, the purpose of reserves and some key issues to be considered when determining the appropriate level of reserves.

The ~~Policy and Resources~~ City Governance Committee shall receive a report from the Executive Director of Corporate Services to consider the establishment of any new reserve or fund, for capital or revenue expenditure purposes.

The Executive Director of Corporate Services has a fiduciary duty to the local taxpayers and must be satisfied that the decisions taken on reserves and balances represent proper stewardship of public funds. The Executive Director of Corporate Services and their staff shall therefore observe the guidance laid down in the CIPFA Guidance Note on Local Authority Reserves and Balances and the Council's agreed protocol.

The Executive Director of Corporate Services shall include within the Revenue Budget report submitted to the ~~Policy and Resources~~ City Governance Committee at which the Council Tax is to be determined, a statement showing the estimated opening and closing and General Fund balances for the financial year ahead. This report will also include a statement by the Executive Director of Corporate Services on the adequacy of the General Fund and other reserves and balances in respect of the forthcoming financial year and the Council's medium-term financial strategy.

As part of the Council's financial reporting arrangements, the Executive Director of Corporate Services shall advise Elected Members of the transfers between reserves that are included in the Annual Accounts.

There is no guidance on the minimum level of reserves that a Council should hold. In determining reserve levels, the Executive Director of Corporate Services must take account of the strategic, operational and financial risks facing the Council over the medium term and the Council's overall approach to risk management.

The Executive Director of Corporate Services shall also undertake an annual review of all earmarked revenues and report accordingly to the ~~Policy and Resources~~ City Governance Committee meeting at which the Council Tax is determined.

Local Authorities may only hold reserves for which there is a statutory or regulatory power to do so. In Scotland the legislative framework is as follows:-

Reserve	Powers
General Fund	Local Government Scotland Act 1973
Capital Fund	Local Government Scotland Act 1975
Repairs and Renewals Fund	
Insurance Fund	

For each reserve there is a clear protocol setting out:-

- the reason/purpose of the reserve
- how and when the reserve can be used
- procedures for the reserves management and control
- the review timescale to ensure continuing relevance and adequacy

## 12.1 General Fund

**Purpose of the Reserve:** Every local authority shall have a general fund and:-

- all sums received by or on behalf of the authority shall be paid into that fund;
- all fees, commissions, discounts allowed on payment of accounts and expenses payable to or recovered by any officer of a local authority in respect of any business relating to the authority whether by reason of their office or otherwise shall be accounted for and paid into that fund; and
- all sums payable by the authority shall be paid out of that fund.

Part 4, Section 12(1) of the Local Authority (Capital, Finance and Accounting) (Scotland) Regulation 2016 prescribes the requirement for each local authority to establish a loans fund and states that it shall be part of the general fund of the authority.

### Use of Reserve

This represents the general reserve of the Council and is used to manage the financial strategy of the Council.

### Management and Control

Management and control is maintained through the established financial management frameworks and review through the year-end and budget process.

## 12.2 Capital Fund

**Purpose of the Reserve:** To defray any expenditure of the authority to which capital is properly applicable, or in providing money for repayment of the principal of loans (but not any payment of interest on loans).

### Use of Reserve

The capital fund will support major capital investment projects within the Council's approved capital programme.

**Management and Control**

Management and control is maintained through the established financial management frameworks and review through the year-end and budget process.

**12.3 Repairs and Renewals Fund**

**Purpose of the Reserve:** To defray expenditure incurred from time to time in repairing, maintaining, and renewing any buildings, works, plant, equipment or articles belonging to the authority.

**Use of Reserve**

Various repairs and renewal funds are used to manage investment in building and equipment across the City.

**Management and Control**

Management and control is maintained through the established financial management frameworks and review through the year-end and budget process.

**12.4 Insurance Fund**

An authority may operate an insurance fund for the following purposes:-

- where the authority could have insured against a risk but have not done so;
- defraying any loss or damage suffered, or expenses incurred, by the authority as a consequence of that risk;
- paying premiums on a policy of insurance against a risk.

**Use of Reserve**

The reserve is used to manage insurance costs over the medium-term.

**Management and Control**

The insurance fund is subject to dedicated accounting rules and procedures as approved by LASAAC (Local Authorities Scotland Accounts Advisory Committee).

The adequacy and relevance of each fund is reviewed by the Executive Director of Corporate Services at each year-end and through the budget process. All recommendations for movements in balances are reported to Council either through the year-end report or as part of the budget and service plan strategy.

In addition, over recent years the Code of Practice on Local Authority Accounting in the United Kingdom has introduced a number of technical reserves in line with proper accounting practice associated with capital accounting, IAS19, financial instruments and employee benefits. These reserves are governed by specific accounting treatment and do not form part of the Council's general available reserves.

**13. Local Government Pension Scheme**

The delegated Pensions Sub-Committee of the ~~Policy and Resources City Governance~~ Committee is responsible for the direction and control of the Tayside Pension Fund. This Sub-Committee shall ensure full compliance with all relevant legislation for the administration and investment of pension funds.

The ~~Policy and Resources City Governance~~ Committee shall provide a full remit to the Pension Sub-Committee detailing the powers delegated to it regarding the governance of the Pension Funds.

The actions of the Sub-Committee are reviewed and scrutinised by the Local Pension Board. The Pension Board is the body responsible for assisting the Scheme Manager in relation to securing compliance with the 2014 Regulations and other legislation relating to the governance and administration of the Scheme and the requirements of the Pensions Regulator. The Pension Board may consider any matter concerning pensions it deems relevant.

The Executive Director of Corporate Services shall be responsible for all accounting records and financial administration of the pension funds, as aligned to the remit of the Pensions Sub-Committee.

The Executive Director of Corporate Services shall ensure suitable arrangements for the safe custody of the investments of the pension funds and all other documents relating to the investment and administration of pensions funds.

The Executive Director of Corporate Services shall ensure appropriate policies are in place and provide regular reports to the Pension Sub-Committee on all areas covered by its remit (including quarterly reviews of performance).

The Executive Director of Corporate Services shall ensure that in respect of the Pension Funds all expenditure is in accordance with the conditions of the Pensions Sub-Committee and all income is correctly received.

#### **14. Banking Arrangements and Control of Financial Transactions**

The Executive Director of Corporate Services is responsible for the Council's banking operations, the coordination and provision of appropriate financial services resources in order to support all Council services requiring financial services in relation to systems, products and processes, ensuring compliance to financial regulations and financial probity within the organisation.

All arrangements with the Council's bankers shall be made by the Executive Director of Corporate Services.

The Executive Director of Corporate Services will make arrangements for opening and operating bank accounts and using banking services. The Executive Director of Corporate Services is responsible for negotiating banking terms. No new bank accounts should be opened without their authorisation. Personal bank accounts must never be used in respect of Council transactions or funding.

All cheque forms, may be printed only with the authority of the Executive Director of Corporate Services, who will make arrangements for their safe custody.

Cheques on the Council's banking accounts, must bear the facsimile signature of the Executive Director of Corporate Services or other authorised signatories approved by the Executive Director of Corporate Services.

The Executive Director of Corporate Services will make appropriate arrangements, including determination of agreed authorisation limits, for the signature of other financial documents on behalf of the Council.

The Executive Director of Corporate Services shall be responsible for arranging any payments through the Bankers Automated Clearing System (BACS) and shall ensure that proper security control procedures are affected and reviewed.

Where a service, for operational reasons, has to operate a subsidiary bank account, then the Executive Director of Corporate Services will issue guidance on the operational procedures of these subsidiary bank accounts.

## 15. Treasury Management

The Council has adopted CIPFA's "Code for Treasury Management in the Public Services" and "Prudential Code for Capital Finance in Local Authorities". The Executive Director of Corporate Services is responsible for preparing and maintaining the Treasury Policy Statement and the annual Treasury Management Strategy. The Executive Director of Corporate Services is responsible for ensuring that treasury management activities are carried out in accordance with policy and strategy and that appropriate Treasury Management Practices are in operation in order to support these documents.

The Executive Director of Corporate Services shall prepare a Treasury Policy Statement which will be approved by the ~~Policy and Resources~~ City Governance Committee and reviewed annually.

The Executive Director of Corporate Services shall prior to the commencement of each financial year submit a report to the ~~Policy and Resources~~ City Governance Committee on the Treasury Management Strategy for that year.

Any amendments to policy or strategy must be approved or reported respectively to the ~~Policy and Resources~~ City Governance Committee.

The Executive Director of Corporate Services shall submit a report to the ~~Policy and Resources~~ City Governance Committee twice yearly reviewing the Council's Treasury Management activities. One of these reports will be an annual report on the Treasury Management activities of the previous financial year.

All money in the Council's custody will be aggregated for treasury management purposes. The control of these monies and all treasury related decisions are delegated to the Executive Director of Corporate Services who must act in accordance with the Code, Policy Statement and Strategy.

The Executive Director of Corporate Services is responsible for the safe custody of documents relating to the investment of Council or trust funds.

## 16. Purchase Orders

Each Executive Director shall be responsible for all purchase orders issued by their service and for ensuring that the cost is allocated to an appropriate budget head and covered within the approved estimates.

Official purchase orders shall be in a form approved by the Executive Director of Corporate Services. Orders shall be approved only by officers authorised by the appropriate Executive Director.

Each Executive Director shall be responsible for any purchase orders issued from their service. The level of officers so authorised shall be determined, in agreement, with the Executive Director of Corporate Services.

Purchase orders shall be issued for all work, goods or services to be supplied to the Council except for supplies of public utility services, for periodical payments such as rent and rates, for petty cash purposes or such other exceptions as the Executive Director of Corporate Services may approve.

The procedures for obtaining competitive tenders and Committee approvals for all supplies and works as detailed in the Council's tendering procedures should be followed at all times.

Guidance issued by the Executive Director of Corporate Services under Efficient Government on how Council officers order and procure goods and services including e-procurement must be adhered to.

Orders and payments by Government Procurement Card shall be processed in accordance with procedures issued by the Executive Director of Corporate Services.

**17. Payment of Accounts**

The Executive Director issuing a purchase order is responsible for the examination, verification and certification of the related invoices and similarly for any other payment vouchers, documents or accounts arising from sources in their service.

Arrangements should be made by each Executive Director for the separation of the authorisation of purchase orders as distinct from goods received notes or any other process which involves the certification of invoices. Variations to these arrangements are subject to the approval of the Executive Director of Corporate Services. Each goods received note or electronic version should be approved by the appropriate receiving officer and should be authorised by the appropriate authorised signatory. The authorised signatory shall always be different from the receiving officer.

Before certifying invoices, payment vouchers, goods received notes, documents or accounts the certifying officer shall, except to the extent that the Executive Director of Corporate Services may otherwise determine, have satisfied themselves with regard to:-

- (a) The receipt of goods being in accordance with the order;
- (b) Correctness of prices, discounts and arithmetic;
- (c) Non-duplication of payments;
- (d) Expenditure being within the estimates;
- (e) Allocation to the appropriate head of expenditure;
- (f) Appropriate entries having been made in inventories, stores records, etc as required;
- (g) Work having been carried out to a satisfactory level.

The payment of all certified invoices etc, shall be made by the Executive Director of Corporate Services under arrangements approved and controlled by them.

Payment will not be made on duplicate invoices, statements, or photocopy invoices unless the Executive Director, in consultation with the Executive Director of Corporate Services, certifies in writing that the amount in question is authentic and has not previously been paid.

Each Executive Director shall, as soon as possible after 31 March and not later than a date to be intimated by the Executive Director of Corporate Services, in each year, notify the Executive Director of Corporate Services of all outstanding expenditure relating to the previous financial year.

**18. Payroll**

The payment of all salaries, wages, pensions, compensation and other emoluments shall be made by the Executive Director of Corporate Services or under arrangements approved and controlled by them.

Each Executive Director, in conjunction with the Executive Director of Corporate Services, shall keep records of all matters affecting the payment of such emoluments and, in particular:-

- (a) Appointments, promotions, resignations, dismissals, suspensions, secondments and transfers;
- (b) Absences from duty for sickness, holidays or other reason;
- (c) Changes in remuneration, other than normal increments and pay awards and agreements of general application;
- (d) Information necessary to maintain records of service for pension, income tax, national insurance etc.

The Executive Director of Corporate Services will, through the payroll system, provide such management information as they, the Chief Executive, or any Executive Directors decide is necessary for the achievement of Best Value.

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**ASSOCIATED CODES, PROCEDURE MANUALS AND DOCUMENTS**

The following is a list of codes of practice, procedure manuals and other documents that form an integral part of the Financial Regulations.

Standing Orders Relating to Contracts

This document supports the Financial Regulations.

Standing Orders Relating to Contracts and Procurement

The Head of Democratic and Legal Services, in conjunction with the Head of Procurement, is responsible for the maintenance of this document.

Whistleblowing Policy

This document, produced by the Head of Democratic and Legal Services, sets out the Council's policy with regard to whistleblowing. It is intended to cover concerns that are in the public interest.

Reporting suspected fraud: <https://www.dundee.gov.uk/forms/fraud>

DCC's Whistle-blowing Policy    Whistleblowing: Report of Suspected Wrongdoing | Dundee City Council

Counter Fraud and Corruption Policy

This document, produced by the Executive Director of Corporate Services, in conjunction with the Head of Democratic and Legal Services, sets out the Council's policy on the prevention, detection and investigation of fraud, bribery and corruption.

DCC's Corporate Fraud and Corruption Policy: Corporate Fraud and Corruption Policy

Risk Management Policy and Strategy

The Council has developed a Risk Management Policy and Strategy.

The purpose of the Policy and Strategy is to effectively manage and mitigate risks which may otherwise impact on achievement of the Council's objectives, by implementing comprehensive risk management arrangements. These arrangements include, among others:

- development and maintenance of comprehensive risk registers;
- setting out of responsibilities for the management, mitigation and escalation of risks;
- responsibility for regular review and updating of Policy and Strategy.

At a corporate level the Executive Director of Corporate Services is the Council's Senior Risk Officer and Risk Management Champion, and is responsible for:

- Promoting the operation of effective risk management arrangements across the Council at all levels;
- Adequate resourcing to ensure the identification, evaluation and control of risks faced by the Council;
- Ensuring sufficient financial support is available to undertake risk management projects designed to mitigate and control risk

Each Executive Director is responsible for strategic and operational risk management in their own Service area, and will direct Heads of Service to oversee and promote risk management within their Service / functional area. Executive Directors are also responsible for ensuring effective management and oversight of the Corporate Risk Register.

## Corporate Governance

Dundee City Council strives to meet the highest standards of corporate governance to help ensure that it meets its objectives. The Council is determined to ensure that it delivers the best possible services to city residents. It has developed a modern and effective local democracy that responds quickly and flexibly, delivering high quality services when and where people need them.

### Definition

Corporate Governance is the system by which Dundee City Council directs and controls its functions and relates to its community. An Annual Governance Statement is included in the Council's Annual Report and Accounts each year.

Each Executive Director and Chief Executives/ Managing Directors of associated or subsidiary companies, trusts, etc shall ensure that their service/organisation has sound Corporate Governance arrangements in place. Each service and associated or subsidiary company will provide a return each year setting out adherence to these requirements.

### The Code

The Local Code of Corporate Governance for the Council consists of seven main principles of good governance derived from CIPFA's Delivering Good Governance in Local Government: Framework (2016). The Local Code of Corporate Governance for the Council consists of seven main elements:-

- Behaving with integrity, demonstrating strong commitment to ethical values and respecting the rule of law
- Ensuring openness and comprehensive stakeholder engagement
- Defining outcomes in terms of sustainable economic, social and environmental benefits
- Determining the interventions necessary to optimise the achievement of the intended outcomes
- Develop the entity's capacity, including the capability of its leadership and the individuals within it
- Managing risks and performance through robust internal control and strong public financial management
- Implementing good practices in transparency, reporting and audit to deliver effective accountability

Local Code of Corporate Governance. The most recent Local Code of Corporate Governance Committee Report: Report 162-2024 - Local Code of Corporate Governance

The Council is committed to effective decision-making that is transparent and open to genuine scrutiny. It therefore provides on its website details of its plans, procedures and performance.

Dundee Performs (DCC Internet page): <http://www.dundee.gov.uk/dundeepersforms> (includes link to "My Council" website (Benchmarking Framework), Annual Report on Statutory PIs, graphical interpretation of DCC's PIs, latest update reports for the Council Plan and Community Plans, Service Improvement Plans, Quarterly PIs, Summary Financial Information, Annual Consumer Survey).

## Treasury Management Policy Statement and Strategy

All cash and bank transactions shall comply with the requirement of the CIPFA Code of Practice on Treasury Management in public services. The Executive Director of Corporate Services shall submit an annual treasury management strategy and investment strategy prior to the new financial year; a treasury management and investment annual report and a mid-year review of the treasury management and investment strategy and performance.

Treasury Policy Statement Treasury Policy Statement 2025/26  
Treasury Management Strategy Treasury Management Strategy 2025/26

## Councillors Expenses

The Scottish Government has laid down arrangements for the payment of Councillors' expenses. This is the Councillors Code of Conduct and Guidance, including Remuneration, Allowances and Expenses, Registration of Interests, Declaration of Interests.

#### Councillors Code of Conduct and Guidance Councillor's Code of Conduct and Guidance

Councillors, and officers supporting them, will comply with these regulations. The Executive Director of Corporate Services has issued guidance to the Chief Executives/Managing Directors of associated or subsidiary companies, trusts etc informing them that any reimbursement of expenses and allowances made by external bodies to Councillors must be made in accordance with the regulations noted above.

#### Information Security

The Council has an Information and Communication Technology Security and Safe Use Policy. The aim is to ensure that everyone is aware that the information we use as part of our day-to-day work should be protected, held securely and handled with care.

#### One Dundee : Information and Communication Technology Security and Safe Use Policy

Each Executive Director shall be responsible for maintaining proper security, custody and control of all records (both electronic and paper records) within their Service. The Executive Director of Corporate Services is explicitly authorised to issue rules relating to information management, after consultation with the Convener of the Scrutiny and Risk Committee, whose remit includes responsibility for governance, and the Corporate Leadership Team.

The retention period for all books, forms and records related to financial matters shall be determined and shall be issued by the Executive Director of Corporate Services.

Executive Directors will, in the absence of a relevant rule, determine retention periods for non-financial records taking due cognisance of any legislative requirements where appropriate. This should be done in conjunction with the Head of Digital and Customer Services.

#### Data Protection

Each Executive Director shall be responsible for the use and security of all personal data within their service. Any queries concerning Data Protection issues shall be addressed to the Council's Head of Legal and Democratic Services.

#### Freedom of Information Act:

<https://www.dundee.gov.uk/service-area/corporate-services/democratic-and-legal-services/freedom-of-information/freedom-of-information-foisa>

#### Data Protection Act:

<https://www.dundee.gov.uk/service-area/corporate-services/democratic-and-legal-services/data-protection>

#### Bribery Act 2010

Dundee City Council recognises its responsibilities under the Bribery Act 2010. The Council is an employer and a provider or procurer of works, goods and services, and as such it will not tolerate any contravention of the Act. The Council will not employ individuals, nor conduct business with any individual or third party which does not abide by the terms of the Act.

#### Codes of Conduct

Though not specifically finance, Dundee City Council expects all Councillors and Officers to adhere to the relevant codes of conduct.

Employee Code of Conduct DCC Intranet - Employee Responsibilities - Code of Conduct  
Councillor Code of Conduct Councillor's Code of Conduct and Guidance

## ASSOCIATED CODES, PROCEDURE MANUALS AND DOCUMENTS

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### Whistleblowing Policy

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Reporting suspected fraud: <https://www.dundee.gov.uk/forms/fraud>

DCC's Whistle-blowing Policy (also known as Disclosure of Information): [Disclosure of Information Policy](#).

### Fraud, Bribery and Corruption Policy

This document, produced by the Executive Director of Corporate Services, in conjunction with the Head of Democratic and Legal Services, sets out the Council's policy on the prevention, detection and investigation of fraud, bribery and corruption.

DCC's Corporate Fraud and Corruption Policy: [Corporate Fraud and Corruption Policy](#)

DCC's Anti-Fraud and Anti-Corruption Policy: [Anti-Fraud and Corruption Policy](#)

### Risk Management

The Council has a developed Risk Management Policy. This states that "Dundee City Council is dedicated to the management of risk in order to:-

- safeguard its employees
- protect its property
- preserve and enhance service delivery
- maintain effective stewardship of public funds
- promote a favourable corporate image

The main priorities within this policy are the identification, evaluation and control of risks which threaten the Council's ability to deliver services to the public. The Council has a high-level Business Continuity Plan which sets out the arrangements by which the Council aims to continue to deliver its critical services in the event of an emergency event. Critical services are identified through a process of identification and analysis contained within risk registers.

Resources aimed at improving internal control within the Council are allocated according to priorities determined by the Annual Audit Plan, reflecting the changing risks and priorities of the Council.

The Council's accounts now include a corporate governance statement.

The Risk Management Policy and Strategy contain the procedures to be adopted to ensure risk is properly identified and appropriate mitigating control actions are put into place.

DCC's Risk Assessment Intranet page: [DCC's Risk Assessment](#).

DCC's Business Continuity Management Internet page: [DCC's Business Continuity Management](#).

DCC's Annual Governance Statement 2015/2016 (Scrutiny Report 239-2016).

### Risk Management Policy and Strategy

The Executive Director of Corporate Services is responsible for the maintenance of these documents.

### Scheme of Delegated Powers

The Head of Democratic and Legal Services is responsible for maintenance of this document.

Each Executive Director shall adopt an appropriate system of delegation that fits with the Council's Scheme of Delegation.

Link: [Scheme of Delegation](#)

### Corporate Governance

Dundee City Council strives to meet the highest standards of corporate governance to help ensure that it meets its objectives. The Council is determined to ensure that it delivers the best possible services to city residents. It has developed a modern and effective local democracy that responds quickly and flexibly, delivering high quality services when and where people need them.

The Council is committed to effective decision-making that is transparent and open to genuine scrutiny. It therefore provides on its website details of its plans, procedures and performance.

Dundee Performs (DCC Internet page): <http://www.dundeeccity.gov.uk/dundeepersforms> (includes link to "My Council" website (Benchmarking Framework), Annual Report on Statutory Pls, graphical interpretation of DCC's Pls, latest update reports for the Council Plan and Community Plans, Service Improvement Plans, Quarterly Pls, Summary Financial Information, Annual Consumer Survey).

DCC's Plans and Performance (DCC Internet page): <http://www.dundeeccity.gov.uk/cplanning/plans/> (Includes SOA and Delivery Plan, The Council Plan, Service Plans, past Performance Reports, Citizen and Consumer Surveys, Report on Complaints, Local Community Planning Partnerships, Awards received, list of recent improvements to Council services).

Local Code of Corporate Governance: <http://www.dundeeccity.gov.uk/corpgov> and the most recent Local Code of Corporate Governance Committee Report: <http://www.dundeeccity.gov.uk/reports/reports/150-2016.pdf>

### Definition

Corporate governance is the system by which Dundee City Council directs and controls its functions and relates to its community. A Corporate Governance Assurance Statement is included in the Council's Annual Report and Accounts each year. Each Executive Director and Chief Executives/ Managing Directors of associated or subsidiary companies, trusts, etc shall ensure that their service/organisation has sound Corporate Governance arrangements in place. Each service and associated or subsidiary company will provide a return each year setting out adherence to these requirements.

The Council will regularly scrutinise the governance arrangements and performance of associated or subsidiary companies, trusts, etc in line with its Arm's Length External Organisation (ALEO) governance framework Arm's length External Organisations (ALEOs): Are you getting it right? (Audit Scotland, 2011), as approved by the Audit, Scrutiny and Risk Committee.

### The Code

The Local Code of Corporate Governance for the Council consists of six main elements:-

Creating and implementing a vision for Dundee

Members and officers roles and responsibilities

Promoting values and high standards of conduct and behaviour

Transparency, scrutiny and risk

Effectiveness and development of members and officers

Stakeholder engagement to ensure accountability

Please follow this link for the full Corporate Governance

### Following the Public Pound

The Council's procedures relating to grants to external bodies are documented in Following the Public Pound Local Code of Practice.

### Following the Public Pound (Audit Scotland, 2004)

### Treasury Management Policy Statement and Strategy

All cash and bank transactions shall comply with the requirement of the CIPFA Code of Practice on Treasury Management in public services. The Executive Director of Corporate Services shall submit an annual treasury management strategy and investment strategy prior to the new financial year; a treasury management and investment annual report and a mid-year review of the treasury management and investment strategy and performance.

Link: — Treasury Policy Statement <http://www.dundee.gov.uk/reports/reports/82-2017.pdf>

Treasury Management Strategy <http://www.dundee.gov.uk/reports/reports/83-2017.pdf>

### Travel Procedures

These procedures detail the arrangements for arranging and paying for Councillors and officers travel.

Corporate Travel. These arrangements can only be varied by agreement with the Executive Director of Corporate Services.

### DCC Employee's Travel & Subsistence Policy

### Councillors Expenses

The Scottish Government has laid down arrangements for the payment of Councillors' expenses.

Link: Councillors Remuneration, Allowances and Expenses National Guidance

Standards Commission Scotland – Councillors' Code of Conduct – 3rd Edition Dec 2010

Councillors, and officers supporting them, will comply with these regulations. The Executive Director of Corporate Services has issued guidance to the Chief Executives/Managing Directors of associated or subsidiary companies, trusts etc informing them that any reimbursement of expenses and allowances made by external bodies to Councillors must be made in accordance with the regulations noted above.

### Money Laundering

Notes on the legal and regulatory requirements relating to the handling of money which could have come from the proceeds of crime have been issued to help protect the Council and individual officers from the potential impact of criminals using the Council to launder money.

Link: Anti Money Laundering Policy (internal document)

Link: Proceeds of Crime Act – Guidance Note (internal document)

Link: Proceeds of Crime Act – Public Notice (internal document)

Link: Proceeds of Crime – Declaration (internal document)

DCC's Anti-Money Laundering Policy: Anti-Money Laundering Policy

DCC's Anti-Money Laundering Guidance and Reporting Procedures: AML Guidance and Reporting Procedures

DCC's Anti-Money Laundering Information and Awareness: AML Information and Awareness

DCC's Anti-Money Laundering Suspicious Activity Form: AML Suspicious Activity Form

The Senior Manager – Financial Services is the Council officer responsible for reporting suspected Proceeds of Crime Act offences and it is their responsibility to ensure update of guidance notes.

### Information Security

The Council has an Information and Communication Technology Security and Safe Use Policy. The aim is to ensure that everyone is aware that the information we use as part of our day-to-day work should be protected, held securely and handled with care.

<https://onedundee.dundeeccity.gov.uk/search/site/IT%20SECURITY>

DCC's Employee Handbook – Use of Computer Facilities

Cybercrime awareness: <https://onedundee.dundeeccity.gov.uk/news/phishing-scams/use-council-email>

Records Retention Schedules from Scottish Council on Archives:

<http://www.scottisharchives.org.uk/scars/schedules>

~~Each Executive Director shall be responsible for maintaining proper security, custody and control of all records (both electronic and paper records) within their Service. The Executive Director of Corporate Services is explicitly authorised to issue rules relating to information management, after consultation with the Convener of Audit, Scrutiny and Risk Committee, whose remit includes responsibility for governance, and the Corporate Management Team.~~

~~The retention period for all books, forms and records related to financial matters shall be determined and shall be issued by the Executive Director of Corporate Services.~~

~~Executive Directors will, in the absence of a relevant rule, determine retention periods for non-financial records taking due cognisance of any legislative requirements where appropriate. This should be done in conjunction with the Head of Information Technology and Customer Services.~~

Link: Information Compliance web pages

~~Council's Communication Policies: <https://onedundee.dundeeccity.gov.uk/communication> which includes links to Information and Data Sharing Code of Practice (Data Protection), and Social Media Deployment Guidelines.~~

### Data Protection

~~Each Executive Director shall be responsible for the use and security of all personal data within their service. Any queries concerning Data Protection issues shall be addressed to the Council's Head of Legal and Democratic Services.~~

Link: Data Protection web pages (including Data Protection Policy)

~~DCC's Data Protection and Freedom of Information (DCC Internet page): [Data Protection and FoI](#)~~

~~Freedom of Information Act: <http://www.dundeeccity.gov.uk/foisa>~~

~~Data Protection Act: <https://www.dundeeccity.gov.uk/supportservs/dataprotection/>~~

### Bribery Act 2010

~~Dundee City Council recognises its responsibilities under the Bribery Act 2010. The Council is an employer and a provider or procurer of works, goods and services, and as such it will not tolerate any contravention of the Act. The Council will not employ individuals, nor conduct business with any individual or third party which does not abide by the terms of the Act.~~

Link: [Anti Bribery Policy Statement](#)

### Codes of Conduct

~~Though not specifically finance, Dundee City Council expects all Councillors and Officers to adhere to the relevant codes of conduct.~~

Link: ~~Employee Code of Conduct DCC Intranet – Employee Responsibilities – Code of Conduct~~

Link: ~~Councillor Code of Conduct Standards Commission Scotland – Councillors' Code of Conduct – 3rd Edition Dec 2010~~

### Pension Fund

~~Dundee City Council has statutory responsibility for the Tayside Pension Fund to administer the Local Government Pension Scheme ("LGPS") in respect of the three local authorities in the former Tayside area, and over 40 other large and small employers. The governance arrangements of Tayside Pension Fund and the extent to which it complies with regulations are documented in the Governance Compliance Statement.~~

Link: <http://www.dundeeccity.gov.uk/reports/agendas/pensboard050617ag%20pub.pdf>



All policies and publications in respect of Tayside Pension Fund can be found on the Scheme's website.

Link: <http://www.taysidepensionfund.org/tayside-pension-fund/about-us/forms-and-publications/>



**~~DUNDEE CITY COUNCIL~~**  
**~~CORPORATE SERVICES~~**

**~~SCHEME OF ADMINISTRATION~~**  
**~~CONTRACT STANDING ORDERS~~**

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**SCHEME OF ADMINISTRATION**  
**CONTRACT STANDING ORDERS**

1. Application of Contract Standing Orders
2. Definition of Terms used in the Contract Standing Orders
3. Procedures
4. Authorisation to Commence Procurement Process
5. Contract Notices and Award Notices
6. Framework Contracts and Collaboration with Other Public Sector Bodies
7. Tender Documents
8. Community Benefits
9. Fair Pay and Workers' Rights
10. Selection of Tenderers
11. Evaluation of Tenders
12. Social and Other Specific Services
13. Award of Contract and Notification to Unsuccessful Tenderers
14. Supported Businesses and Reserved Contracts
15. Concession Contracts
16. Disposal of Plant and Equipment
16. Contract Variations
17. Prevention of Corruption
18. Contract Registers
19. Waiver of Contract Standing Orders
- Schedule 1 Summary of Approval Routes and Thresholds

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## **1. Application of Contract Standing Orders**

1.1 The Contract Standing Orders shall apply to any agreement for the supply of goods, services or the execution of works to or for the Council including a contract arising from the use of consultants. This includes any Framework agreement or Dynamic Purchasing System established by the Council. This also includes Concession Contracts.

1.2 The Contract Standing Orders do not apply to internal transfers or allocations, or those made to organisations held to be under the control of Dundee City Council, acting alone or with other contracting authorities, satisfying the requirements of Regulation 13 of the Public Contracts (Scotland) Regulations 2015.

## **2. Definition of Terms used in the Contract Standing Orders**

2.1 A 'Concession Contract' is one where an economic operator is awarded the right to exploit a commercial opportunity in return for a consideration. The opportunity will be exposed to changing market conditions and market risk.

2.2 'Dynamic Purchasing System' (DPS) is an electronic system of pre-qualified suppliers for commonly used purchases. All call-offs are subject to mini-competition.

2.3 'Find a Tender' is the UK Government's portal for higher value contracts.

2.4 'Framework' is an agreement with suppliers to establish terms governing contracts that may be awarded during the lifetime of the Framework. Purchases can be made through a Framework either by direct award or through a further 'mini competition', depending on the rules of the Framework.

2.5 'Government Procurement Agreement (GPA)' is a plurilateral agreement made under the auspices of the World Trade Organisation, which regulates the procurement of goods and services by public authorities of the states participating in the Agreement, based upon principles of openness, transparency and non-discrimination.

2.6 'National Frameworks' are Framework agreements that are let by Scottish Government Procurement on behalf of the whole Scottish Public Sector (Category A) and Frameworks let by Scotland Excel on behalf of the thirty-two Scottish Local Authorities. (Category B).

2.7 'Procurement Guide' is the Procurement Short Guide, which provides practical guidance on procurement and is available to all Dundee City Council staff on the Procurement Portal.

2.8 The 'Procurement Group' is a team of no less than three senior officers, drawn from Finance, Procurement and Legal Services, and supplemented by technical specialists as required. The Procurement Group is chaired by the Head of Corporate Finance.

2.9 'Procurement Portal' is an area on Sharepoint where procurement information is available to view by staff and Members within the Council's network.

2.10 'Public Contracts Scotland' is the Scottish Government procurement portal. All contracts above the threshold value for Regulated Contracts require to be published on Public Contracts Scotland.

2.11 'Regulated Procurements' (leading to the award of 'Regulated Contracts') have a value exceeding the thresholds set out in the Procurement Reform (Scotland) Act 2014 and are subject to the rules and procedures set out in the Act.

2.12 'Single Procurement Document (SPD)' is the document developed by the Scottish Government to provide a standardised format for bidding organisations to provide information in relation to selection criteria in Regulated Procurements.

2.13 'Sourcing Strategy' is a document created jointly by the contract owner and the corporate procurement team. This is completed before the contract notice is issued and is used to record market research and to document issues for consideration, opportunities and risks, and to plot the route to market.

## **3. Procedures**

3.1 Where there is a National Framework agreement or contract in place, this will be the default route for all procurements.

3.2 Where there is no National Framework agreement or contract in place, use of open or restricted procedure should be the default procedure but where the Sourcing Strategy identifies that the use of a suitable approved Framework or Dynamic Purchasing System (DPS) is likely to obtain best value, use of the Framework or DPS is appropriate. Where there is more than one supplier on the Framework lot, then mini-competition will be the default for call-offs with an estimated value of £50,000 and over.

3.3 The Corporate Procurement Manager will establish and maintain a list of approved Framework agreements, Dynamic Purchasing Systems and contracts for supplies, services and works.

3.4 For individual purchases of less than £1,000 in value, where no repeat is foreseen and where there is no approved contract, Framework agreement or DPS in place, the purchase may be made from a single supplier without further competition, where the purchaser can satisfy themselves that the cost is reasonable for the purchase being made.

3.5 For individual purchases with a value greater than £1,000, but not exceeding £10,000, where no repeat is foreseen and where there is no approved contract, Framework agreement or DPS in place, a process of informal quotation or benchmarking must be undertaken involving at least three organisations, before the purchase takes place.

3.6 For individual purchases with a value greater than £10,000 but not exceeding £50,000, (£2 million for works contracts) where there is no approved contract, Framework agreement or DPS in place, a formal 'closed' tender document should be made available to at least three organisations through Public Contracts Scotland.

3.7 A Sourcing Strategy will be produced for any purchase exceeding £50,000, or a relevant recent strategy will be referenced, regardless of whether an approved Framework agreement, contract or Dynamic Purchasing System is being used, and prior to any contract notice being issued by the Council.

3.8 All Regulated Procurements will be undertaken in accordance with the Procurement Reform (Scotland) Act 2014 and the Public Contracts (Scotland) Regulations 2015, and The Procurement (Scotland) Regulations 2016 as applicable.

3.9 For further details on all procedures please refer to summary in Schedule 1.

#### **4. Authorisation to Commence Procurement Process**

4.1 Heads of Service are authorised to commence procurement processes, in accordance with 3 above, up to a value of £50,000 providing that provision is included within the budget for this contract.

4.2 Executive Directors are authorised to commence procurement processes for values of up to £300,000 providing that provision is included within the budget for this contract, in accordance with the terms of 3 above and following the procurement route described in a Sourcing Strategy approved by the Corporate Procurement Manager. Should the tendered value turn out to exceed £300,000, then approval must be given by Committee before the contract is awarded.

4.3 Before commencing a procurement exercise with a value above £300,000, approval must be given by the Procurement Group, following the submission of a Sourcing Strategy by the Executive Director. Approval for all tender values in excess of £300,000 must be given by the relevant Committee (in accordance with Terms of Reference for this Committee) before the contract is awarded.

4.4 Before commencing a procurement exercise with a value above £1,000,000, approval must be given by relevant Committee (in accordance with Terms of Reference for this Committee) before the contract is awarded, following the submission of a Sourcing Strategy by the Executive Director. Approval for award of all tender values in excess of £1,000,000 must be given by the relevant Committee (in accordance with Terms of Reference for this Committee) before the contract is awarded.

4.5 Approval for the commencement of a procurement exercise leading to the award of a Framework contract or agreement, will follow the same approval route as for an individual contract. This includes collaborative contracts where Dundee City Council are the lead contracting authority, but other public bodies are included. The approval of a Framework agreement will confer approval on any subsequent mini-competitions or direct awards (for a value of up to £50,000 or on a single supplier Framework) made through the Framework, if budgetary provision exists for the purchase.

4.6 For further details on all authorisation requirements please refer to summary in Schedule 1.

## **5. Contract Notices and Award Notices**

5.1 All contract opportunities for Regulated Procurements must be advertised through Public Contracts Scotland.

5.2 All contract opportunities with a value in excess of the GPA Thresholds must be advertised on Find a Tender.

5.3 All contract opportunities which are not Regulated Procurements should be considered for publication on Public Contracts Scotland, where this will improve overall value for the Council, taking Community Wealth Building and other Council policy objectives into account.

5.4 Contract award notices for Regulated Procurements must be published on Public Contracts Scotland within 7 days of the award taking place and being accepted by the successful supplier.

5.5 Contract award notices for contracts covered by the GPA must also be published on Find a Tender within 7 days of the award taking place and being accepted by the supplier.

5.6 A Procurement Bulletin will be made regularly available to Elected Members, informing them of all contract notices advertised and contract awards made through Public Contracts Scotland.

5.7 All contracts for the supply of goods, works or services with a value of above £50,000 must have a contract award notice published on Public Contracts Scotland, which will be completed within 7 days of the contract award being made.

## **6. Framework Contracts and Collaboration with other Public Sector Bodies**

6.1 Purchases may be made through direct award from National Frameworks up to a value of £50,000.

6.2 Purchases of a value of £50,000 or above should only be made from Framework agreements following further competition within the Framework unless it can clearly be demonstrated within the accompanying Sourcing Strategy that the provision for direct award exists within the Framework and that further competition will not yield additional value for the Council.

6.3 National Frameworks should be the default for all purchases covered by those agreements. Such purchases will only be made outside of those agreements where it can be demonstrated within the accompanying Sourcing Strategy that the alternative route provides best value for the Council.

6.4 The Corporate Procurement Manager and Heads of Service will ensure representation at available forums within national procurement organisations to ensure the requirements of Dundee City Council are properly met in any resulting collaborative contracts or Frameworks.

6.5 Approval for using a Framework which has been led by one of our partner organisations (Angus Council, Perth and Kinross Council or Tayside Contracts - the collaborative partners of the Tayside Procurement Consortium) will follow the same route.

## **7. Tender Documents**

7.1 Standard terms and conditions will be used in all contracts tendered by the Council as far as possible. Where it is necessary to employ industry standard conditions, those will be supplemented as required to provide compatibility with the standard terms. Where the Council are utilising a Framework contract, then the terms and conditions used shall be those contained in the Framework agreement. Separate terms and conditions may be agreed, with prior approval of Head of Democratic and Legal Services, to facilitate collaborative procurement with other public bodies.

7.2 The tender documents will include a detailed methodology for evaluation, as well as a clear specification of the requirements for the contract.

## **8. Community Benefits**

8.1 Community benefit clauses must be included for every procurement with a value exceeding £100,000. Where possible the community benefits sought must be closely related to the contract delivery, in nature and in geography.

8.2 The Council will ensure that any community benefits requested are not discriminatory in their application and in particular, do not disadvantage small and medium sized bidders.

8.3 The Council will ensure that robust arrangements are in place to monitor and record the delivery of the agreed community benefits during the term of the contract.

## **9. Fair Pay and Workers' Rights**

9.1 The Council will seek commitment to Fair Work First in every contract, in line with Scottish Government Fair Work First Guidance. Businesses bidding for a Dundee City Council contract will be asked to commit to the following:-

- Appropriate channels for effective voice, such as trade union recognition.
- Investment in workforce development.
- No inappropriate use of zero hours contracts.
- Action to tackle the gender pay gap and create a more diverse and inclusive workplace.
- Providing fair pay for workers (for example, payment of the real living wage).
- Offer flexible and family friendly working practices for all workers from day one of employment.
- Oppose the use of fire and rehire practices.

## **10. Selection of Tenderers**

10.1 For Regulated Procurements, the Corporate Procurement Manager, in consultation with the Head of Democratic and Legal Services, may deem a tender to be ineligible, where they reasonably conclude that there are grounds to apply the Exclusion Criteria, forming Regulation 58 of the Public Contracts (Scotland) Regulations 2015.

10.2 The Council will apply minimum standards in respect of a contracting organisation's experience, capability and financial standing to ascertain their suitability to undertake the contract. For Regulated Procurements this will be undertaken by reference to the Single Procurement Document (SPD).

10.3 For procurements that are not regulated, similar selection questions may be included to assess the suitability of a contractor to undertake a contract, provided that they are proportionate and relevant to the subject matter of the tender. This ensures that appropriate due diligence is undertaken before awarding contracts, even for low value procurements.

10.4 Where a contractor fails to meet the minimum standards in respect of the selection criteria applied, they will be excluded from the tender process.

## **11. Evaluation of Tenders**

11.1 Tenders shall be evaluated on the basis of Most Economically Advantageous Tender (MEAT) using a weighted combination of price and quality criteria that is relevant to the subject matter of the contract.

11.2 Evaluation of award criteria will be carried out by a panel of Council officers/other identified subject experts who have the appropriate technical knowledge to properly assess the competing tenders. A record must be maintained of each of the panel member's scoring, as well as the consensus reached with detailed and objective reasons for the relative scores applied.

11.3 The evaluation of price should take account of the whole life cost of the contract.



11.4 The Council may contact bidding organisations in writing after the receipt of tenders in order to obtain clarification on any aspect of the tender, where any part of the submission is unclear or open to interpretation. There must be a clear audit trail of the communications which take place after the receipt of tenders (record of tender clarifications).

11.5 Any post-tender negotiations require the approval of the Corporate Procurement Manager. Such negotiations may take place following the identification of a preferred bidder, to improve the overall value of the contract through enhanced quality, improved terms or better price on ancillary items.

## **12. Social and Other Specific Services**

12.1 Contracts for Social and Other Specific Services, named in Schedule 3 of the Public Contracts (Scotland) Regulations 2015, are subject to the 'Light Touch regime' under the public procurement rules. In all cases, those services will be procured in a manner that is fair and transparent.

12.2 The procurement of contracts above the threshold for Social and Other Specific Services will be carried out in accordance with Section 7 of the Public Contracts (Scotland) Regulations 2015.

12.3 Further details of these requirements including the procurement thresholds and arrangement for approving contracts are included within the Dundee City Council Procurement Policy and Guidance for Social Care and Support Services (Adult and Children & Families).

~~12.3 Social Care services will be procured in accordance with agreed Social Care Policy and Guidance.~~

~~12.4 Social Care services will be procured in accordance with the Procurement of Care and Support Services 2016 (Best Practice) Guidance (as amended).~~

## **13. Award of Contract and Notification to Unsuccessful Tenderers**

13.1 A standstill period will be observed prior to the award of any Regulated Contract following open competition.

13.2 The standstill period will begin when the successful and unsuccessful bidders are provided with notification of outcome letters. The notification of outcome letters will be in a form that meets the requirements of Regulation 85 of the Public Contracts (Scotland) Regulations 2015.

13.3 Where a Regulated Procurement is carried out through further competition on a Framework, a voluntary standstill period may be observed prior to contract award.

13.4 At the conclusion of the standstill period, should no challenge have been received to the decision to award, then an award letter will be issued to the successful bidder, detailing the contract value and term (including potential extension options), and referencing the documents that comprise the contract together with any order of precedence to apply.

## **14. Supported Businesses and Reserved Contracts**

14.1 The Council may decide to reserve the right to participate in a tender exercise to those organisations that meet the definition of a supported business (Regulation 21 of the Public Contracts (Scotland) Regulations 2015). This must be stated on the relevant contract notice placed on Public Contracts Scotland and Find a Tender

## **15. Concession Contracts**

15.1 Where the Council wishes to let a concession to a third party, this shall be carried out through a competitive tender process, which will be conducted as a procurement exercise and following the relevant guidance.

15.2 Where the Concession Contract exceeds the GPA Threshold for concessions, then a competitive exercise will be conducted in accordance with The Concession Contracts (Scotland) Regulations 2016.

## **16 Disposal of Plant and Equipment**

~~16.1 Heads of Service will be responsible for determining when Council equipment, vehicles and plant, redundant stock or other assets are at the end of their economic life or for other reasons are no longer required by the Council.~~

~~16.2 Where a decision to dispose of an asset is taken, the relevant Head of Service will consult with corporate finance to determine whether the asset has a residual value that outweighs the cost of disposal. For assets with a value exceeding £10,000, approval must be obtained from the relevant Executive Director before disposal can take place. Officers must check no outstanding obligations exist e.g. grant terms or conditions prior to disposing of any asset.~~

~~16.3 When disposing of an asset with a residual value greater than the cost of disposal, the relevant Head of Service will arrange for sufficient advertising of the purchase opportunity to ensure transparency and fairness in the disposal process.~~

~~16.4 Disposal of light vehicles will normally be made through a reputable auction company unless an alternative route can be justified and approved by the Corporate Procurement Manager in consultation with the Head of Democratic and Legal Services.~~

## **17. Contract Variations**

~~17.1 No variation to a contract can be approved unless funding has been identified from an approved budget in accordance with the Financial Regulations. (Section 16 Paragraph 1).~~

~~17.2 The proposed variation must not be considered to be a material change and any Regulated Contract should only be modified to the extent permitted by Section 72 of the Public Contracts (Scotland) Regulations 2015.~~

~~17.3 For Contracts that are not regulated, unless expressly provided for within the terms of the contract, no variation should be made that exceeds 50% of the initial contract value.~~

## **18. Prevention of Corruption**

~~18.1 Contracts with a value of £10,000 or more must be in a written or electronic form capable of providing a permanent record of the intentions of all parties to the contract.~~

~~18.2 In all cases, employees must be aware of and act in compliance with the Council's Gifts, Gratuities and Hospitality guidance and Anti-Bribery Policy.~~

~~18.3 Council employees taking part in the evaluation of tenders must certify that they have no conflict of interest and no pecuniary or familial relationship with any of the organisations that have bid for the contract. Council employees who are unable to clearly provide this certification must withdraw and take no further part in the evaluation or award process.~~

## **19. Contract Registers**

~~19.1 The Corporate Procurement Manager will maintain an electronic register of all contracts above a value of £50,000. The register will specify the name of the contractor, a summary of the purpose of the contract, the contract duration and value or estimated value. The register will be accessible from the Council's website.~~

~~19.2 The contracts register will be maintained from the publication of contract award notices on Public Contracts Scotland and will be completed within 7 days of a contract award being made.~~

~~19.3 In situations where delegation to Council Officer is in place, any Council Officer entering into a contract for the supply of goods, works or services with a value of above £50,000 must ensure that the Corporate Procurement Manager is aware of the necessary details and must provide information on how the documents that form the contract shall be accessed.~~

## **20. Waiver of Contract Standing Orders**

~~20.1 The Chief Executive may authorise the waiver of any Contract Standing Orders, after receiving a Request for Waiver form signed by the relevant Head of Service, after consultation with the Corporate Procurement Manager.~~

~~20.2 Waivers must be either short-term in their application or be accompanied by a timed procurement solution that complies with Contract Standing Orders.~~

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**SCHEDULE 1 – Approval Routes and Thresholds**

<b><u>Value of Transaction</u></b>	<b><u>Preferred Procurement Method</u></b>	<b><u>Sourcing Strategy Required</u></b>	<b><u>Sourcing Strategy Approval</u></b>	<b><u>Approval to Commence Tendering Process</u></b>	<b><u>Approval to Award Tender or Contract</u></b>
<u>Up to £1k</u>	<p><u>Where there is a National Framework agreement or contract in place, this will be the default route for these purchases. Please check with procurement Category Officers who can advise on existing Framework arrangements currently in place e.g. SXL, DCC etc.</u></p> <p><u>Where such an agreement or contract is not in place, or possible to access, the purchase may be made from a single supplier without further competition, where the purchaser can satisfy themselves that the cost is reasonable for the purchase being made.</u></p> <p><u>Officers must ensure that the relevant purchasing guidance is followed to complete these transactions e.g. Purchase Orders, Procurement Card Guidelines etc.</u></p>	<u>No</u>	<u>Not applicable</u>	<u>Not applicable</u>	<u>Not applicable</u>
<u>£1k to £10k</u>	<p><u>Where there is a National Framework agreement or contract in place, this will be the default route for these purchases. Please check with procurement Category Officers who can advise on existing Framework arrangements currently in place e.g. SXL, DCC etc.</u></p> <p><u>Where such an agreement or contract is not in place or possible to access, the purchase may be made although officers must proceed to obtain three competitive quotations first, then select most economically advantageous of these.</u></p> <p><u>Officers must ensure that the relevant purchasing guidance is followed to complete these transactions e.g. Purchase Orders, Procurement Card Guidelines etc.</u></p>	<u>No</u>	<u>Not applicable</u>	<u>Not applicable</u>	<u>Not applicable</u>

<u>Value of Transaction</u>	<u>Preferred Procurement Method</u>	<u>Sourcing Strategy Required</u>	<u>Sourcing Strategy Approval</u>	<u>Approval to Commence Tendering Process</u>	<u>Approval to Award Tender or Contract</u>
<u>£10k to £50k</u>	<p>Where there is a National Framework agreement or contract in place, this will be the default route for these purchases. Please check with procurement Category Officers who can advise on existing Framework arrangements currently in place e.g. SXL, DCC etc.</p> <p>Where such an agreement or contract is not in place or possible to access, the purchase may be made by undertaking a 'quick quote' or 'closed tender' process inviting selected suitably qualified participants to bid is necessary. Please contact relevant Procurement Category Officer to discuss options.</p>	<u>No</u>	<u>Not applicable</u>	<u>Head of Service</u>	<u>Head of Service</u>
<u>£50k to £300k</u>	<u>Complete Sourcing Strategy to identify most economically advantageous option. Please contact relevant Procurement Category Officer to discuss options.</u>	<u>Yes</u>	<u>Head of Service</u>	<u>Executive Director</u>	<u>Executive Director</u>
<u>£300k to £1m and above</u>	<u>Complete Sourcing Strategy to identify most economically advantageous option. This must be considered by the Council's Procurement Group. Please contact relevant Procurement Category Officer to discuss options.</u>	<u>Yes</u>	<u>Executive Director</u>	<u>Procurement Group</u>	<u>Committee</u>
<u>£1m and above</u>	<p><u>Complete Sourcing Strategy to identify most economically advantageous option. This must be considered by the Council's Procurement Group. Please contact relevant Procurement Category Officer to discuss options.</u></p> <p><b><u>Please Note: where the proposed contract/tender relates to a capital project in excess of £1m, the strategy must also be considered by the Council's Capital Governance Group in advance of being presented to Committee for approval.</u></b></p> <p><u>For individual Works procurements with a value of up to £2,000,000, a formal 'closed' tender document may be the sourcing strategy preference (in the absence of a suitable framework) but must be made available to at least three organisations through Public Contracts Scotland). Committee Approval will be required.</u></p>	<u>Yes</u>	<u>Executive Director</u>	<u>Committee</u>	<u>Committee</u>

**NOTE:** Where applicable, the above values reflect to the tender and contract award ie excluding any fees or allowances. Where officers have delegation to approve spend this is predicated on these available resources being included in the approved budget.

<b><u>Social Care Procurement – Legislative Framework</u></b>
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<b><u>Public Contracts (Scotland) Regulations 2015</u></b>
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<del>Role: sets out a set of light touch rules for procuring services valued at over £663,540*. *threshold is updated every 2 years.</del>
--

<b><u>Procurement Reform (Scotland) Act 2014</u></b>
--

<del>Role: sets out rules for procuring services valued at between £50,000 and £663,540*.</del>
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<b><u>Procurement (Scotland) Regulations 2016</u></b>
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<del>Role: set out rules for procuring services valued at between £50,000 and £663,540*.</del>
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~~DUNDEE CITY COUNCIL~~  
~~CORPORATE SERVICES~~

DELEGATION OF POWERS TO OFFICERS  
~~TO OFFICERS OF~~  
~~THE COUNCIL~~

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**DELEGATION OF POWERS TO OFFICERS TO OFFICERS OF THE COUNCIL****I N D E X**

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**SCHEME OF ADMINISTRATION—DELEGATION OF POWERS TO OFFICERS TO OFFICERS****1. INTERPRETATION**

- (i) Any reference in this scheme to a statutory or other provision shall be interpreted as a reference to that provision as amended from time to time by any subsequent legislation.
- (ii) Any power delegated to the Chief Executive or an Executive Director in terms of this scheme may be exercised by such officer or officers of their service as the Chief Executive or Executive Director may authorise.

**2. GENERAL DELEGATION TO CHIEF EXECUTIVE AND ALL EXECUTIVE DIRECTORS**

- (i) Authority for the Chief Executive to make arrangements for the overall operation and management of the Council and its services within the policies and decisions made by the Council, the Chief Executive will delegate to Executive Directors to make similar arrangements for their service.
- (ii) **Urgent Matters Arising Between Meetings**  
 Authority for the Chief Executive and Executive Directors to act on urgent matters, which may arise between meetings in consultation with the Convener, Opposition Groups spokespersons and all Opposition Members who are not in a Group and the Independent member, subject to a report thereon being submitted for information to the next appropriate meeting of the Committee concerned.
- (iii) **Revenue Expenditure**  
 Authority to incur expenditure on salaries, wages, property costs, and supplies and services etc, within the approved budget and subject to the Council's Human Resources policies, financial regulations and tendering procedures.
- (iv) **Training Plan**  
 Authority to develop training plans and authorise attendance at appropriate training courses.
- (v) **Action Plan**  
 Authority to develop ~~service Action Plans~~ Service Plans.
- (vi) **Outside Bodies**  
 Authority to represent the Council on outside bodies relevant to the activities of their service. Executive Directors may also authorise members of staff to represent the Council on appropriate bodies for the same purpose.
- (vii) **Attendance at Meetings**  
 The Chief Executive and Executive Directors, may, at the expense of the Council, attend meetings arranged by any appropriate body for the discussion of matters relating to any of the functions of the Council. Officers other than the Chief Executive or Executive Directors may be authorised to incur expense in attending such meetings by the Chief Executive and Executive Directors.
- (viii) **Disposal of Surplus Plant etc**  
 Authority to make arrangements for the disposal of surplus plant, vehicles, tools, equipment, furnishings, materials or commodities valued at less than £~~54~~0,000.

(ix) **Best Value**

Authority to conduct customer consultation exercises, enter into benchmarking partnerships and take all steps necessary to meet the standards required in terms of cost and quality to demonstrate the achievement of best value in delivering services which have been measured against customers' needs and strategic priorities.

(x) **Partnerships**

Authority to identify and develop partnerships with organisations who can assist in the delivery of services.

(xi) **Licensing Applications**

Heads of Service of the Council shall be authorised to lodge objections to applications for licences being considered by the Council's Licensing Committee and/or the Licensing Board for the City of Dundee.

(xii) **Miscellaneous**

(a) Authority for Executive Directors to manage and deliver services in accordance with the Council's policies subject to compliance with the Council's Standing Orders, Tender Procedures, Financial Regulations and any directions given by the Chief Executive.

(b) Authority to carry out such other matters not detailed in the Schemes of Administration but nevertheless necessary to carry out service functions which are not otherwise dealt with by the Council, its Committees or Sub-Committees or any other service.

(c) Authority to award contracts (which have complied with the Council's Standing Orders, Tendering Procedures, Financial Regulations and any directions given by the Chief Executive), subject to a Sourcing Strategy having been approved by the appropriate Committee.

(d) Authority to award contracts with a value of under £10,000 (which have complied with the Council's Standing Orders Tendering Procedures, Financial Regulations and any directions given by the Chief Executive) subject to a report thereon being submitted for information to Committee as part of the Annual Procurement Report.

(xiii) **Other Paid Employment**

Authority to consider appeals in respect of other paid employment.

(xiv) **Covid-19 and other Pandemics**

Authority for the Chief Executive and Executive Directors (or their nominees) to authorise any Council Officer within their respective services to carry out any enforcement or other action as specified in terms of any legislation/regulations passed in connection with the Covid-19 emergency and other Pandemics.

**CHIEF EXECUTIVE**

The Chief Executive has delegated authority for the following activities:-

**(a) General**

1. to implement and monitor general policies adopted by the Council.
2. to provide advice and guidance to the Council on policy options.
3. to act as Returning Officer at all Local Government, ~~and~~ National ~~and European~~ elections and referenda and to appoint Deputy Returning Officers as appropriate.
4. to act as Proper Officer for the Council for the purposes of Sections 33A, 34, 40, 231 and Schedule 7 of the Local Government (Scotland) Act 1973.
5. to call meetings of the Council or any of its Committees or Sub-Committees.
6. to authorise the attendance of officers of the Council at meetings, conferences or other functions within and outwith the United Kingdom.
7. subject to the provisions of Standing Order No 61(1) authority to establish and fill posts, extend posts and delete posts above Grade 13 irrespective of the nature of the posts eg temporary or permanent.
8. when persons or bodies are attending meetings with members and/or Executive Directors or their deputies in connection with the functions and operations of the City Development, the Chief Executive may authorise expenditure on the provision of hospitality to an amount not exceeding the amount allowed in the estimates in any one year.
- ~~9. subject to the provisions of paragraph 3 of the Scheme of Administration on Tender Procedures, the Chief Executive may, in special circumstances, decide that the normal tender process would not be justified or appropriate.~~
- ~~9. subject to the provisions of paragraph 3 of the Scheme of Administration on Tendering Procedures, Contract Standing Orders the Chief Executive may, in special circumstances, decide that the normal tender process would not be justified or appropriate.~~
10. to open tenders.
- ~~11. to appoint a Chairperson for the Social Work Complaints Review Committee and to arrange for substitutes to be available if required.~~
- ~~12~~11. to deal with all disciplinary matters affecting Executive Directors subject to the employee's right of appeal within the Disciplinary Procedure.
- ~~13~~12. to lead the Council's Community Planning Officers' Team and Dundee Partnership Management Group.
- ~~14~~13. to lead the ~~Council Management Team~~ Council Leadership Team and ensure effective delivery of Council services in accordance with the approved budgets.
- ~~15~~14. subject to the provisions of any enactment, Statutory Order or Instrument and to the terms of Standing Order 62(1) and (2) authority to vary the grade of any post.
- ~~16~~15. Chief Executive or nominee to attend all meetings of members of Leisure & Culture Dundee including the AGM as the Council's authorised representative.
- ~~17~~16. to approve attendance at the undernoted conferences:-
  1. COSLA Annual Conference;
  2. CIPFA Scottish Conference;
  3. Chartered Institute of Housing Conference;
  4. Social Work Scotland Conference; and

at one-off events of a particular relevance/importance to the Council, by one member from the Administration and one member from the Opposition.

**4817.** Processing awards from the Dundee Community Regeneration Fund.

(b) **Corporate**

1. to promote corporate working amongst services to ensure that policy objectives from Elected Members are translated into functional objectives and that clear performance and service delivery standards are set and achieved.
2. to identify short-term action plans to improve the quality of services provided by services and assist in the monitoring of these action plans to ensure that performance targets are achieved.
3. to develop recommendations for medium and long-term action plans to improve the quality, effectiveness and efficiency of the delivery of City Council services.
4. to develop an integrated management information system to support the preparation, monitoring and review of the City Council's corporate strategies and action plans.
5. to monitor the operation of quangos, joint boards/arrangements, partnerships, ALEO's and other agencies/bodies in order to project and protect the interests of Dundee City Council.
6. to conduct research into policy issues, including comparisons with other authorities and customer research.
7. to ~~develop the National Entitlement Card work~~ in partnership with other organisations to improve efficiency and effectiveness of services.
8. to develop health improvement issues.
9. to develop proposals for Community Regeneration Priority Areas.
10. to develop advice to the Council to ensure that all aspects of the Council's work reflect its statutory duty under the 2010 Equality Act to eliminate discrimination, advance equality of opportunity and to foster good relations across the range of people with protected characteristics.

(c) **Leisure and Culture**

1. to develop proposals for the provision of adequate facilities for social, cultural and recreational activities as defined in the Education (Scotland) Act 1980.
2. in liaison with Leisure and Culture Dundee to ensure the provision of adequate library facilities for all persons resident in the City in terms of Section 163(2) of the Local Government (Scotland) Act 1973.
3. to develop and provide advice to the Council on policies and in liaison with Leisure and Culture Dundee policies for libraries, leisure and cultural facilities including sports centres and school halls, and heritage facilities and the promotion of the arts/culture/sport in general.
4. to advise the Council on strategies relating to culture, sport, physical activity, arts, heritage and libraries.
5. in liaison with Leisure and Culture Dundee to purchase exhibits to a value which may exceed the limit laid down by Financial Regulations provided that it does not exceed the annual sum set aside in any one year's estimates or in special cases not exceeding the accrued resources in any one year of the Art Fund annual allocations and funds accrued in the Charles Ower Bequest after consultation with the Executive Director of Corporate Services.
6. to close premises leased to Leisure and Culture Dundee to allow essential repair/maintenance work to be carried out, or for elections or over the festive season.

(d) **Communications**

The Service Manager Communications has delegated authority for the following activities:-

- (i) to provide advice and guidance to the Council on policies and strategies in the fields of media, communications and design services.
- (ii) to respond to media enquiries on behalf of the Council, in liaison with appropriate Conveners and Executive Directors.
- (iii) to design and regulate the use of the City Council's brand and to ensure that corporate design specifications are adhered to.
- ~~(iv) to develop advice to the Council to ensure that all aspects of the Council's work reflect its statutory duty under the 2010 Equality Act to eliminate discrimination, advance equality of opportunity and to foster good relations across the range of people with protected characteristics.~~
- (iv) to publish corporate information to the Council's websites and social media channels.

**CHILDREN AND FAMILIES SERVICE**

The Executive Director of Children and Families Service has delegated authority for the following activities:-

1. to provide advice to the Council on the formulation of policies and strategies in respect of the provision and development of long and short-term Education services and Social Work services.
2. to ensure that the Council complies with all statutory requirements in relation to the Education service.
3. to make available information to parents to enable them to enrol their children in the delineated area school or to make a placing request for another school.
4. to grant all placing requests, whenever possible, and to explain the right of appeal to any parents whose placing requests are refused.
5. to authorise school transport arrangements for all children who are entitled to school transport statutorily, or as a result of Council policy, and to authorise school transport for any children in exceptional circumstances who would not otherwise be entitled to it, subject to appropriate provision having been made in the approved estimates of expenditure.
6. to make provision for the education of children identified as having additional support needs under the terms of the Education (Additional Support for Learning) (Scotland) Act 2004.
7. to exercise the powers available to the Council with regard to the provision of education for pupils belonging to areas of other education authorities; to pay any agreed rate to another education authority which has provided education for pupils normally resident in the area of the Council but who are, for various reasons, placed in schools outwith the Council area, subject to appropriate provision having been made in the approved estimates of expenditure; and to make arrangements for the receipt of payments from other Councils whose pupils are placed in Dundee schools.
8. to transfer/-deploy teachers within the policy established by the Council.
9. to be responsible for disciplinary procedures for teaching staff, in accordance with the Council's policies, including dismissal.
10. to approve the premature retirement of teachers without enhancement at no additional cost to the Council.
- ~~11. to carry out the administration, assessment and payment of education maintenance allowances and further education bursaries, insofar as the Council has the power to award such bursaries and to decide whether or not to accept a late application.~~
- ~~4211.~~ to issue licences and approvals in terms of the Children and Young Persons' Act 1963 and Children (Performances) and Activities (Scotland) Regulations 2014.
- ~~13. to ensure that free school meals are provided for all entitled pupils, and that clothing grants are provided in accordance with the Council's policies.~~
- ~~4412.~~ to be responsible for the provision of ~~a psychology service~~ Educational Psychology Service.
- ~~4513.~~ to make all arrangements for the election of members of Parent Councils.
- ~~4614.~~ to promote parental involvement in Parent Councils.
- ~~4715.~~ to administer the Council's scheme for the letting of school premises.
- ~~4816.~~ to administer the Council's scheme of Devolved School Management.
- ~~19. to make revenue grant up to £500 to support playgroups.~~



- | ~~2017.~~ to sign agreements reached by the Local Negotiating Committee for Teachers.
- | ~~2418.~~ to exclude pupils from schools.
- | ~~2219.~~ to administer the functions of the Education Authority under Sections 35-43 of the Education (Scotland) Act 1980 (except the appointment of a person to institute proceedings in terms of Section 43(2)), being consideration of Cases of School Attendance Default including the power to impose an Attendance Order or to decide that the parent/carer be prosecuted.
- | ~~2320.~~ to make arrangements to monitor the attendance of pupils at school, and to implement measures to combat truancy and other unauthorised absence.
- | ~~2421.~~ to monitor performance and operation of the PPP for Schools Contracts.
- | ~~2522.~~ to consent to the withdrawal of children from school in terms of Section 35 of the Education (Scotland) Act 1980.
- | ~~2623.~~ to take steps to ensure that the Council complies with all statutory requirements in respect of the provision of Social Work services including:-
  - (i) to bury or cremate any child who was immediately before their death being looked after by the local authority and recover expenses in terms of Section 28 of the Social Work (Scotland) Act 1968.
  - (ii) to defray expenses of parents, relatives or other connected persons in respect of visiting a child who is being looked after by the authority, or attending the funeral of such a person in terms of Section 29 of the Social Work (Scotland) Act 1968 as amended by paragraph 15(13) of Schedule 4 of the Children (Scotland) Act 1995.
  - (iii) to provide and maintain in terms of Section 59 of the Social Work Act 1968 such residential and other establishments as are required for the Council's functions under Part II of the Children (Scotland) Act 1995.
  - (iv) to recover any charges for services provided under or by virtue of Part II of the Children (Scotland) Act 1995 all in terms of Section 87 of the Social Work (Scotland) Act 1968.
  - (v) to operate a procedure as approved by the Council for the receipt and investigation of complaints in terms of Section 5B of the Social Work (Scotland) Act 1968 insofar as they relate to Children and Families Service.
  - (vi) to provide services to chronically sick and disabled children and young persons in terms of Section 2 of the Chronically Sick and Disabled Persons Act 1970.
  - (vii) to assess needs when requested to do so by a disabled child or young person or their carer in terms of Section 4 of the Disabled Persons (Services, Consultation and Representation) Act 1986.
  - (viii) to provide information on Children and Families services and any relevant services of other authorities or organisations in terms of Section 1 of the Chronically Sick and Disabled Persons Act 1970.
  - (ix) to have the power to make direct payments under Section 12B of the Social Work (Scotland) Act 1968 in respect of children or young people.
  - (x) to make arrangements for the exercise by the Council of its functions other than those delegated to the Dundee City Health and Social Care Integration Joint Board in respect of persons under the Mental Health (Care and Treatment) (Scotland) Act 2003 and the Adults with Incapacity (Scotland) Act 2000.
  - (xi) to provide supervision for the purpose of assisting and advising an offender in regard to payment of a fine in terms of Section 217 of the Criminal Procedure (Scotland) Act 1995.

- (xii) to supervise people placed on Supervised Attendance Order in terms of Sections 235, 236 or 237 of the Criminal (Procedure) Scotland Act 1995.
- (xiii) to provide a throughcare service to prisoners during their period of imprisonment and who will be subject to supervision following release as specified by Section 71 of the Criminal Justice (Scotland) Act 2003.
- (xiv) jointly with Scottish Ministers to establish arrangements for the assessment and management of the risks posed by custody and community prisoners in accordance with the Custodial Sentences and Weapons Act 2007.
- (xv) to provide services to safeguard and promote the welfare of children who are in need and to promote the upbringing of such children by their families in terms of Section 22(1) of the Children (Scotland) Act 1995, including giving assistance in kind or, in exceptional circumstances, in cash.
- (xvi) to provide accommodation for any child in the local authority area to promote or safeguard his/her welfare in terms of Section 25(1) and (2) of the Children (Scotland) Act 1995.
- (xvii) in conjunction with the Executive Director of Neighbourhood Services, to have the power to provide accommodation to persons who are over the age of eighteen, but not yet twenty-one, when such provision would promote the young person's welfare in terms of Section 25(3) of the Children (Scotland) Act 1995.
- (xviii) to provide adoption support services (including the payment of allowances) in terms of the Adoption and Children (Scotland) Act 2007 and the Adoption Support Services and Allowances (Scotland) Regulations 2009.
- (xix) to safeguard and promote the welfare of a child where the child is looked after by the local authority in terms of Section 17(1) of the Children (Scotland) Act 1995.
- (xx) to provide advice and assistance to prepare the child for when he/she is no longer looked after by the local authority in terms of Section 17(2) of the Children (Scotland) Act 1995.
- (xxi) to review cases of children looked after by the local authority in terms of Section 31 of the Children (Scotland) Act 1995.
- (xxii) to provide continuing care to an eligible person in terms of Section 26A of the Children (Scotland) Act 1995.
- (xxiii) to provide accommodation and maintenance for children who are looked after by the local authority in terms of Section 26 of the Children (Scotland) Act 1995.
- (xxiv) to provide advice and assistance for young persons under nineteen, but over school age and formerly looked after by a local authority in terms of Section 29 of the Children (Scotland) Act 1995.
- (xxv) to have the power to provide financial assistance towards expenses of education or training of a young person, under the age of twenty-one, formerly looked after by the local authority, including contributions to accommodation and maintenance in terms of Section 30 of the Children (Scotland) Act 1995.
- (xxvi) to pay allowances in terms of Section 50 of the Children Act 1975.
- (xxvii) to cause inquiries to be made and to provide information to the Principal Reporter where compulsory measures of supervision may be necessary in respect of a child in terms of Sections 60 of the Children's Hearings (Scotland) Act 2011.
- (xxviii) to provide reports on children and their social background for a Children's Hearing in terms of Sections 66(4) and/or (5) and (6) of the Children's Hearings (Scotland) Act 2011.

- (xxix) to put into effect a Compulsory Supervision Order made by a Children's Hearing in terms of Section 83 of the Children's Hearings (Scotland) Act 2011.
- (xxx) to require a review of a Compulsory Supervision Order made by a Children's Hearings by notice to the Principal Reporter in terms of Section 131(1) of the Children's Hearings (Scotland) Act 2011.
- (xxxi) to recover contributions in respect of children who are looked after by the authority in terms of Section 78A of the Social Work (Scotland) Act 1968.
- (xxxii) to recover contributions that have not been paid in terms of Section 82 of the Social Work (Scotland) Act 1968.
- (xxxiii) on behalf of the Chief Executive of the Council to prepare and publish a plan for the provision of relevant services for, or in respect of, children in the local authority area in terms of Section 19 of the Children (Scotland) Act 1995.
- (xxxiv) to prepare and publish information about relevant services for children in the local authority area in terms of Section 20 of the Children (Scotland) Act 1995.
- (xxxv) to request help in the exercise of any functions that the local authority has under Part II of the Children (Scotland) Act 1995 from any of the specified persons in terms of Section 21 of the Children (Scotland) Act 1995.
- (xxxvi) to provide day care for children in need within the local authority who are aged five or under and who have not yet started school in terms of Section 27(1) of the Children (Scotland) Act 1995.
- (xxxvii) to provide appropriate care for school children in need within the local authority area outside school hours or during school holidays in term of Section 27(3) of the Children (Scotland) Act 1995.
- (xxxviii) to assess the need for the provision of Social Work services to any young person reaching school leaving age who is regarded as disabled in terms of Section 13 of the Disabled Persons (Services, Consultation and Representation) Act 1986.
- (xxxix) to provide a report to the Court, on request, where the Court is considering any question relating to the care and upbringing of a child.
- (xl) to ensure that services provided under Section 22 of the Children (Scotland) Act 1995 to a child with or affected by a disability are designed to minimise the effect of his/her disability, or to minimise the effect of the disability of a family member on the child and to provide the opportunity for the child to lead as normal a life as possible in terms of Section 23(1) of the Children (Scotland) Act 1995.
- (xli) to carry out an assessment (if asked to do so by the child's parent or guardian) of the child or any other person in his/her family in order to ascertain the child's needs insofar as they are attributable to his/her disability or that of the other person in terms of Section 23(3) of the Children (Scotland) Act 1995.
- (xlii) to assess a carer's ability to provide, or to continue to provide, care for the child when asked to do so by the carer in terms of Section 24 of the Children (Scotland) Act 1995.
- (xliii) upon receipt of notification in terms of Section 36(1) of the Children (Scotland) Act 1995 to determine whether the child's welfare is adequately safeguarded and whether to exercise any functions under the Act in terms of Section 36(2).
- (xliv) to provide short-term refuge to children who appear to be at risk of harm and who themselves request to be provided with such refuge in terms of Section 38 of the Children (Scotland) Act 1995.
- (xlv) to designate residential establishments and households as short-term refuges for children for the purposes of Section 38 of the Children (Scotland) Act 1995.

- (xlv) to have the power to apply to a Sheriff for a Child Protection Order in terms of Section 37 and 38 of the Children's Hearings (Scotland) Act 2011.
- (xlvii) to have the power to apply to a Justice of the Peace for emergency child protection measures in terms of Section 55 of the Children's Hearings (Scotland) Act 2011.
- (xlviii) to exercise any parental rights and responsibilities in respect of a child given to the Council in terms of a Permanence Order while that Order remains in force.
- (xlix) to act as agency decision-maker in relation to decisions on adoption or to authorise another officer to act in such a capacity.
- (l) to have the power to cause an inquiry to be held into the local authority's functions under the Children (Scotland) Act 1995 insofar as those functions relate to children in terms of Section 6B of the Social Work (Scotland) Act 1968 and Section 100 of the Children (Scotland) Act 1995.
- (li) to accept or not accept any person for assessment as a prospective adopter in accordance with the provisions of the Adoption Agencies (Scotland) Regulations 2009.
- (lii) to assess prospective adopters in accordance with the provisions of the Adoption Agencies (Scotland) Regulations 2009.
- (liii) to establish an adoption panel in terms of the Adoption Agencies (Scotland) Regulations 2009.
- (liv) to approve prospective adopters in accordance with the provisions of the Adoption Agencies (Scotland) Regulations 2009.
- (lv) to place or secure the placing of a child for adoption with prospective adopters in accordance with the provisions of the Adoption Agencies (Scotland) Regulations 2009.
- (lvi) to submit to the Court a report on the suitability of applicants for an Adoption Order where a child has been placed for adoption by the Council and to assist the Court in any manner the Court may direct all in terms of Section 17 of the Adoption and Children (Scotland) Act 2007.
- (lvii) to investigate the suitability of adoption applicants and other matters and to report to Court in terms of Section 19 of the Adoption and Children (Scotland) Act 2007.
- (lviii) to assess and approve kinship carers and foster carers in accordance with the provisions of the Looked After Children (Scotland) Regulations 2009.
- (lix) to place a child with a kinship carer or in a foster placement in accordance with the provisions of the Looked After Children (Scotland) Regulations 2009.
- (lx) to establish a fostering panel in terms of the Looked After Children (Scotland) Regulations 2009.
- (lxi) to pay allowances to kinship carers and foster carers in accordance with the Looked After Children (Scotland) Regulations 2009.
- (lxvi) to ensure that the corporate parenting responsibilities of the Council are addressed through the Children's Services planning process, including the development of an action plan and the publication of baseline data on children in need.
- (lxiii) to make provision for guidance to be provided to the Council by the Chief Social Work Officer in terms of the Local Government (Scotland) Act 1994.
- (lxiv) to agree Fostering, Kinship and Residential Allowances.

**CITY DEVELOPMENT**

The Executive Director of City Development has delegated authority for the following activities:-

1. **General**

- (a) to discuss with the private sector and other agencies for the purposes of securing development of and for the City.
- (b) to develop advice for the Council on creative planning policies for land use in the City.
- (c) ~~Implement Processes set out in the Property Asset Management Plan and update and appraise Property Management Plan.~~

2. **Architects-Architectural Services, Engineers, Road and Transport and Capital Projects and Quantity Surveying**

- (i) appointment of Consultants - to appoint Consultants, as may become necessary, to accommodate periodic increases in the workload ~~and assist with specialist knowledge in preparing report and bid documents, subject to the provisions in the Council's Tendering Procedures-Contract Standing Orders and if contract value is above £50k for duration of contract~~ subject to a report thereon being submitted for information to the next appropriate meeting of the Committee concerned, where required.
- (ii) ~~to assess and evaluate applications for inclusion in the Council's Select Tender Lists.~~
- (iii) ~~to delete contractors from the Select Tender List when they fail to meet the technical or financial criteria required by the Council.~~

3. **Planning Development Management**

1. **General**

- 1.1 This Scheme of Delegation was prepared by Dundee City Council as required by Section 43A(1) of the Town and Country Planning (Scotland) Act 1997 as ~~amended inserted~~ by the Planning etc (Scotland) Act 2006 and in accordance with Regulations 3 and 4 of the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013.
- 1.2 The Scheme of Delegation was approved by the Policy and Resources Committee of Dundee City Council on 11 November 2013 and Scottish Ministers on 3 December 2013.
- 1.3 "Local development" for the purposes of this Scheme of Delegation will include all development other than national development, as designated in a National Planning Framework document prepared and published by the Scottish Ministers under Part 1A of the 1997 Act; and major development, as identified in terms of the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009.

2. **Classes of Development to be Determined by the "Appointed Officer" of the Council and Exemptions from the Mandatory Scheme**

- 2.1 *Planning applications in the following Classes of Development as defined in Sections 3A (4)(b) and 26A of the Town and Country Planning (Scotland) Act 1997 as inserted by the Planning etc (Scotland) Act 2006 and supported by the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009 shall be determined by an officer or officers who shall be appointed by the ~~Head of Planning and Economic Development-Chief Planning Officer~~ for that purpose. A range of postholders may be appointed to determine cases or different classes of case under the scheme.*

The applications concerned are:-

- (a) all applications for planning permission in respect of development within the category of "local development"; and

- (b) all applications for consent, agreement or approval required by a condition imposed on a grant of planning permission for a development within the category of "local" development.

**2.2 Exemptions** - *the appointed officer is prohibited, however, from determining the following types of application for planning permission within the category of "local" development:-*

- (i) any application<sup>1</sup> in respect of which ~~six twenty-six~~ or more valid written objections received within the timescales specified in statutory notifications or press notices; and the application is recommended for approval;
- (ii) any application which attracts a valid timeous objection from a statutory consultee<sup>2</sup> and the application is recommended for approval;
- (iii) any application where the appointed officer is minded to approve in circumstances where it is significantly contrary<sup>3</sup>; to the development plan;
- (iv) any application which a member, within a period of 21 days from the date the application was valid, has requested in writing to the appointed officer that it be submitted to the Planning Committee;
- (v) any application submitted by or on behalf of an Elected Member of the Council or the Chief Executive or an Executive Directors of the Council; or Head of Planning and Economic Development or Senior Manager Planning; or Head of Planning and Senior Manager Planning;
- (vi) any application requiring the submission of an Environmental Impact Statement in terms of the Environmental Impact Assessment (Scotland) Regulations 2011 as amended<sup>4</sup> and
- (vii) any application which the ~~Chief Planning Officer Executive Director of City Development Head of Planning and Economic Development~~ proposes should, for valid planning reasons, be determined by the Planning Committee rather than by the appointed person.

### 3. **Subsequent Schemes of Delegation**

- 3.1** *The Council will review or if appropriate adopt a revised Scheme of Delegation no later than a period of five calendar years following the approval of this Scheme of Delegation by Scottish Ministers.*

<sup>1</sup> The meaning of "application" shall be taken to include applications for planning permission; planning permission in principle; applications for consent, agreement or approval required by condition imposed on a grant of consent for local developments.

<sup>2</sup> For the purposes of this Scheme of Delegation a statutory consultee shall be taken to be consultees referred to in Regulation 25 and Schedule 5 of the Town and County Planning (Development Management Procedure) (Scotland) Regulations and will include a Community Council or officially recognised Neighbourhood Representative Structure.

<sup>3</sup> A proposed development is "significantly contrary to the development plan" if the departure concerned, in the judgement of the "appointed person" is directly related to the achievement of the core objectives of any element of the development plan and the approval of the application would seriously compromise the achievement of the development plan's objectives and compromise its other policies and proposals. For the avoidance of doubt a proposal will not necessarily be significant if, for example, it fails to meet the terms on one or more policies or one or more of the criteria in any criteria based policy.

<sup>4</sup> An application which is determined by the Executive Director of City Development to be an application requiring the submission of an Environmental Impact Statement in terms of the Environmental Impact Assessment Regulations 2011, as amended.

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## ANNEX B

Discretionary Scheme of Delegation in Relation to Development Management as Provided for by the Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc (Scotland) Act 2006 and the Local Government (Scotland) Act

<i>Issue</i>	<u>The <del>Executive Director of City Development</del>Chief Planning Officer shall undertake the following under powers delegated by the Council</u>
<b>1 General</b>  Powers to delegate  Negotiations  Planning Policy  Entry to Land  Day to Day Procedural Matters	<del>Authorise the Head of Planning and Economic Development to a</del> Appoint appropriate officers to determine cases of application or different classes of case which fall to be determined under the approved mandatory Scheme of Delegation.  Authority to negotiate with the private sector and other agencies for the purposes of securing the proper development of the city in accordance with the Council's objectives".  Authority to advise the Council on land use planning matters for the purposes of securing the proper development of the city in accordance with the Council's objectives.  Authority to authorise a person to enter upon any land at any reasonable time for the purposes mentioned in Sections 156, 158, 160-163, 167, 172-175,177, 269 and 270 of the 1997 Act as amended and section 18-21 of the High Hedges (Scotland) Act 2013.  The undertaking by the appropriate officer of the Council of all <del>day to day</del> day-to-day procedural matters and other actions relevant to the Council's planning functions, as provided for in the planning and related legislation.
<b>2 Hierarchy of Application Types</b>	To determine with reference to the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009 <del>whether or not</del> whether a description of a development falls into the categories of "major" and "local" respectively and to so determine where a Pre-application Screening Notice is submitted to the Council.

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<i>Issue</i>	<u>The <del>Executive Director of City Development</del>Chief Planning Officer shall undertake the following under powers delegated by the Council</u>
<b>3 Pre-application Consultation and Scrutiny</b>	<p>The implementation and enforcement of pre-application procedures under Section 35A of the 1997 Act as amended including:</p> <ul style="list-style-type: none"> <li>• assessing and responding to Pre-application Screening Notices;</li> <li>• assessing and responding to Proposal of Application Notices; and</li> <li>• assessing Pre-application Consultation Reports and determining the validity of related applications.</li> </ul>
<b>4 Determination of Planning Applications</b>	<p><del>†</del>The determination of all applications for planning permission and planning permission in principle; applications for the approval of matters specified in conditions attached to planning permissions and planning permissions in principle; further applications; applications seeking to amend or delete conditions; listed building consent applications; conservation area consent applications; applications for consent to display advertisements (including the unconditional approval of applications), EXCEPT:</p> <ul style="list-style-type: none"> <li>• "national" and "major " categories of application;</li> <li>• "local" category applications which the Council has decided in its Scheme of Delegation, approved by Scottish Ministers, should be determined by it as opposed to the Appointed Officer, except any application where, within <del>one</del> <u>month-21 calendar days</u> of the application appearing on the Weekly List, written notice is given to the Committee Services Officer that the Planning Committee intends to determine the application. Such information (which shall be referred to as a Section 43A(6) referral shall only be valid when signed by the Convener and Vice Convener and shall include a statement of the reasons for such a referral; <u>and</u></li> <li>• <del>all applications for the removal or amendment of conditions which were originally imposed at the specific request of members;</del></li> <li>• <del>all applications for Hazardous Substance Consent;</del></li> <li>• any application submitted by or on behalf of an officer of the Council involved in the statutory planning process; <del>and.</del></li> </ul>



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<i>Issue</i>	<u>The <del>Executive Director of City Development</del>Chief Planning Officer shall undertake the following under powers delegated by the Council</u>
	<ul style="list-style-type: none"> <li>• <del>applications which had been determined subject to a planning agreement (planning obligation) and which now require to be determined as a consequence of the Council and the applicant and other parties to the agreement not being able to conclude the agreement within a reasonable period of time. This provision will apply in cases where the original decision was taken by Committee.</del></li> </ul>
5 Reasons for Decisions	<ul style="list-style-type: none"> <li>• issuing to applicants reasons for the decisions in respect of all planning and related applications made by the Council.</li> </ul>
6 Attachment of Conditions at the Request of Scottish Ministers	<ul style="list-style-type: none"> <li>• <del>to consider whether</del> to impose a condition directed by Scottish Ministers in respect of a planning application referred to them.</li> </ul>
7 Processing Agreements	<ul style="list-style-type: none"> <li>• where necessary to negotiate and agree with applicants and other parties to the agreement, the terms of Processing Agreements.</li> </ul>
8 Determination of the Validity of Objections and Representations	<ul style="list-style-type: none"> <li>• determining whether a representation or objection in respect of a planning or related application is timeous, valid or material in respect of the application under consideration.</li> </ul>
9 Variations to Planning Permissions	<ul style="list-style-type: none"> <li>• determining to approve a variation, as provided for by Section 64 of the 1997 Act as amended and to issue refusals where the terms of Section 64 are not satisfied.</li> </ul>
10 Variations to Planning Applications Not Yet Determined	<ul style="list-style-type: none"> <li>• to determine to agree to a variation by the applicant to a submitted application, as provided for by Section 32A of the 1997 Act as amended and to issue refusals where the terms of Section 32A are not satisfied.</li> <li>• to determine what notice if any to give to other parties concerning such a variation if agreed.</li> </ul>
11 Approval of Matters of Detail Covered by Conditions	<ul style="list-style-type: none"> <li>• approving matters of detail <u>as required by planning conditions</u><del>which have been reserved when previously granting the conditional approval of a detailed planning application.</del></li> </ul>
12 Determination of Repeat	<ul style="list-style-type: none"> <li>• the authority to decline to determine applications which fall within Section 39 of the 1997 Act as amended.</li> </ul>

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<i>Issue</i>	<u>The <del>Executive Director of City Development</del>Chief Planning Officer shall undertake the following under powers delegated by the Council</u>
<b>Applications</b>	
<b>13 Consultation on Applications Submitted to Neighbouring Planning Authorities</b>	<ul style="list-style-type: none"> <li>the authority to express views on behalf of the Council when it is statutorily or informally consulted by neighbouring planning authorities on planning applications submitted to them for determination.</li> </ul>
<b>14 Environmental Impact Assessments</b>	<ul style="list-style-type: none"> <li>the authority to provide informal and formal Screening and Scoping Opinions and to assess submitted Environmental Statements, all in terms of the provisions of The Environmental Impact Assessment (Scotland) Regulations 2011 as amended.</li> </ul>
<b>15 Requests for Further Information on Applications</b>	<ul style="list-style-type: none"> <li>the authority to identify and seek further information from applicants to enable the Council to deal with applications.</li> </ul>
<b>16 Legal Agreements/ Planning Obligations</b>	<ul style="list-style-type: none"> <li>In consultation with the Head of Democratic and Legal Services, negotiating, concluding and enforcing planning agreements (planning obligations) under Section 75 of the 1997 Act as amended.</li> </ul>
	<ul style="list-style-type: none"> <li>In consultation with the Head of Democratic and Legal Services, to amend <del>Obligations Agreements</del> which do not significantly alter their general provisions already concluded under Section 75 of the 1997 Act, as amended.</li> </ul>
	<ul style="list-style-type: none"> <li><u>In consultation with the Head of Democratic and Legal Services, to modify or discharge Obligations concluded under Section 75 of the 1997 Act as amended, where their objectives have been achieved.</u></li> </ul>
<b>17 Certificates of Lawfulness of Existing or Proposed Development</b>	<ul style="list-style-type: none"> <li>in consultation with the Head of Democratic and Legal Services to determine all applications for Certificates of Lawfulness of Existing Development and Certificates of Lawfulness of Proposed Development.</li> </ul>

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<i>Issue</i>	<u>The <del>Executive Director of City Development</del>Chief Planning Officer shall undertake the following under powers delegated by the Council</u>
<b>18 <u>Planning</u> Enforcement</b>	<p>In consultation with the Head of Democratic and Legal Services, initiation, progression and conclusion of enforcement action or interdict action under Parts VI, VII and or XIV of the Town and Country Planning (Scotland) Act 1997 as amended by Part 4 of the Planning etc (Scotland) Act 2006 or Chapter IV of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 as amended, or Part VII of the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984 and related legislation or the High Hedges (Scotland) Act 2013.</p> <p>For the avoidance of doubt this delegated authority relates to:</p> <ul style="list-style-type: none"> <li>• Planning Contravention Notices;</li> <li>• Enforcement Notices;</li> <li>• Making reports to the Procurator Fiscal as necessary;</li> <li>• Breach of Condition Notices;</li> <li>• Amenity Notices;</li> <li>• Stop Notices;</li> <li>• Serving of Temporary Stop Notices;</li> <li>• Serving of Fixed Penalty Notices;</li> <li>• Notices to remove Placards/Posters</li> <li>• Hazardous Substances Contravention Notices;</li> <li>• Tree Replacement Notices;</li> <li>• High Hedges Notices;</li> <li>• Notices of Initiation and Completion of Development and indicating development being carried out.</li> <li>• Notices Requiring an Application for Planning Permission to be made.</li> </ul>

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<i>Issue</i>	<u>The <del>Executive Director of City Development</del>Chief Planning Officer shall undertake the following under powers delegated by the Council</u>
	<p>but EXCLUDES</p> <ul style="list-style-type: none"> <li>the taking of Direct Action other than notices seeking the removal <u>of placards/posters.</u></li> </ul>
<b>19 Prior Notifications</b>	<ul style="list-style-type: none"> <li>the authority to determine prior notification applications <del>relating to the demolition of buildings under Class 70 of the GPDO; and the erection or significant alteration or extension of agriculture or forestry building</del> as provided for under <del>Part 6 and 7 of Schedule 1 to the</del> Town and Country Planning (General Permitted Development) (Scotland) Order 1992 as amended.</li> <li><del>to determine prior notification applications relating to the demolition of or the erection of, or the significant alteration or extension of agricultural and forestry buildings as provided for under Part 6 and Part 7 of Schedule 1 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 as amended.</del></li> </ul>
<b>20 Building Preservation Notices</b>	In consultation with the Head of Democratic and Legal Services the serving of a Building Preservation Notice under Sections 3 and 4 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 as amended.
<b>21 Tree Preservation</b>	<ul style="list-style-type: none"> <li><del>£</del>The authority to determine the need to make Tree Preservation Orders and to vary or revoke existing Tree Preservation Orders.</li> </ul>
	In consultation with the Head of Democratic and Legal Services the drafting and service of Tree Preservation Orders and Emergency Tree Preservation Orders under Part VII of the 1997 Act, as amended by Part V of the Planning etc (Scotland) Act 2006, with the proviso that the serving of any such Order recommended for confirmation shall be reported to the City Development Committee.
	In consultation with the Head of Democratic and Legal Services, determining the appropriateness of the serving of Tree Replacement Notices under Section 168 of the 1997 Act as amended and once served to monitor implementation and enforce as necessary.
	<ul style="list-style-type: none"> <li><del>G</del>granting or refusal of statutory permission to carry out work on trees subject of a Tree Preservation Order or the granting or refusal of such permission for works in relation to trees within a Conservation Area or protected by planning condition.</li> </ul>
	In consultation with the Head of Democratic and Legal Services, the enforcement of Tree Preservation Orders

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<i>Issue</i>	<u>The <del>Executive Director of City Development</del>Chief Planning Officer shall undertake the following under powers delegated by the Council</u>
	under Section 171 of the 1997 Act as amended with the proviso that the action taken shall be reported to the City Development Committee as soon as practicable thereafter.
<b>22 Appeals and Inquiries</b>	<ul style="list-style-type: none"> <li>to prepare and deliver written and oral evidence in respect of all appeals and public inquiries relating to the determination of planning and related applications; the enforcement of planning control; tree preservation and high hedges all with the proviso that the outcome of each appeal/inquiry shall be reported to the Planning Committee as soon as practicable.</li> <li>in consultation with the Head of Democratic and Legal Services to determine the appropriateness of claiming, on behalf of the Council, expenses from appellants in accordance with the terms of Circular 6/1990.</li> </ul>
<b>23 <del>Road Construction Consents</del></b>	<ul style="list-style-type: none"> <li><del>the issuing of Road Construction Consents under Section 21 of the Roads (Scotland) Act 1984 as amended, the calculation of annual revenue implications for the Council of each consent, and the negotiation and the imposition of road bonds under Section 17 of the Roads (Scotland) Act 1984, with the proviso that the actions taken shall be reported to the Planning and Transport Committee as soon as practicable thereafter. However, where a valid objection is received by the Council then the application will be referred to the City Development Committee for determination.</del></li> <li><del>to serve Failure to Comply with Roads Construction Consent Notices under Section 21(5) of the Roads (Scotland) Act 1984 and to report breaches of Roads Construction Consent Notices under Section 22 of the Roads (Scotland) Act 1984 with the proviso that the actions taken shall be reported to the City Development Committee as soon as practicable thereafter.</del></li> <li><del>on satisfactory completion of roads to which the provisions of Section 21 of the Roads (Scotland) Act 1984 apply, and if so requested by the applicants to enter these roads on the List of Public Roads for the purposes of management and maintenance in consultation with the Head of Finance and Conveners of the Policy and Resources and City Development Committees.</del></li> </ul>
<b>24 Authority to Enter Upon Land</b>	<ul style="list-style-type: none"> <li>to authorise a person to enter upon any land at any reasonable time for the purposes mentioned in the Town and Country Planning (Scotland) Act 1997 Act as amended <del>by the Planning etc (Scotland) Act 2006</del> and similar provisions in the legislation relating to listed buildings, conservation areas, high hedges and hazardous substances.</li> </ul>
<b>25 High Hedges</b>	The determination of all applications for a High Hedge Notice and carry out all functions under the High Hedges (Scotland)

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<i>Issue</i>	<u>The <del>Executive Director of City Development</del>Chief Planning Officer shall undertake the following under powers delegated by the Council</u>
	Act 2013.

**Note 1**

For the purposes of the Council's Scheme of Delegation as approved by Scottish Ministers and this operational scheme of delegation a valid representation (letter or statement) shall require to meet the following criteria:-

- (a) be in the form of a signed and dated letter or statement or an e-mail indicating the name and postal address of the sender specifically indicating an objection to or support for the application concerned. The letter/statement shall bear a legible name of the signatory and the signatory's address;
- (b) be received by the Council no later than 21 calendar days from the date on which the application was declared as valid by the Council or no later than 21 calendar days of any subsequent Neighbour Notification, or in the case of applications which have the subject of statutory advertisement, no later than the timescale specified in that advertisement;
- (c) where more than one letter/statement of representation per household is received this shall be defined as the Council having received one ~~letter/statement~~;
- (d) where a petition is received objecting to or in support of an application this shall be defined as the Council having received one representation;
- (~~de~~) where a letter or petition is received which is signed by more than one person, each signatory must provide a valid postal address, otherwise they will not be considered as a valid ~~representationsignatory~~;
- (~~ef~~) for the avoidance of doubt ~~pre-printed~~pre-printed letters or cards which are not individually addressed and signed will not be entertained as valid and acknowledged as such. Photocopied standard template letters will only be valid ~~as long as if~~ they are signed and dated and bear the postal address of the sender;
- (~~fg~~) to be valid a representation must contain matters which relate to the application involved and raise matters material in planning terms to the application concerned;
- (~~gh~~) the content of invalid letters/statements will not be referred to in Executive Director's reports and similarly non-material matters referred to in valid letters of representation will not be referred to or taken into account in the determination of the application;
- (~~hi~~) the ~~Executive Director of City Development~~ Chief Planning Officer shall, in cases of doubt, determine whether an objection or other representation is valid or ~~timeous; and~~timeous; and
- (~~ij~~) in respect of petitions, notification of decisions will be sent only to the co-ordinator of the petition (if known) or to the first named signatory.

**Note 2**

For the purposes of the Council's Mandatory Scheme of Delegation and this Discretionary Scheme of Delegation a statutory consultee shall be taken to be consultees referred to in Regulation 25 and Schedule 5 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 and will include a Community Council or officially recognised Neighbourhood Representative Structure.

**Note 3**

For the purposes of the Council's Mandatory Scheme of Delegation and this Discretionary Scheme of Delegation a proposed development is "significantly contrary to the development plan" if the departure concerned, in the judgement of the ~~Executive Director of City Development~~Chief Planning Officer, is directly related to the achievement of the core objectives of any element of the development plan and the approval of the application would seriously compromise the achievement of the development plan's objectives and compromise its other policies and proposals. For the avoidance of doubt a proposal will not necessarily be significant if, for example, it fails to meet the terms on one or more policies or one or more of the criteria in any ~~criteria-based~~criteria-based policy.

4. **Building Standards**

- (i) to service Notices and Orders, issue documents and carry out works relating to Dangerous and Defective Buildings and to recover costs from the owner of the building.
- (ii) to grant or refuse Building Warrants, including amendments to warrant.
- (iii) to accept or reject Certificates of Completion.
- (iv) to enter premises for inspection and testing as defined in Sections 39 and 40 of the Building (Scotland) Act 2003.
- (v) to process Building Warrants under the Scottish Type Approval Scheme (STAS) administered by ~~the Scottish Association of Building Standards Managers Hub (SABSM).~~
- (vi) to grant all relaxation of the Building ~~Standards~~ (Scotland) Regulations 2004.
- (vii) to carry out Building Standard Assessments as required by Section 6 of the Building (Scotland) Act 2003.
- (viii) to impose and discharge a continuing requirement as defined in Sections 22 and 23 of the Building (Scotland) Act 2003.
- (ix) to serve notices under the terms of Sections 25, 26, 27, 28, 29 and 30 of the Building (Scotland) Act 2003.
- (x) to exercise all functions under The Safety of Sports Grounds Act 1975 as amended and all regulations made thereto.
- (xi) to exercise all functions under the Civic Government (Scotland) Act 1982, Section 89 relating to raised structures.
- (xii) to extend duration of validity of Building Warrants.
- (xiii) to require the production of Energy Performance Certificates, serve Penalty Charge Notices and Building Regulations Compliance Notices on building owners and generally have power to enforce the provisions of the Energy Performance of Buildings (Scotland) Regulations 2008 and directions made under the regulations in cases other than the sale of domestic dwellinghouses.
- (xiv) issue building standards certificates under Section 50 of the Licensing (Scotland) Act 2005.

## 5. **Economic Development and Property**

- (i) to advise the Council on the development and implementation of policies and strategies to promote the economic wellbeing of the City and to take steps for their implementation.
- (ii) to negotiate on behalf of the City Council with existing and prospective ~~investors businesses, investors, developers and national and government agencies~~ in relation to all forms of economic activity in the City.
- (iii) to investigate and secure sources of external funding.
- (iv) to identify and develop partnerships with other bodies and companies who can contribute to the City's economic development, subject to the provisions in the Council's Contract Standing Orders. Tendering Procedures and if contract value is above £50k for duration of contract subject to a report thereon being submitted for information to the next appropriate meeting of the Committee concerned.



- (v) to negotiate on behalf of the City Council with prospective event and conference organisers in relation to sponsorship and other forms of support to attract conferences activity to the City.
- ~~(vi) to negotiate and enter into contracts for the sale or lease of commercial and industrial property held on the City Development Account up to a rental value of £25,000 per annum or a capital value of £25,000, including, in consultation with the Executive Director of Neighbourhood Services, all garden ground sales and leases.~~
- ~~(vi) to negotiate and enter into contracts for the purchase, sale or lease (including rent reviews and assignments) of land and buildings held on the City Development Account up to a rental value of £100k per annum or a capital value of £500k, including, in consultation with the Executive Director of Neighbourhood Services, all garden ground sales and leases.~~
- ~~(vii) to approve all lease renewals, lease extensions, rent reviews, assignments and sub-letsrent reviews for all commercial letting property.~~
- (viii) to grant landlords consent for sub-tenancies under traditional ground leases in shopping centres on/and held on City Development Account where the financial consideration is of a minor nature.
- ~~(viii)(ix) to grant permission for the use of open pedestrianised areas across the city centre including the Overgate and to fix fees for non-charitable activities.~~
- ~~(ix)(x) to approve loans and grants to companies and individuals for economic development purposes (within limits defined by the appropriate grant schemeCity Development Committee).~~
- ~~(x)(xi) to prepare and implement the Council's Property Management Strategy.~~
- ~~(xi)(xii) to purchase subject to survey and financial conditions, property available that is either suitable or adaptable to meet the needs of disabled people.~~
- ~~(xii)(xiii) in liaison with the Head of Democratic and Legal Services, to investigate and negotiate on the terms of any legal agreements associated with developments, projects or transactions prior to bringing proposals to Committee.~~
- ~~(xiii)(xiv) subject to the Council's general provisions regarding the incurring of capital and revenue expenditure to appoint consultants where specialist advice is required, subject to the provisions in the Council's Tendering Procedures and if contract value is above £50k for duration of contract subject to a report thereon being submitted for information to the next appropriate meeting of the Committee concerned.~~
- ~~(xiv)(xv) to process all wayleave, servitude and sub-station site applications from statutory bodies for essential services such as gas mains, telecom cables, call boxes, overhead and underground electricity lines, mains water and drainage pipes and subject to the Head of Democratic and Legal Services signing the appropriate document.~~
- ~~(xv)(xvi) to process superior's consent, including retrospective consent, in connection with changes of use, or erection of buildings and fences held-on service accounts, where the financial consideration does not exceed the delegated threshold set out above is of a minor nature and subject to the Head of Democratic and Legal Services signing the appropriate document.~~
- ~~(xvi) with reference to paragraph (e)4 of the powers delegated to the Executive Director of Neighbourhood Services regarding void property and with reference to paragraph 13(xiv) of the powers delegated to the Head of Democratic and Legal Services the Executive Director of City Development will report the sale price to the City Development Committee for information.~~

## 6. Road Network

### 6.1 Roads (Scotland) Act 1984

- (a) to issue notices under Parts II, V and VIII and to extend notice period under Section 141(3) of the above Act;
- (b) to issue permission or consent, including imposing appropriate conditions thereto, under Parts IV, V and VIII of the above Act (except for permitting trading on principal roads under Section 97);
- (c) to instruct necessary work under Section 15 and Parts IV, V, VIII and XIII of the above Act;
- (d) to recover costs under Parts IV, V, VIII and XIII of the above Act.

## 6.2 New Road and Street Works Act 1991

to carry out the functions of the Council under Sections 112, 115, 117, 118, 120, 122, 123, 124, 131 and 134 of the above Act.

## 6.3 ~~New Roads~~—Road Construction Consents

(a) to grant Road Construction Consents under Section 21 of the Roads (Scotland) Act 1984 as amended, including the calculation of annual revenue implications for the Council of each consent, and the negotiation and the imposition of road bonds under Section 17 of the Roads (Scotland) Act 1984.

(b) to serve Failure to Comply with Roads Construction Consent Notices under Section 21(5) of the Roads (Scotland) Act 1984 and to report breaches of Roads Construction Consent Notices under Section 22 of the Roads (Scotland) Act 1984.

(c) to enter roads on the List of Public Roads if requested by the applicant on satisfactory completion of roads to which the provisions of Section 21 of the Roads (Scotland) Act 1984 apply.

~~to grant road construction consent with the provision that any consent granted be reported on to the Council website and notified to Ward Members City Development Committee as soon as practicable thereafter for information and record purposes.~~

## 6.4 Road Traffic Regulation Act 1984, ~~and~~ Local Authorities' Traffic Orders (Procedure) (Scotland) Regulations 1999, and Transport (Scotland) Act 2019

The traffic regulation process will be as follows:-

### (a) Consultation and Public Advertisement Stage

The Head of Sustainable Transport & Roads will have delegated powers to authorise the preparation of a Traffic Regulation Order or exemption and variation of an existing or new Traffic Regulation Order, or Pavement Parking Exemption Order, undertake statutory consultations including emergency services, local bus operators and local councillors, to make any necessary amendments to the Order, and to advertise the Order to the public.

### (b) Making of the Order Stage

Where more than 5 objections to a public notice are raised that cannot be resolved by officers of the Council, these will then be brought to the attention of the City Development Fair Work, Economic City Growth and Infrastructure Committee and the Committee will be asked to consider these objections and to decide whether to make the Traffic Regulation Order or not.

If less than 6 objections are raised and maintained, then the Traffic Regulation Order process will allow officers to make the Order without further reference to the Committee.

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~~For all Traffic Regulation Orders that have reached the stage of making of the Order, the Head of Democratic and Legal Services will place a Public Notice (currently in a local newspaper) to advise that the Traffic Regulation Order has been made and confirming the date upon which the Traffic Regulation Order becomes effective.~~

~~(c) Disable Bays~~

~~Officers will make variations to the Dundee City Council (Disable Persons' Parking Places) (On-Street) Order 2011, or future successor Orders, without reference to the Committee.~~

~~(a) Consultation Stage~~

~~The City Development Committee will be asked to authorise the preparation of a Traffic Regulation Order. Once this authority is given, the draft Traffic Regulation Order will be consulted through statutory consultees including emergency services, local bus operators and local councillors.~~

~~(b) Publication/Advertisement Stage~~

~~If there are amendments to be made to the draft Traffic Regulation Order as a result of comments received during the consultation stage, then a report will then be brought to the City Development Committee and the members will be asked to give permission to proceed to advertise the amended Traffic Regulation Order to the public.~~

~~If there are no changes required as a result of the consultation stage, then the Traffic Regulation Order will then progress to be advertised to the public without further reference to the Committee.~~

~~(c) Making of the Order Stage~~

~~Any maintained objections that cannot be resolved by officers of the Council, will then be brought to the attention of the City Development Committee and the Committee will be asked to consider these objections and to decide whether to make the Traffic Regulation Order or not.~~

~~If no objections are raised and maintained, then the Traffic Regulation Order process will allow officers to make the Order without further reference to the Committee.~~

~~For all Traffic Regulation Orders that have reached the stage of making of the Order, the Head of Democratic and Legal Services will place a Public Notice (currently in a local newspaper) to advise that the Traffic Regulation Order has been made and confirming the date upon which the Traffic Regulation Order becomes effective.~~

7. **Sustainable Transportation**

(i) Transport Act 1985 and Transport (Scotland) Act 2001

~~to accept tenders (verbal if the circumstances dictate) as in Section 91(2). Where "action is urgently required" for the purpose of:-~~

- ~~(a) maintaining an existing service;~~
- ~~(b) securing the provision of a service in place of a service which has ceased to operate; or~~
- ~~(c) securing the provision of a service to meet any public transport requirement which has arisen unexpectedly and ought, in the opinion of the authority, to be met without delay.~~

~~This is in specific regard to Section 88(2).~~

(ii) Children and Families Service

LLLLL

- (i) to accept tenders ~~(verbal if circumstances dictate)~~ as directed by officers of the Children and Families Service ~~where "action is urgently required"~~ for the purpose of school transport provision for:-
- (a) children entitled to statutory school transport;
  - (b) children entitled to school transport in terms of Council policy; or
  - (c) children authorised for school transport under special circumstances.

(iii) Fleet Management

- (i) to operate an MOT and Taxi Testing Station
- ~~(ii) to set electric vehicle public charging tariffs~~
- ~~(iii) to authorise lease and hire contracts for plant, vehicles and consumables within allocated revenue budget approved by the City Governance Committee.~~

(iv) Multi-Operator Bus Ticket for Dundee and its Surrounding Area

- (i) to carry out the role of Scheme Administrator for any multi-operator ticketing schemes.

~~(v) New~~ Parking Promotions and Products

- ~~(i) to implement self-financing concession offers~~

~~(vi) Appointment of Consultants~~

~~to appoint consultants as may become necessary to accommodate periodic increases in the workload of the service.~~

~~(vii) Appointment of Contractors~~

~~to appoint contractors to design and /or assist with the implementation of minor traffic and road safety works on the road network~~

~~(viii) Low Emission Zone~~

~~Authority to grant or renew time limited exemptions under Section 17 of the Transport (Scotland) Act 2019~~

~~(viii) Tayside Contracts Partnerships~~

- ~~(a) to oversee the governance of the Roads and Street Lighting Partnerships;~~
- ~~(b) to authorise annual works programmes within approved budget authorisations; and~~
- ~~(c) to authorise and direct award work to Tayside Contracts under the terms of the Roads and Street Lighting Partnership Agreements and the Tayside Contracts Minute of Agreement.~~

Decriminalised Parking Enforcement

To issue Penalty Charge Notices and determine appeals in relation to non-endorsable parking and bus lane violation offences under the Road Traffic Act 1991.

8. Engineering(a) Appointment of Consultants

~~to appoint consultants as may become necessary to accommodate periodic increases in the workload of the service, subject to the provisions in the Council's Tendering Procedures and if contract value is above £50k for duration of contract subject to a report thereon being submitted for information to the next appropriate meeting of the Committee concerned.~~

(b) Coastal Protection Act 1949

- ~~(i) to issue Notices in respect of defective coastal protection works and to instruct any urgent or emergency works required to prevent breaches of the coastal defence system.~~

- (ii) to grant future licensing under Section 18 of the Coastal Protection Act 1949 for unplanned emergency works on the Dundee foreshore.
- (iii) Grant licences under Section 18 of the Coast Protection Act 1949 for emergency repairs where these present an immediate threat of environmental damage.
- (c) Flood Risk Management Prevention (Scotland) Act 1961-2009 and Flood Prevention and Land Drainage Act 1997  
to undertake emergency works/actions to reduce the risk of flood which is likely to occur imminently and have serious adverse consequences for human health, the environment, cultural heritage or economic activity. to prevent or mitigate flooding of non-agricultural land.
- (d) Reservoirs Scotland Act 2011 1975  
to arrange regular inspections and supervision by suitably qualified reservoir engineers. to maintain a register of large raised reservoirs and to arrange regular inspections by suitably qualified consulting engineers.
- (e) Roads (Scotland) Act 1984  
to maintain the register of bridges and to carry out inspections, assessments and emergency repairs and maintenance to roads, bridges and street lighting.
- (f) Sewerage Scotland Act 1968  
enter agreements with Scottish Water for provision, management, maintenance or shared use of sewers or drains for conveyance of road water or surface water from premises.
- (g) Act as Engineer to the Tay Road Bridge Joint Board.

## 9. Regulatory Services

1. to issue Notices on abandoned vehicles in terms of Section 3 of the Refuse Disposal (Amenity) Act 1978.
2. to issue Fixed Penalty Notices in respect of flytipping and dropping of litter in terms of Sections 33A and 88 of the Environmental Protection Act 1990.
3. to issue Notices in respect of the presentation of domestic waste and trade waste in terms of Sections 46 and 47 of the Environmental Protection Act 1990.
4. to issue and withdraw graffiti removal notices under Sections 58 to 65 of the Anti-Social Behaviour etc (Scotland) Act 2004.
5. to process applications for improvement grants, repairs grants and improvement loans and to approve such applications where they meet the criteria laid down by the Community Safety and Public Protection Committee from time to time.
6. to issue Rent Penalty Notices under Section 94 of the Anti-Social Behaviour etc (Scotland) Act 2004 and to decide upon any applications under Section 95 of the said 2004 Act for the revocation of such notices.
7. Anti-Social Behaviour etc (Scotland) Act 2004 (Part 5) - Noise Nuisance
  - (a) Enforcement Officers to enforce the provisions under Part 5 of the above Act.
  - (b) to issue Fixed Penalty Notices under Section 46.
8. Burial and Cremation (Scotland) Act 2016

to arrange for the burial or cremation of deceased persons where no-one is available to make such arrangements.

9. Health Services and Public Health Act 1968 and Orders made thereunder

Assist NHS Tayside in the investigation of notifiable diseases and any public health incidents via designated staff relating to protection of public health.

10. Dangerous Dogs Act 1989 and 1991 as amended

to seize and detain dogs of several breeds, whose owners have not fulfilled statutory obligations for registration, marking etc.

11. Dog Fouling (Scotland) Act 2003

to issue Fixed Penalty Notices under Section 4.

12. Control of Dogs (Scotland) Act 2010

To issue Dog Control Notices under Section 1 of the Act and to discharge or vary Dog Control Notices under Section 6 and 7 of the Act.

13. Civic Government (Scotland) Act 1982

(a) to instruct necessary works for the repair of buildings under Section 87(3) of the Act, in the interest of health. Persons so instructed to prepare, carry out, supervise or inspect these works have been authorised to enter the buildings and the lands pertaining thereto for these purposes.

(b) to recover costs of any works carried out under Section 87(3) of the above Act from the various owners of the properties concerned on the basis that apportionment is based on equal shares.

(c) to issue Notices under Section 90 of the Act.

(d) to instruct necessary works for the repair of the lighting in the common property under Section 90 of the Act in the interest of safety. Persons so instructed to prepare, carry out, supervise or inspect these works have been authorised to enter the buildings and the lands pertaining thereto for these purposes.

(e) to recover costs of any works carried out under Section 90 of the above Act from the various owners of the properties concerned on the basis that apportionment is based on equal shares.

(f) to issue Notices under Section 94(2) of the above Act requiring owner or occupier of land or premises containing a disused petrol tank, to have the tank made safe.

(g) to levy a charge for administration costs in respect of the above as follows:-

10% of the sum of accounts received from contractors with a minimum of £20.

14. Health and Safety at Work etc Act 1974 and any Regulations thereunder

(a) to issue Improvement and Prohibition Notices.

(b) to temporarily appoint inspectors to carry out technical appraisals, examinations and/or inspections, subject to the provisions in the Council's Tendering Procedures and if contract value is above £50k for duration of contract, is subject to a report thereon being submitted for information to the next appropriate meeting of the Committee concerned.

(c) to give temporary authority to persons with specialist knowledge to accompany authorised officers on site.

(d) to transfer premises to the Health and Safety Executive and vice-versa.

15. Environmental Protection Act 1990 as amended

(a) to issue Notices and Fixed Penalty Notices in terms of Section 80 of the Act.

(b) to instruct necessary works under Section 81 of the Act to abate the statutory nuisance or prevent the recurrence of the statutory nuisance. Persons so instructed to prepare, carry out, supervise or inspect these works have been authorised to enter the buildings and lands pertaining thereto for these purposes.

(c) to recover costs of any works carried out under Section 81 of the above Act from the person by whose act or default the nuisance was caused.

16. Food Safety Act 1990 and Food Safety and Standards Regulations made under the European Union (Withdrawal) Act 2018

(a) to issue Notices in terms of the legislation.

(b) to temporarily appoint inspectors to carry out technical appraisals, examinations and/or inspections and to exercise some or all of the powers specified in paragraph 15(b) hereunder.

(c) to give temporary authority to persons with specialist knowledge to accompany authorised officers on site.

17. Prevention of Damage by Pests Act 1949

(a) to issue Notices under Section 4(1) under the Prevention of Damage by Pests Act 1949.

(b) to instruct the works required to comply with the Notice, should the person or persons to whom the Notice had been served not do so within the permitted time.

(c) to recover the cost of the works carried out in default.

18. Smoking, Health and Social Care (Scotland) Act 2005 (Part 1)

(a) for Enforcement Officers to issue Fixed Penalty Notices under Section 6 of the Act.

(b) to hear appeals against the issue of Fixed Penalty Notices and to report the findings to the Community Safety and Public Protection Committee for information.

19. Environmental Protection Act 1990 - Sections 33A and 88

(a) to issue Fixed Penalty Notices in respect of flytipping and dropping of litter in terms of Sections 33A and 88 of the Environmental Protection Act 1990.

(b) to issue Notices in respect of the presentation of domestic waste and trade waste in terms of Sections 46 and 47 of the Environmental Protection Act 1990.

20. Tobacco and Primary Medical Services (Scotland) Act 2010

(a) for Enforcement Officers to issue Fixed Penalty Notices under Section 27 of the Act.

(b) to hear representations against the issue of Fixed Penalty Notices.

(c) to authorise under Section 5 of the Act persons under the age of 18 to buy, or attempt to buy, tobacco products for the purpose of determining whether an offence has been committed.



21. Legislation Enforced by Environmental Health Officers

Environmental Health Officers, Food Safety Officers, Enforcement Officers or other appropriate officers appointed by Dundee City Council are authorised by virtue of **all current and relevant legislation relating to Enviornmental Health, including but not limited to** the legislation contained in the Schedule below to enter and inspect premises including any place, stall, vehicle, ship or aircraft, and to inspect, test, seize, sample, detain or purchase such goods, equipment or documents as may be required to carry out the provisions of the said legislation.

**SCHEDULE**

Air Weapons and Licensing (Scotland) Act 2015  
Animal Boarding Establishments Act 1963  
Animal Health and Welfare (Scotland) Act 2006  
Anti-Social Behaviour etc (Scotland) Act 2004 (Part 5) - Noise Nuisance  
Animal Health Act 1981  
The Beef and Veal Labelling (Scotland) Regulations 2010  
Betting, Gaming and Lotteries Act 1963  
Breeding of Dogs Act 1973 and 1991  
Breeding and Sale of Dogs (Welfare) Act 1999  
Caravan Sites and Control of Development Act 1960  
Civic Government (Scotland) Act 1982  
Clean Air Act 1993  
Control of Dogs (Scotland) Act 2010  
Control of Pollution Act 1974  
Dangerous Dogs Act 1989 and 1991 (as amended)  
Dangerous Wild Animals Act 1976  
Dogs Act 1906  
Dog Fouling (Scotland) Act 2003  
Environment Act 1995  
Environmental and Safety Information Act 1988  
Environmental Protection Act 1990 (as amended)  
European Union (Withdrawal) Act 2018 and Orders or Regulations or amendments made thereunder  
Explosives Acts 1875 and 1923  
Explosive Regulations 2014  
Factories Act 1961  
Food and Environment Protection Act 1985  
The Food Hygiene (Scotland) Regulations 2006 (as amended)  
Food Information (Scotland) Regulations 2014 (as amended)  
Food Safety Act 1990 (as amended)  
The Gambling Act 2005  
Food Safety and Food Standards Regulations made under the European Union (Withdrawal) Act 2018  
The Food Safety, Ships and Aircraft (England and Scotland) Order 2003  
General Food Regulations 2004  
Guard Dogs Act 1975  
Health and Safety at Work etc Act 1974 and any Regulations thereunder  
Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Regulations 2020  
Health Services and Public Health Act 1968  
Housing (Scotland) Act 2006  
Licensing (Scotland) Act 2005  
Medicines Act 1968  
Microchipping of Dogs (Scotland) Regulations 2016  
National Assistance Act 1948 (as amended)  
Offices, Shops and Railway Premises Act 1963  
Official Feed and Food Controls (Scotland) Regulations 2009 (as amended)  
Performing Animals (Regulation) Act 1925  
Pet Animals Act 1951  
Prevention of Damage by Pests Act 1949  
Prohibition of Smoking in Certain Premises (Scotland) Regulations 2006  
Public Health etc (Scotland) Act 2008  
Regulatory Reform (Scotland) Act 2014  
Riding Establishments Acts 1964 and 1970  
Smoking, Health and Social Care (Scotland) Act 2005 (Part 1)  
Tobacco and Primary Medical Services (Scotland) Act 2010  
Theatres Act 1968  
Trade in Animals and Related Products (Scotland) Regulations 2012 (as amended)  
Transmissible Spongiform Encephalopathies (Scotland) Regulations 2010  
Waste (Scotland) Regulations 2012  
Water (Scotland) Act 1980  
- and all Orders and Regulations made under the above.

## 22. Specific Authorisation for Environmental Health Officers and Food Safety Officers

- (a) Environmental Health Officers are authorised to be inspectors for the purposes of the Health and Safety at Work etc Act 1974 and to exercise the powers of an inspector specified in:-
- (i) Sections 20, 21, 22 and 25;
  - (ii) any Health and Safety Regulations;
  - (iii) the provisions of the relevant Acts mentioned in Schedule 1 of the 1974 Act which specified in the third column of that Schedule and of the Regulations, Orders or other Instruments of a legislative character made or having effect under any provision so specified.
- (b) Environmental Health Officers and Food Safety Officers holding the Higher Certificate in Food Safety Inspection are authorised to be inspectors for the purpose of:-
- (i) the Food Safety Act 1990, Part I, Section 5(6) and to exercise powers of an inspector specified in Sections 9, 10 and 12, Part III, Sections 29, 30 and 32, Part IV, Sections 49 and 50;
  - (ii) the Food Hygiene (Scotland) Regulations 2006 and to exercise powers of an authorised officer specified in Regulations 6, 8, 9, 12, 13 and 14;
  - (iii) the Official Feed and Food Controls (Scotland) Regulations 2009;
  - (iv) Regulations (EC) No 852/2004 and 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin and to grant, refuse or withdraw approval to establishments subject to approval in terms of the Regulations;
  - (v) any Food Safety Regulations and Food Standard Regulations made under the Food Safety Act 1990 or having effect by virtue of the European Union (Withdrawal) Act 2018; and
  - (vi) any modification or re-enactment or any of the foregoing.
- (c) Environmental Health Officers are authorised to issue Notices under Section 60 of the Control of Pollution Act 1974 to control noise levels emanating from construction sites.
- (d) Environmental Health Officers are authorised to approve applications in terms of Section 61 of the Control of Pollution Act 1974 for prior consent for work undertaken on a construction site.

## 23. Legislation Enforced by Trading Standards Officers

Trading Standards Officers or other appropriate officers appointed by Dundee City Council are authorised by virtue of **all current and relevant legislation relating to Trading Standards, including but not limited to** the legislation contained in the Schedule below to enter and inspect premises including any place, stall, vehicle, ship or aircraft, and to inspect, test, seize, sample, detain or purchase such goods, equipment or documents as may be required to carry out the provisions of the said legislation.

**SCHEDULE**

[Advanced Television Services Regulations 2003](#)  
[Agriculture Act 1970](#)  
[Agriculture Produce \(Grading and Marking\) Acts 1928-1931](#)  
[Animal Health Act 1981](#)  
[Animal Health and Welfare \(Scotland\) Act 2006](#)  
[Antisocial Behaviour etc \(Scotland\) Act 2004](#)  
[Biocidal Products and Chemicals \(Appointment of Authorities and Enforcement\) Regulations 2013](#)  
[Biofuel \(Labelling\) Regulations 2004](#)  
[Business Protection from Misleading Marketing Regulations 2008](#)  
[Cat and Dog Fur \(Control of Import, Export and Placing on the Market\) Regulations 2008](#)  
[Civic Government \(Scotland\) Act 1982 \(Sections 24 to 27\)](#)  
[Civic Government \(Scotland\) Act 1982 \(Section 94\) \(and 99\)](#)  
[Children and Young Persons Act 1937](#)  
[Children and Young Persons \(Protection from Tobacco\) Act 1991](#)  
[Clean Air Act 1993 \(Sections 30 and 32\)](#)  
[Construction Products Regulations 2013](#)  
[Consumer Contracts \(Information, Cancellation and Additional Charges\) Regulations 2013](#)  
[Consumer Credit Act 1974 \(and 2006\)](#)  
[Consumer Protection Act 1987](#)  
[Consumer Protection from Unfair Trading Regulations 2008](#)  
[Consumer Rights Act 2015](#)  
[Copyright Designs and Patents Act 1988 \(Sections 107 and 198\)](#)  
[Cosmetic Products Enforcement Regulations 2013](#)  
[Detergents Regulations 2010](#)  
**[Digital Markets, Competition and Consumers Act 2024](#)**  
[EC Fertilisers \(Scotland\) Regulations 2006](#)  
[Ecodesign for Energy Related Products Regulations 2010](#)  
[Education Reform Act 1988 \(Section 215\)](#)  
[Electrical Equipment \(Safety\) Regulations 2016](#)  
[Electromagnetic Compatibility Regulations 2016](#)  
[Energy Act 1976](#)  
[Energy Information Regulations 2011](#)  
[Energy Performance of Buildings \(Scotland\) Regulations 2008](#)  
[Enterprise Act 2002](#)  
[Environmental Protection \(Single-Use Plastic Products\) \(Scotland\) Regulations 2021](#)  
**[Environmental Protection \(Single-Use Vapes\) \(Scotland\) Regulations 2024](#)**  
[Estate Agents Act 1979](#)  
[European Union \(Withdrawal\) Act 2018](#)  
[European Regulation \(EC\) No 1272/2008 on classification, labelling and packaging of substances and mixtures](#)  
[Explosives Acts 1875 and 1923](#)  
[Explosives Regulations 2014](#)  
[Fair Trading Act 1973](#)  
[Farm and Garden Chemicals Act 1967](#)  
[Fireworks Act 2003](#)  
[Fireworks and Pyrotechnical Articles \(Scotland\) Act 2022](#)  
[Fireworks \(Scotland\) Miscellaneous Amendment Regulations 2021](#)  
[Footwear \(Indication of Composition\) Labelling Regulations 1995](#)  
[Gas Appliances \(Safety\) Regulations 1995](#)  
[General Product Safety Regulations 2005](#)  
[Hallmarking Act 1973](#)  
[Health and Safety at Work etc Act 1974 \(Sections 19, 20, 21, 22 and 25\)](#)  
[Housing \(Scotland\) Act 2006, Part 3](#)  
[Measuring Instruments \(EEC Requirements\) Regulations 1988](#)  
[Measuring Instruments Regulations 2016](#)  
[Medical Devices Regulations 2002](#)  
[Motorcycle Noise Act 1987](#)  
[Non-Automatic Weighing Instruments Regulations 2016](#)  
[Olympic Symbol etc \(Protection\) Act 1995](#)  
[The Package Travel and Linked Travel Arrangements Regulations 2018](#)  
[Packaging \(Essential Requirements\) Regulations 2015](#)  
[Passenger Car \(Fuel Consumption and CO<sub>2</sub> Emissions Information\) Regulations 2001](#)

Personal Protective Equipment (Enforcement) Regulations 2018  
Pesticides (Fees and Enforcement) Act 1989  
Pesticides Act 1998  
Petroleum (Consolidation) Regulation 2014  
Petroleum Regs/Acts 1928-1936  
Plant Protection Products (Scotland) Regulations 2005  
Pressure Equipment Regulations 2016  
Prices Acts 1974 and 1975  
Psychoactive Substances Act 2016  
Pyrotechnic Articles (Safety) Regulations 2015  
Radio Equipment and Telecommunications Terminal Equipment Regulations 2000  
REACH Enforcement Regulations 2008  
Recreational Craft Regulations 2004  
Road Traffic Act 1988 (Sections 17 and 18)  
Simple Pressure Vessels (Safety) Regulations 2016  
Single Use Carrier Bags Charge (Scotland) Regulations 2014  
Smoking, Health and Social Care (Scotland) Act 2005  
Supply of Machinery (Safety) Regulations 2008  
Telecommunications Act 1984  
Textile Products (Labelling and Fibre Composition) Regulations 2012  
Timeshare, Holiday Products, Resale and Exchange Regulations 2010  
Tobacco Advertising and Promotion Act 2002  
Tobacco and Primary Medical Services (Scotland) Act 2010  
Toys (Safety) Regulations 2011  
Trade Descriptions Act 1968  
Trade Marks Act 1994  
Trading Schemes Act 1996  
Trading Stamps Act 1964  
Transmissible Spongiform Encephalopathies (Scotland) Regulations 2010  
Unsolicited Goods And Services Act 1971  
Video Recordings Acts 1984 and 1993  
Volatile Organic Compounds in Paints, Varnishes and Vehicle Refinishing Products Regulations 2012  
Weights and Measures Act 1976  
Weights and Measures Act 1985  
Weights and Measures (Packaged Goods) Regulations 2006  
- And all Orders and Regulations made under the above.

#### **24. Specific Authorisation for Trading Standards Officers and Enforcement Officers**

- (a) Trading Standards Officers are authorised to issue Suspension Notices under Section 14 of the Consumer Protection Act 1987.
- (b) Trading Standards Officers are authorised to be inspectors for the purposes of the Health and Safety at Work etc Act 1974 and to exercise the powers of an inspector specified in:-
  - (i) Sections 20, 21, 22 and 25;
  - (ii) any relevant Health and Safety Regulations; and
  - (iii) the provisions of the relevant Acts mentioned in Schedule 1 to the 1974 Act which specified in the third column of that Schedule and of the Regulations, Orders or other Instruments of a legislative character made or having effect under any provision so specified.
- (c) Trading Standards Officers are appointed as Inspectors of Weights and Measures under Section 72 of the Weights and Measures Act 1985 to discharge all of the functions conferred or imposed on inspectors by or under this Act.
- (d) **General Product Safety Regulations 2005**

Trading Standards Officers are authorised to exercise the enforcement powers specified in Part 3, Regulations 11, 12, 13, 14, 15 and 22.

**(e) Food Safety Act 1990 and Food Safety and Standard Regulations made under the European Union (Withdrawal) Act 2018**

Trading Standards Officers are authorised to be inspectors for the purposes of:-

- (i) the Food Safety Act 1990 Part I, Section 5(6) and to exercise the powers of an inspector specified in Part II, Section 9, Part III, Sections 29, 30 and 32 and Part IV, Sections 49 and 50;
- (ii) the Food Hygiene (Scotland) Regulations 2006 and to exercise powers of an authorised officer specified in Regulations 12, 13 and 14;
- (iii) the Official Feed and Food Controls (Scotland) Regulations 2005;
- (iv) any Food Safety Regulations and Food Standard Regulations made under the Food Safety Act 1990, or having effect by virtue of the European Union (Withdrawal) Act 2018; and
- (v) any modification or re-enactment of the foregoing.

**(f) Housing (Scotland) Act 2006**

Trading Standards Officers are authorised to exercise the enforcement powers specified in Part 3 of the Act, including the requirement to produce prescribed documents, and to serve Penalty Charge Notices, and generally have power to enforce the provisions of Regulations made under the Act.

**25. Other Authorisations**

Officers nominated by the Executive Director of Neighbourhood Services are authorised to carry out the statutory duties of the City Council in the terms of the Control of Pollution Act 1974, the Environmental Protection Act 1990, Part II, as the Litter Authority in terms of the Environmental Protection Act 1990, Part IV, and as the Local Authority in terms of Part 1 of the Land Reform (Scotland) Act 2003.

**CORPORATE SERVICES**

The Executive Director of Corporate Services has delegated authority for the following:-

**(a) Finance**

1. write off unpaid Non-Domestic Rates, Council Tax and miscellaneous debts subject to all possible measures to effect collection having been exhausted.
2. establish, administer and monitor the Council's Procurement Strategy, including joint arrangements with other Council's bodies.

32a. to operate the Council's tendering procedures, including signing of acceptance letters/contracts on behalf of the Council.

42b. to approve Exemption from Competition Requests in accordance with Procurement Legislation to Scotland, namely:-

The Procurement (Scotland) Regulations 2016  
The Public Contracts (Scotland) Regulations 2015  
The Procurement Reform (Scotland) Act 2014

Whilst the Executive Director can approve the above the exemptions the same approval thresholds for all other tenders would still apply (as set out in Schedule 1 to Council's Contract Standing Orders).

3. establish procedures for considering, authorising and making discretionary housing payments and for the consideration by officers, other than the original decision-makers, of appeals against decisions on such application, in line with guidelines approved by Committee.
4. take all necessary actions with regard to the billing, collection and recovery of any Council Tax, Non-Domestic Rate Income or Miscellaneous Income due to the Council.
5. take all necessary actions with regard to the processing of credit balances and refunds in respect of the Council Tax, Non-Domestic Rate Income or Miscellaneous Income due to the Council.
6. deal with remission of relief of rates applications, including hardship relief.
7. deal with appeals in respect of non-domestic rate billing.
8. exercise all functions on behalf of Dundee City Council relating to the operation of the Tayside Procurement Consortium (TPC), including the award of contracts, provided the same is within the Council's approved Capital and Revenue Budgets and is in accordance with the Procurement Strategy and any other TPC policy approved for that purpose by the Council.
9. act as Treasurer to the Tayside Valuation Joint Board.
10. act as Treasurer to the Tay Road Bridge Joint Board.
11. act as Proper Officer to the Tayside Contracts Joint Committee.
12. act as Proper Officer to the Tay Cities Region Joint Committee.
- ~~12. act as Treasurer to the Dundee, Perth and Angus and North Fife Strategic Development Planning Authority (Tayplan).~~
13. act as Proper Officer for the purposes of Section 95 of the Local Government (Scotland) Act 1973 (proper administration of financial affairs).
14. prepare and maintain a Scheme of Administration on Financial Regulations.
15. monitor and enforce the Council's Financial Regulations.



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16. administer the Council's Treasury Policy and Strategy including revising the list and limit of approved counterparties for lending transactions.
17. to approve the voluntary retirement of employees without enhancement (excluding teachers).
18. administer the Local Government Pension Scheme and relevant Additional Voluntary Contribution Schemes.
19. take all necessary steps to ensure risks of loss, damage or injury emanating from Council service provision are properly managed and, where considered necessary, insured against.
20. provide financial advice regarding the status of companies to be included on the Council's Standing List of Contractors.
21. offer advice on Business Finance issues.
22. submit all financial returns on behalf of the Council.
23. together with the ~~Head of Democratic and Legal Services~~ Legal Manager and the Pensions Manager, in terms of Regulation 37 of the Local Government Pension Scheme (Scotland) Regulations 1998, determine to whom the death grant should be paid.
24. to make a grant to the Royal British Legion Scotland to meet the costs of hiring the Caird Hall complex for the Dundee Festival of Remembrance.
25. to make a grant to the Blood Transfusion Service to meet the costs of hiring the Caird Hall complex as necessary.
26. to grant additional exemptions or charge reduced levels of increase in respect of Council Tax on long-term empty properties where hardship or unfairness would otherwise result.
27. to accept external grants on behalf of the Council.
28. to manage the Council's various reserves and balances in accordance with the agreed protocol and any other relevant guidance.
29. to transfer funds between reserves as part of the Council's overall financial management arrangements.
30. to agree Tenants' allowances in conjunction with the Executive Director of Neighbourhood Services.

(b) **Information Technology Digital and Customer Services**

The Head of Digital and Customer Services ~~and IT~~ has delegated authority for the following activities:-

1. IT
  - (i) to provide professional and objective advice on all matters relating to the adoption of information technology solutions to management across the authority at both corporate and service level.
  - (ii) to plan and schedule network and control work carried out by contractors and where practical, install networking.
  - (iii) to design networks (small local PC networks, service networks and corporate networks, both local and wide area), continually bearing in mind the current investment, the changing technology and the increasing and changing needs of the users.
  - (iv) to respond to and resolve all failures and faults in any of the authority's networks.
2. IT Desktop



- (i) to assess hardware requirements; draw up specifications for tendering for and procurement of all IT classified hardware and related systems software. This includes the procurement of all personal computers (PC's), network computers and PC hardware upgrades.
- (ii) to arrange the installation of all computer hardware to services within the authority (including schools and education).
- (iii) to carry out maintenance of computer hardware in corporate services (including schools and education).
- (iv) to control and standardise PC software used within the authority, including version control and the planning, scheduling and implementation of version upgrades.
- (v) to provide a support and advice service relating to PC software.

### 3. IT Software

- (i) to develop applications for user services, including systems analysis, systems design, programming, testing and implementation. This service also includes installing the system to user sites where required and support in initial start-up, training and in any subsequent enhancement requirement.
- (ii) to provide a systems maintenance service to all service areas.
- (iii) to install support and provide guidance on application packages bought in from outside suppliers.
- (iv) to provide advice and help to services to eliminate duplication in systems functionality and the integration of PC usage into the corporate work of the service.
- (v) to control and monitor data usage within systems, and the application of database optimization techniques to support the working of the authority's systems.

### 4. IT Central Operations

- (i) to manage the processing of the authority's corporate systems, including data-input, centralised printing and distribution.
- (ii) to administer and control the operating systems for corporate and service servers and applications machines.
- (iii) to control the usage of the corporate computers and to plan capacity availability for any new systems and/or changes in usage of current systems.

### 5. IT Client Related Services

- (i) to manage all the authority's IT related contracts.
- (ii) to control and manage all software evaluation and procurement.
- (iii) to develop the Council's IT Strategy/Policy and monitor and control its implementation.
- (iv) to determine standards within the IT Service and to monitor their implementation and application.
- (v) to determine the Council's policy on, and the review, planning and implementation of replacement systems.
- (vi) to develop and manage an in-house IT training facility to support all IT activity within the Council and relevant outside bodies.

### 6. Telephone Installation

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to enter into negotiations and discussions, as necessary, with Telecoms providers for the procurement of equipment to supply the Council's requirements.

7. Education Maintenance Allowances and Bursaries

to carry out the administration, assessment and payment of education maintenance allowances and further education bursaries, insofar as the Council has the power to award such bursaries and to decide whether or not to accept a late application.

8. Free School Meals and Clothing Grants

to ensure that free school meals are provided for all entitled pupils, and that clothing grants are provided in accordance with the Council's policies.

(c) ~~Human Resources and Business Support~~People

The Head of ~~People~~Human Resources and Business Support has delegated authority for the following activities:-

- (i) to provide advice to the Council on policies to be adopted for its human resources and related functions.
- (ii) to undertake organisational and system reviews for all services of the Council.
- (iii) to design and implement in-house training courses and other development solutions including e-learning and corporate performance and development appraisal arrangements for Council staff.
- (iv) authority to advise services and take action on matters relating to recruitment.
- (v) to carry out negotiations with trade unions on matters relating to conditions of service and industrial relations etc.
- (vi) to advise services and take action on matters relating to discipline, grievances and appeals.
- (vii) to take action necessary to ensure that the Council observes its equal opportunities policies in its role as an employer.
- (viii) appointed person, together with the Head of Democratic and Legal Services, in terms of Regulation 98 of the Local Government Pension Scheme (Scotland) Regulations 1998.
- (ix) to make recommendations to the Chief Executive in relation to the establishment of posts and other establishment changes.
- (x) to oversee the Council's Human Resources and Business Support systems.
- (xi) to advise services and take action on matters relating to employee health, safety and welfare.
- (xii) to advise services on conditions of service issues.
- (xiii) to conduct job evaluations and make recommendations on pay and grading structures.
- (xiv) subject to the provisions of Standing Order No 61(1) authority to establish and fill posts, extend posts and delete posts below Grade 13 irrespective of the nature of the posts eg temporary or permanent.

(d) Democratic and Legal Services

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The Head of Democratic and Legal Services has delegated authority for the following activities:-

1. act as Clerk to the Licensing Board.
2. act as Clerk to the Tayside Valuation Joint Board.
3. act as Clerk to the Tay Road Bridge Joint Board.
4. act as Clerk to the Tayside Contracts Joint Committee.
- ~~5. act as Clerk and Standards Officer to the Dundee City Health and Social Care Integration Joint Board.~~
- ~~6. act as Clerk to the Tay Cities Region Joint Committee.~~
- ~~5.7. appointed person, together with the Head of ~~Human Resources and Business Support~~People Services, in terms of Regulation 98 of the Local Government Pension Scheme (Scotland) Regulations 1998.~~
- ~~6.8. to determine Death Grant Appeals. together with the Executive Director of Corporate Services and the Pensions Manager, in terms of Regulation 37 of the Local Government Pension Scheme (Scotland) Regulations 1998, to determine to whom the death grant should be paid.~~
- ~~7.9. to charge for responding to Freedom of Information requests where it is permitted to do so (unless in consultation with the Executive Director of Corporate Services it is decided, in a particular case, that it would be inappropriate to do so) and in consultation with the Executive Director of Corporate Services, be authorised to determine the fee chargeable for each request.~~
- ~~8.10. in consultation with the Executive Director of Corporate Services to decide whether or not to respond to requests for information where the projected costs of doing so would exceed the prescribed amount (£600 at 1 January 2005).~~
- ~~9.11. to provide administrative, clerical and secretarial support facilities and services to the Elected Members of the Council.~~
- ~~40.12. to fix public holidays for the city.~~
- ~~13. to issue licences and approvals in terms of the Children and Young Persons' Act 1963 and Children (Performances) and Activities (Scotland) Regulations 2014.~~
11. **Democratic Services**
  - (i) Licensing
    - (a) to deal with the undernoted applications in consultation with the Convener of the Licensing Committee:-
      - (i) applications to use City Square, Murraygate and the central area of Dundee;
      - (ii) applications for public charitable collections;
      - (iii) applications for minibus permits;
      - (iv) notification for street parades and processions (where no objections have been received);
      - (v) applications for small lotteries licences and renewals;
      - (vi) applications to operate a slaughterhouse;

- (vii) applications for temporary public entertainment licences (charitable organisations);
  - (viii) to grant applications for temporary licence for private hire driver, street trader, taxi driver and window cleaner licences if applicants have satisfied all requirements within 21 days of lodging the application;
  - (ix) to grant applications for renewal of licences and metal dealer exemption warrants where no objections have been received;
  - (x) to deal with requests for variation for Taxi Licences for the installation of CCTV systems in the vehicle to be used in the operation of the Licence.
- (b) to vary taxi licence conditions to allow advertising on taxis (except where it is felt appropriate due to the nature of the advertising the application should be dealt with by the Licensing Committee);
  - (c) to suspend a taxi driver's licence or a private hire car driver's licence in terms of paragraph 12 of Schedule 1 to the Civic Government (Scotland) Act 1982 in consultation with the Convener in the event of the Council's medical examiner certifying that the holder of a taxi driver's licence or a private hire car driver's licence was unfit to drive a taxi or a private hire car and that a hearing in terms of paragraph 11 be called within six weeks of the date of the suspension;
  - (d) to recall the suspension order in terms of paragraph 12(6) of Schedule 1 in consultation with the Convener in the event of the Council's medical examiner in the period between the suspension and the date of the hearing subsequently certifying that the licence holder had returned to fitness to drive a taxi or a private hire car;
  - (e) to vary the condition of licence for Private Hire Cars that the operator must put a vehicle on service within 28 days of the licence coming into effect subject to any subsequent requests being referred to the Licensing Committee for consideration;
  - (f) to grant all new and renewal applications under Schedule 1 of the 1982 Act where they are within policy and there are no objections, comments or representations and in the case of HMO applications under the Housing (Scotland) Act 2006 authority in consultation with the Convener to deal with all new variation and validation applications unless:-
    - (i) there is no named managing agent for the premises or the owner/applicant or the named agent has not previously been approved by the Committee as a managing agent;
    - (ii) the application would be in potential breach of the Committee's policy on over-provision of Houses in Multiple Occupation and has not been previously licensed or does not fall within any of the other exceptions to the policy (ie City Centre, purpose built, etc); and
    - (iii) there are no representations, objections or any other adverse comments or issues relating to the application.
  - (g) to determine whether or not good cause exists for allowing late renewal applications to be considered under Schedule 1 to the 1982 Act in consultation with the Convener;
  - (h) to consider applications for renewal where representations from Police Scotland (as opposed to objections) have been lodged in consultation with the Convener and Depute Convener which would include authority to grant applications with or without issuing a warning but not to refuse any applications;
  - (i) to defer consideration of any applications/hearings under Part II of the Civic Government (Scotland) Act 1982, as appropriate, and to advise applicants and agents accordingly;

- (j) to reject, as incompetent, applications in respect of market operators, public entertainment (site) and street trader's licences (where a permanent or semi-permanent pitch is involved) where evidence has not been submitted by the applicant within the six month period allowed for processing applications that they have the consent of the owner of the ground to occupy the site.
- (k) to authorise Civic Licensing Standards Officers in terms of Section 5(a), (b) and (c) of the Civic Government (Scotland) Act 1982 to enter and inspect any premises, vehicle or vessel, require production of or inspect any equipment, plant, apparatus or stock in trade and to inspect documentation all as may be required to carry out the provisions of the Act.
- (l) to convene a meeting of three members at their discretion to hear any urgent request for the immediate suspension of a licence under Paragraph 12 of Schedule I to the Civic Government (Scotland) Act 1982 between Local Government Elections and the first meeting of the Licensing Committee after the statutory meeting of the Council.
- (m) to deal with any applications dealt with by the Convener of the Licensing Committee under delegated powers between Local Government Elections and the first meeting of the Licensing Committee after the statutory meeting of the Council.
- (ii) Data Protection/Freedom of Information  
to deal with any necessary matters on behalf of the Council.
- (iii) Electoral Registration and Election Management
  - (a) to act as Electoral Registration Officer.
  - (b) to carry out an annual canvass of households for the purposes of producing an Electoral Register.
  - (c) decide on the validity or otherwise of claims for inclusion on the Register.
  - (d) decide on the eligibility or otherwise of applications for postal/proxy votes.
  - (e) make all necessary arrangements in relation to elections, including accommodation, staffing, stationery and transport etc.
- (iv) Committee Services
  - (a) to operate the Council's tendering procedures, including signing of acceptance letters/contracts on behalf of the Council.
  - (b) to prepare and enforce the Council's Standing Orders including ~~Tender Procedures~~ Contract Standing Orders and Delegated Powers.
- (v) General/Administrative Functions
  - (a) hospitality - in consultation with the Lord Provost, to incur expenditure on the provision of hospitality or entertainment of persons visiting the area of the Council, and functions considered necessary or desirable for maintaining the dignity of the Council/City, subject to the expenditure incurred not exceeding £5,000 on any event and to the amount allowed in the estimates for any one financial year not being exceeded.
  - (b) to affix the common seal of the Council to any deed or other document to which the Council is a party.
- (vi) Registration of Births, Deaths and Marriages  
to interpret and implement Council policies and Registrar General directives with regard to provision of registration services.

## 12. Legal Services

to take all action necessary or appropriate to support other officers in the implementation of the powers and duties delegated to them including without prejudice to that generality.

- (i) to appoint Counsel.
- (ii) to appoint external legal advisers.
- (iii) to defend legal actions raised against the Council.
- (iv) to take necessary action for the recovery of debts, monies due to the Council.
- (v) to raise, defend and settle legal proceedings in the Council's best interests.
- (vi) to conclude missives and settle conveyancing transactions.
- (vii) to instruct searches in Property, Personal and Charges Registers.
- (viii) to appoint Sheriff Officers when required.
- (ix) to represent the City Council in all proceedings before Courts, tribunals, enquiries etc.
- (x) to serve Statutory Notices, Orders and the like on behalf of the Council.
- (xi) to decide when a prosecution of parents in a school attendance default case should be withdrawn where circumstances alter to such an extent that prosecution is considered no longer necessary or desirable. This power to be exercised after consultation with the Executive Director of Children and Families Services.
- (xii) to sign the appropriate documentation in respect of all wayleave, servitude and sub-station site applications from statutory bodies for essential services such as gas mains, telecom cables, call boxes, overhead and underground electricity lines, mains water and drainage pipes.
- (xiii) to sign the appropriate documentation in respect of superior's consent, including retrospective consent, in connection with changes of use, or erection of buildings and fences held on service accounts, where the financial consideration is of a minor nature.
- (xiv) with reference to paragraph (e)4 of the powers delegated to the Executive Director of Neighbourhood Services regarding void property, to accept the best offer in each case, on the Council's behalf. Thereafter, the Executive Director of City Development will report the sale price to the City Development Committee for information.

## 13. Scientific Services

- (i) the functioning, operation and administration of Scientific Services.
- (ii) the statutory duties of Public Analyst, Food Examiner ~~and Official Agricultural Analyst~~ for Dundee City, Angus, Perth and Kinross and Fife Councils and Agricultural Analyst for Food Standards Scotland are maintained.
- ~~(iii) to liaise with relevant local authority services and the private sector etc, as necessary, to provide the information required as a result of an enquiry or submission of a sample for analysis.~~
- ~~(iv) to supervise analytical work on the whole range of sample types submitted by local authority services involved in the enforcement of legislation relating to food safety, consumer protection, health and safety and enactments relating to the environment with special emphasis on these samples likely to result in legal proceedings.~~
- ~~(v) to compile reports based on analytical findings and issue them as authorised signatory.~~

- ~~(v)(iii)~~ to provide scientific and technical advice to local authority and private clients and compile reports based on analytical results~~services, commercial and industrial concerns and private individuals as required.~~
- ~~(vii)(iv)~~ to supervise, and undertake, as necessary, on site sampling, inspections and laboratory investigations in order to provide the necessary service.
- ~~(viii)(v)~~ to ensure that UKAS accreditation is maintained~~the quality assurance system throughout the laboratory is maintained at a level that complies with UKAS requirements.~~
- ~~(ix)(vi)~~ to ensure maintenance of~~supervise procedures established for the maintenance of the Laboratory Information Management System (LIMS), as it relates to the internal quality control of the laboratory and to the Food Standards Agency Central Food Database.~~
- ~~(x)(vii)~~ ensure the maintenance of all contracts and agreements with clients.~~to ensure that a sufficient scope of inter-laboratory collaborative trials is carried out to satisfy the requirements of UKAS Accreditation.~~
- ~~(xi)~~ to ensure that the requirements of Minutes of Agreement with Dundee City, Angus and Perth and Kinross Councils are maintained to the satisfaction of all signatories to the Agreement.
- ~~(xii)~~ to ensure that the requirements of the Service Level Agreement with Fife Council are maintained to the satisfaction of both parties to the Agreement.
- ~~(xiii)~~ to develop arrangements with Aberdeen and other Councils to provide services of the Public Analyst and other scientific services.

**CHIEF OFFICER - HEALTH AND SOCIAL CARE INTEGRATION**

The Chief Officer, Health and Social Care Integration has delegated authority to:-

- provide advice to the Council on policies and strategies in respect of the provision and development of Adult social care and social work services.
- provide advice to the Council on policies and strategies in respect of health and wellbeing.
- work with the Chief Social Work Officer to ensure the general responsibilities and statutory functions of the Chief Social Work Officer are implemented within the Health and Social Care Partnership.
- implement directions from the ~~Integrated-Integration~~ Joint Board to Dundee City Council in respect of those functions which have been delegated to the Integration Joint Board in terms of the Dundee Health and Social Care Integration Scheme between Dundee City Council and NHS Tayside.
- exercise the social work, social care and social welfare functions of the Council except to the extent that they are the statutory responsibilities of the Chief Social Work Officer or are delegated by the Council to the Integration Joint Board.
- ensure the Council complies with all statutory requirements in relation to Adult social work services.
- make arrangements for the exercise by the Council of its functions in respect of the Social Work (Scotland) Act 1986 as they apply to Adults.
- make arrangements for the exercise by the Council of its functions in respect of the Chronically Sick and Disabled Persons Act 1970 as they apply to Adults.
- make arrangements for the exercise by the Council of its functions in respect of the National Health Service and Community Care Act 1990 as they apply to Adults.
- make arrangements for the exercise by the Council of its functions in respect of Adults with Incapacity (Scotland) Act 2000.
- make arrangements for the exercise by the Council of its functions in respect of Adults under the Mental Health (Care and Treatment) (Scotland) Act 2003 as they apply to Adults.
- make arrangements for the exercise by the Council of its functions, in respect of persons under the Adult Support and Protection Act 2007 including without prejudice to the foregoing generality the appointment of Council Officers under that Act.
- make arrangements for the exercise by the Council of its functions in respect of the Public Bodies (Joint Working) (Scotland) Act 2014.
- make arrangements for the exercise by the Council of its functions in respect of the Carers (Scotland) Act 2016 as they apply to Adults.
- following an established procedure and assessment process, hold discretionary powers for the waiving of charges.



**CHIEF SOCIAL WORK OFFICER**

The Chief Social Work Officer has the following general responsibilities in their role as a Proper Officer of Dundee City Council:-

- to oversee the discharge of the Council's statutory social work duties;
- to ensure the provision of effective professional and objective advice to Elected Members and officers of the Council in the Council's provision of social work services;
- To oversee the effective provision of social work services.

The Chief Social Work Officer has the following specific statutory function:-

**(a) Service Provision**

1. to establish and develop social work services focussed on the needs of service users, to promote the continuous improvement of those services, and to monitor and raise standards of their delivery;
2. to ensure the effective governance of the balance of need, risk and civil liberties in the provision of social work services in accordance with professional practice;
3. to provide advice on all aspects of workforce planning including safe recruitment practice, supervision, monitoring and assessment of social work students, securing of professional qualifications and continuous learning and development for staff, and supporting and advising managers in all aspects of staff supervision;
4. to ensure the existence of systems to both promote good practice and identify and address poor practice in the provision of social work services;
5. to ensure that significant case reviews are undertaken of all critical incidents either resulting in, or which may have resulted in, serious harm or death; and
6. to take final decisions binding on the Council in relation to a range of social work services, including, but not limited to:-
  - (i) all functions of Chief Social Work Officer. (Social Work (Scotland) Act 1968, as amended; Local Government etc (Scotland) Act 1994 etc);
  - (ii) appointment of Mental Health Officers. (Mental Health (Care and Treatment) (Scotland) Act 2003);
  - (iii) consider and determine recommendations made by the Adoption and Fostering Panel;
  - (iv) approve Guardianship applications. (Mental Health (Care and Treatment) (Scotland) Act 2003; Adults with Incapacity (Scotland) Act 2000);
  - (v) authorise all secure accommodation placements for children. (Children (Scotland) Act 1995);
  - (vi) transfer of a child subject to supervision requirement in case of necessity. (Children (Scotland) Act 1995);
  - (vii) provision of services and after-care services for people with a mental disorder. (Mental Health (Care and Treatment) (Scotland) Act 2003);
  - (viii) welfare of certain hospital patients. (Mental Health (Care and Treatment) (Scotland) Act 2003);

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(ix) carry out functions as the appropriate authority in relation to a breach of a supervision order. (Criminal Proceedings (Scotland) Act 1993).

7. to supervise people placed on a Drug Treatment and Testing Order in terms of Sections 89-95 of the Crime and Disorder Act 1998.
8. to jointly establish arrangements with other responsible authorities for the assessment and management of the risks posed by certain high-risk offenders as defined by Section 10 of the Management of Offenders etc (Scotland) Act 2005.

**(b) Corporate Responsibilities**

1. to provide the Chief Executive and Elected Members with forthright and independent advice;
2. to ensure compliance with the Council's statutory duties to prepare, publish and review plans for the provision of social work services;
3. to promote, communicate, support and review values and standards of professional practice, and to ensure they are adhered to;
4. to establish, in conjunction with the Council ~~Management-Leadership~~ Team, appropriate experience and qualified cover for the post of Chief Social Work Officer during the post-holder's absence or incapacity;
5. to report to the Chief Executive any failure in the Council's corporate policy or governance arrangements designed to reflect the proper balance amongst need, risk and civil liberties in the provision and management of social work services;
6. to report to the Chief Executive any weaknesses and failures in the systems in place to promote good practice and identify and address poor practice in the provision of Social Work services;
7. to report and provide independent comment where necessary to the Chief Executive and Elected Members on the findings of significant case reviews and relevant performance reports and on any other social work related issues; and
8. to provide an annual report to the Council on all of the statutory, governance and leadership functions of the role of the Chief Social Work Officer.

**NEIGHBOURHOOD SERVICES**

The Executive Director of Neighbourhood Services or appropriate nominated officer has delegated authority for the following activities:-

**(a) General**

1. to provide advice to the Council on policies and strategies to ensure that the service achieves prescribed financial and service objectives.
2. to implement the management systems necessary to support and administer the operations of the service including the use of information and communication technology and to seek external assessment where appropriate eg ISO9001 Investors in People.
3. to conduct customer research in relation to enhancing service provision.

**(b) Construction**

1. to tender for or negotiate appropriate construction and buildings maintenance contracts.
2. to appoint sub-contractors and suppliers as necessary subject to the provisions in the Council's Tender Procedures.
3. to seek to reduce the costs of the services to the Council through identifying and entering into partnerships and/or external trading arrangements which will allow effective use of resources.

**(c) Regulatory Services**

1. to issue Notices on abandoned vehicles in terms of Section 3 of the Refuse Disposal (Amenity) Act 1978.

~~2. to issue Fixed Penalty Notices in respect of flytipping and dropping of litter in terms of Sections 33A and 88 of the Environmental Protection Act 1990.~~

~~3. to issue Notices in respect of the presentation of domestic waste and trade waste in terms of Sections 46 and 47 of the Environmental Protection Act 1990.~~

4. to issue and withdraw graffiti removal notices under Sections 58 to 65 of the Anti-Social Behaviour etc (Scotland) Act 2004.

5. to process applications for improvement grants, repairs grants and improvement loans and to approve such applications where they meet the criteria laid down by the Community Safety and Public Protection Committee from time to time.

6. to issue Rent Penalty Notices under Section 94 of the Anti-Social Behaviour etc (Scotland) Act 2004 and to decide upon any applications under Section 95 of the said 2004 Act for the revocation of such notices.

~~7. Anti Social Behaviour etc (Scotland) Act 2004 (Part 5) – Noise Nuisance~~

~~(a) Enforcement Officers to enforce the provisions under Part 5 of the above Act.~~

~~(b) to issue Fixed Penalty Notices under Section 46.~~

~~8. National Assistance Act 1948 as amended by the Local Government (Scotland) Act 1973 (Burial or Cremation of the Dead) Burial and Cremation (Scotland) Act 2016~~

~~to arrange for the burial or cremation of deceased persons where no one is available to make such arrangements.~~

9. Health Services and Public Health Act 1968 and Orders made thereunder

~~to exclude food handlers suffering from infectious diseases from work, and arrange for payment of compensation.~~ Assist NHS Tayside in the investigation of notifiable diseases and any public health incidents via designated staff relating to protection of public health.

10. Dangerous Dogs Act 1989 and 1991 as amended

to seize and detain dogs of several breeds, whose owners have not fulfilled statutory obligations for registration, marking etc.

11. Dog Fouling (Scotland) Act 2003

to issue Fixed Penalty Notices under Section 4.

12. Control of Dogs (Scotland) Act 2010

To issue Dog Control Notices under Section 1 of the Act and to discharge or vary Dog Control Notices under Section 6 and 7 of the Act.

4213. Civic Government (Scotland) Act 1982

- (a) to instruct necessary works for the repair of buildings under Section 87(3) of the Act, in the interest of health. Persons so instructed to prepare, carry out, supervise or inspect these works have been authorised to enter the buildings and the lands pertaining thereto for these purposes.
- (b) to recover costs of any works carried out under Section 87(3) of the above Act from the various owners of the properties concerned on the basis that apportionment is based on equal shares.
- (c) to issue Notices under Section 90 of the Act.
- (d) to instruct necessary works for the repair of the lighting in the common property under Section 90 of the Act in the interest of safety. Persons so instructed to prepare, carry out, supervise or inspect these works have been authorised to enter the buildings and the lands pertaining thereto for these purposes.
- (e) to recover costs of any works carried out under Section 90 of the above Act from the various owners of the properties concerned on the basis that apportionment is based on equal shares.
- (f) to issue Notices under Section 94(2) of the above Act requiring owner or occupier of land or premises containing a disused petrol tank, to have the tank made safe.
- (g) to levy a charge for administration costs in respect of the above as follows:-  
10% of the sum of accounts received from contractors with a minimum of £20.

4314. Health and Safety at Work etc Act 1974 and any Regulations thereunder

- (a) to issue Improvement and Prohibition Notices.
- ~~(b) to temporarily appoint inspectors to carry out technical appraisals, examinations and/or inspections.~~
- ~~(b) to temporarily appoint inspectors to carry out technical appraisals, examinations and/or inspections, subject to the provisions in the Council's Tendering Procedures and if contract value is above £50k for duration of contract, is subject to a report thereon being submitted for information to the next appropriate meeting of the Committee concerned.~~
- (c) to give temporary authority to persons with specialist knowledge to accompany authorised officers on site.

- (d) to transfer premises to the Health and Safety Executive and vice-versa.

**4415.** Environmental Protection Act 1990 as amended

- (a) to issue Notices and Fixed Penalty Notices in terms of Section 80 of the Act.
- (b) to instruct necessary works under Section 81 of the Act to abate the statutory nuisance or prevent the recurrence of the statutory nuisance. Persons so instructed to prepare, carry out, supervise or inspect these works have been authorised to enter the buildings and lands pertaining thereto for these purposes.
- (c) to recover costs of any works carried out under Section 81 of the above Act from the person by whose act or default the nuisance was caused.

**4516.** Food Safety Act 1990 and Food Safety and Standards Regulations made under the European Union (Withdrawal) Act 2018

- (a) to issue Notices in terms of the legislation.
- (b) to temporarily appoint inspectors to carry out technical appraisals, examinations and/or inspections and to exercise some or all of the powers specified in paragraph 15(b) hereunder.
- (c) to give temporary authority to persons with specialist knowledge to accompany authorised officers on site.

**4617.** Prevention of Damage by Pests Act 1949

- (a) to issue Notices under Section 4(1) under the Prevention of Damage by Pests Act 1949.
- (b) to instruct the works required to comply with the Notice, should the person or persons to whom the Notice had been served not do so within the permitted time.
- (c) to recover the cost of the works carried out in default.

**4718.** Smoking, Health and Social Care (Scotland) Act 2005 (Part 1)

- (a) for Enforcement Officers to issue Fixed Penalty Notices under Section 6 of the Act.
- (b) to hear appeals against the issue of Fixed Penalty Notices and to report the findings to the Community Safety and Public Protection Committee for information.

**4819.** Environmental Protection Act 1990 - Sections 33A and 88

- (a) to issue Fixed Penalty Notices in respect of flytipping and dropping of litter in terms of Sections 33A and 88 of the Environmental Protection Act 1990.
- (b) to issue Notices in respect of the presentation of domestic waste and trade waste in terms of Sections 46 and 47 of the Environmental Protection Act 1990.

**4920.** Tobacco and Primary Medical Services (Scotland) Act 2010

- (a) for Enforcement Officers to issue Fixed Penalty Notices under Section 27 of the Act.
- (b) to hear representations against the issue of Fixed Penalty Notices.
- (c) to authorise under Section 5 of the Act persons under the age of 18 to buy, or attempt to buy, tobacco products for the purpose of determining whether an offence has been committed.

2021. Legislation Enforced by Environmental Health Officers

Environmental Health Officers, Food Safety Officers, Enforcement Officers or other appropriate officers appointed by Dundee City Council are authorised by virtue of the legislation contained in the Schedule below to enter and inspect premises including any place, stall, vehicle, ship or aircraft, and to inspect, test, seize, sample, detain or purchase such goods, equipment or documents as may be required to carry out the provisions of the said legislation.

**SCHEDULE**

Air Weapons and Licensing (Scotland) Act 2015  
 Animal Boarding Establishments Act 1963  
 Animal Health and Welfare (Scotland) Act 2006  
 Anti-Social Behaviour etc (Scotland) Act 2004 (Part 5) - Noise Nuisance  
 Animal Health Act 1981  
 The Beef and Veal Labelling (Scotland) Regulations 2010  
 Betting, Gaming and Lotteries Act 1963  
 Breeding of Dogs Act 1973 and 1991  
 Breeding and Sale of Dogs (Welfare) Act 1999  
 Caravan Sites and Control of Development Act 1960  
 Civic Government (Scotland) Act 1982  
 Clean Air Act 1993  
 Control of Dogs (Scotland) Act 2010  
 Control of Pollution Act 1974  
 Dangerous Dogs Act 1989 and 1991 (as amended)  
 Dangerous Wild Animals Act 1976  
 Dogs Act 1906  
 Dog Fouling (Scotland) Act 2003  
 Environment Act 1995  
 Environmental and Safety Information Act 1988  
 Environmental Protection Act 1990 (as amended)  
 European Union (Withdrawal) Act 2018 and Orders or Regulations or amendments made thereunder  
 Explosives Acts 1875 and 1923  
 Explosive Regulations 2014  
 Factories Act 1961  
 Food and Environment Protection Act 1985  
 The Food Hygiene (Scotland) Regulations 2006 (as amended)  
 Food Information (Scotland) Regulations 2014 (as amended)  
 Food Safety Act 1990 (as amended)  
 The Gambling Act 2005  
 Food Safety and Food Standards Regulations made under the European Union (Withdrawal) Act 2018  
 The Food Safety, Ships and Aircraft (England and Scotland) Order 2003  
 General Food Regulations 2004  
 Guard Dogs Act 1975  
 Health and Safety at Work etc Act 1974 and any Regulations thereunder  
 Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Regulations 2020  
 Health Services and Public Health Act 1968  
 Housing (Scotland) Act 2006  
 Licensing (Scotland) Act 2005  
 Medicines Act 1968  
 Microchipping of Dogs (Scotland) Regulations 2016  
 National Assistance Act 1948 (as amended)  
 Offices, Shops and Railway Premises Act 1963  
 Official Feed and Food Controls (Scotland) Regulations 2009 (as amended)  
 Performing Animals (Regulation) Act 1925  
 Pet Animals Act 1951  
 Prevention of Damage by Pests Act 1949  
 Prohibition of Smoking in Certain Premises (Scotland) Regulations 2006  
 Public Health [etc](#) (Scotland) Act 2008  
 Regulatory Reform (Scotland) Act 2014  
 Riding Establishments Acts 1964 and 1970  
 Smoking, Health and Social Care (Scotland) Act 2005 (Part 1)  
 Tobacco and Primary Medical Services (Scotland) Act 2010  
 Theatres Act 1968  
 Trade in Animals and Related Products (Scotland) Regulations 2012 (as amended)  
 Transmissible Spongiform Encephalopathies (Scotland) Regulations 2010  
 Waste (Scotland) Regulations 2012  
 Water (Scotland) Act 1980  
 - and all Orders and Regulations made under the above.

**2122. Specific Authorisation for Environmental Health Officers and Food Safety Officers**

- ~~(a) Environmental Health Officers are authorised to be inspectors for the purposes of the Health and Safety at Work etc Act 1974 and to exercise the powers of an inspector specified in:-~~
  - ~~(i) Sections 20, 21, 22 and 25;~~
  - ~~(ii) any Health and Safety Regulations;~~
  - ~~(iii) the provisions of the relevant Acts mentioned in Schedule 1 of the 1974 Act which specified in the third column of that Schedule and of the Regulations, Orders or other Instruments of a legislative character made or having effect under any provision so specified.~~
- ~~(b) Environmental Health Officers and Food Safety Officers holding the Higher Certificate in Food Safety Inspection are authorised to be inspectors for the purpose of:-~~
  - ~~(i) the Food Safety Act 1990, Part I, Section 5(6) and to exercise powers of an inspector specified in Sections 9, 10 and 12, Part III, Sections 29, 30 and 32, Part IV, Sections 49 and 50;~~
  - ~~(ii) the Food Hygiene (Scotland) Regulations 2006 and to exercise powers of an authorised officer specified in Regulations 6, 8, 9, 12, 13 and 14;~~
  - ~~(iii) the Official Feed and Food Controls (Scotland) Regulations 2009;~~
  - ~~(iv) Regulations (EC) No 852/2004 and 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin and to grant, refuse or withdraw approval to establishments subject to approval in terms of the Regulations;~~
  - ~~(v) any Food Safety Regulations and Food Standard Regulations made under the Food Safety Act 1990 or having effect by virtue of the European Union (Withdrawal) Act 2018; and~~
  - ~~(vi) any modification or re-enactment or any of the foregoing.~~
- ~~(c) Environmental Health Officers are authorised to issue Notices under Section 60 of the Control of Pollution Act 1974 to control noise levels emanating from construction sites.~~
- ~~(d) Environmental Health Officers are authorised to approve applications in terms of Section 61 of the Control of Pollution Act 1974 for prior consent for work undertaken on a construction site.~~

**2223. Legislation Enforced by Trading Standards Officers**

~~Trading Standards Officers or other appropriate officers appointed by Dundee City Council are authorised by virtue of the legislation contained in the Schedule below to enter and inspect premises including any place, stall, vehicle, ship or aircraft, and to inspect, test, seize, sample, detain or purchase such goods, equipment or documents as may be required to carry out the provisions of the said legislation.~~



**SCHEDULE**

~~Agriculture Act 1970~~  
~~Agriculture Produce (Grading and Marking) Acts 1928-1931~~  
~~Animal Health Act 1981~~  
~~Animal Health and Welfare (Scotland) Act 2006~~  
~~Anti-Social Behaviour etc (Scotland) Act 2004~~  
~~Biocidal Products and Chemicals Regulations 2013~~  
~~Business Protection from Misleading Marketing Regulations 2008~~  
~~Civic Government (Scotland) Act 1982—Sections 94 and 99~~  
~~Children and Young Persons Act 1937~~  
~~Children and Young Persons (Protection from Tobacco) Act 1991~~  
~~Construction Products Regulations 2013~~  
~~Consumer Credit Act 1974 and 2006~~  
~~Consumer Protection Act 1987~~  
~~Consumer Protection from Unfair Trading Regulations 2008~~  
~~Consumer Rights Act 2015~~  
~~Clean Air Act 1993—Section 30~~  
~~Copyright Designs and Patents Act 1988~~  
~~Education Reform Act 1988—Section 214~~  
~~Energy Act 1976~~  
~~Energy Conservation Act 1981~~  
~~Enterprise Act 2002—Part 8~~  
~~Environment and Safety Information Act 1988~~  
~~Estate Agents Act 1979~~  
~~European Union (Withdrawal) Act 2018~~  
~~Explosives Acts 1875 and 1923~~  
~~Explosive Regulations 2014~~  
~~Fair Trading Act 1973~~  
~~Farm and Garden Chemicals Act 1967~~  
~~Fireworks Act 2003~~  
~~Food and Environmental Protection Act 1985—Part III~~  
~~General Product Safety Regulations 2005~~  
~~Hallmarking Act 1973~~  
~~Health and Safety at Work etc Act 1974—Sections 19 and 20~~  
~~Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Regulations 2020~~  
~~Housing (Scotland) Act 2006~~  
~~Medicines Act 1968~~  
~~Motor Cycle Noise Act 1987~~  
~~Official Feed and Food Controls (Scotland) Regulations 2005~~  
~~Pesticides Act 1998~~  
~~Petroleum (Consolidation) Regulations 2014~~  
~~Petroleum (Regulations) Acts 1928-1936~~  
~~Prices Acts 1974 and 1975~~  
~~Psychoactive Substances Act 2016~~  
~~Road Traffic Act 1988—Section 17~~  
~~Single Use Carrier Bags Charge (Scotland) Regulations 2014~~  
~~Smoking, Health and Social Care (Scotland) Act 2005~~  
~~Telecommunications Act 1984—Sections 28 and 29~~  
~~Timeshare, Holiday Products, Resale and Exchange Regulations 2010~~  
~~Tobacco Advertising and Promotion Act 2002~~  
~~Tobacco and Primary Medical Services (Scotland) Act 2010~~  
~~Trade Descriptions Act 1968~~  
~~Trade Marks Act 1994~~  
~~Trading Schemes Act 1996~~  
~~Trading Stamps Act 1964~~  
~~Unsolicited Goods and Services Act 1971~~  
~~Video Recordings Acts 1984 and 1993~~  
~~Weights and Measures Act 1985~~  
~~—and all Orders and Regulations made under the above.~~

[Advanced Television Services Regulations 2003](#)  
[Agriculture Act 1970](#)  
[\*\*Agriculture Produce \(Grading and Marking\) Acts 1928-1931\*\*](#)  
[Animal Health Act 1981](#)  
[Animal Health and Welfare \(Scotland\) Act 2006](#)  
[Antisocial Behaviour etc \(Scotland\) Act 2004](#)  
[Biocidal Products and Chemicals \(Appointment of Authorities and Enforcement\) Regulations 2013](#)  
[Biofuel \(Labelling\) Regulations 2004](#)  
[Business Protection from Misleading Marketing Regulations 2008](#)  
[\*\*Cancer Act 1939\*\*](#)  
[Cat and Dog Fur \(Control of Import, Export and Placing on the Market\) Regulations 2008](#)  
[Civic Government \(Scotland\) Act 1982 \(Sections 24 to 27\)](#)  
[Civic Government \(Scotland\) Act 1982 \(Section 94\) \(and 99\)](#)  
[Children and Young Persons Act 1937](#)  
[Children and Young Persons \(Protection from Tobacco\) Act 1991](#)  
[Clean Air Act 1993 \(Sections 30 and 32\)](#)  
[\*\*Companies Act 2006\*\*](#)  
[Construction Products Regulations 2013](#)  
[Consumer Contracts \(Information, Cancellation and Additional Charges\) Regulations 2013](#)  
[Consumer Credit Act 1974 \(and 2006\)](#)  
[Consumer Protection Act 1987](#)  
[Consumer Protection from Unfair Trading Regulations 2008](#)  
[Consumer Rights Act 2015](#)  
[Copyright Designs and Patents Act 1988 \(Sections 107 and 198\)](#)  
[Cosmetic Products Enforcement Regulations 2013](#)  
[Detergents Regulations 2010](#)  
[\*\*Digital Markets, Competition and Consumers Act 2024\*\*](#)  
[EC Fertilisers \(Scotland\) Regulations 2006](#)  
[Ecodesign for Energy Related Products Regulations 2010](#)  
[Education Reform Act 1988 \(Section 215\)](#)  
[Electrical Equipment \(Safety\) Regulations 2016](#)  
[Electromagnetic Compatibility Regulations 2016](#)  
[Energy Act 1976](#)  
[Energy Information Regulations 2011](#)  
[Energy Performance of Buildings \(Scotland\) Regulations 2008](#)  
[Enterprise Act 2002](#)  
[Environmental Protection \(Single-Use Plastic Products\) \(Scotland\) Regulations 2021](#)  
[\*\*Environmental Protection \(Single-Use Vapes\) \(Scotland\) Regulations 2024\*\*](#)  
[Estate Agents Act 1979](#)  
[European Union \(Withdrawal\) Act 2018](#)  
[European Regulation \(EC\) No 1272/2008 on classification, labelling and packaging of substances and mixtures](#)  
[Explosives Acts 1875 and 1923](#)  
[Explosives Regulations 2014](#)  
[Fair Trading Act 1973](#)  
[\*\*Farm and Garden Chemicals Act 1967\*\*](#)  
[Fireworks Act 2003](#)  
[Fireworks and Pyrotechnical Articles \(Scotland\) Act 2022](#)  
[Fireworks \(Scotland\) Miscellaneous Amendment Regulations 2021](#)  
[Footwear \(Indication of Composition\) Labelling Regulations 1995](#)  
[\*\*Gas Appliances \(Safety\) Regulations 1995\*\*](#)  
[\*\*Gas Appliances \(Enforcement\) and Miscellaneous Amendments Regulations 2018\*\*](#)  
[General Product Safety Regulations 2005](#)  
[Hallmarking Act 1973](#)  
[Health and Safety at Work etc Act 1974 \(Sections 19, 20, 21, 22 and 25\)](#)  
[Housing \(Scotland\) Act 2006, Part 3](#)  
[Measuring Instruments \(EEC Requirements\) Regulations 1988](#)  
[Measuring Instruments Regulations 2016](#)  
[Medical Devices Regulations 2002](#)  
[Motorcycle Noise Act 1987](#)  
[Non-automatic Weighing Instruments Regulations 2016](#)  
[Olympic Symbol etc \(Protection\) Act 1995](#)  
[The Package Travel and Linked Travel Arrangements Regulations 2018](#)

Packaging (Essential Requirements) Regulations 2015  
Passenger Car (Fuel Consumption and CO2 Emissions Information) Regulations 2001  
Personal Protective Equipment (Enforcement) Regulations 2018  
Pesticides (Fees and Enforcement) Act 1989  
Pesticides Act 1998  
Petroleum (Consolidation) Regulation 2014  
~~Petroleum regs/cts 1928-1936~~  
~~Plant Protection Products (Scotland) Regulations 2005~~  
Plant Protection Products Regulations 2011  
Pressure Equipment Regulations 2016  
Prices Acts 1974 and 1975  
Psychoactive substances Act 2016  
Pyrotechnic Articles (Safety) Regulations 2015  
Radio Equipment and Telecommunications Terminal Equipment Regulations 2000  
REACH Enforcement Regulations 2008  
~~Recreational Craft Regulations 2004~~  
Recreational Craft Regulations 2017  
Registered Designs Act 1949  
Road Traffic Act 1988 (Sections 17 and 18)  
Simple Pressure Vessels (Safety) Regulations 2016  
Single Use Carrier Bags Charge (Scotland) Regulations 2014  
Smoking, Health and Social Care (Scotland) Act 2005  
Supply of Machinery (Safety) Regulations 2008  
Telecommunications Act 1984  
Textile Products (Labelling and Fibre Composition) Regulations 2012  
Timeshare, Holiday Products, Resale and Exchange Regulations 2010  
Tobacco Advertising and Promotion Act 2002  
Tobacco and Primary Medical Services (Scotland) Act 2010  
Toys (Safety) Regulations 2011  
Trade Descriptions Act 1968  
Trade Marks Act 1994  
~~Trading Schemes Act 1996~~  
~~Trading Stamps Act 1964~~  
Transmissible Spongiform Encephalopathies (Scotland) Regulations 2010  
Unsolicited Goods and Services Act 1971  
Video Recordings Acts 1984 and 1993  
Volatile Organic Compounds in Paints, Varnishes and Vehicle Refinishing Products Regulations 2012  
Weights and Measures Act 1976  
Weights and Measures Act 1985  
Weights and Measures (Packaged Goods) Regulations 2006  
 - And all Orders and Regulations made under the above.

#### **2324. Specific Authorisation for Trading Standards Officers and Enforcement Officers**

- (a) Trading Standards Officers are authorised to issue Suspension Notices under Section 14 of the Consumer Protection Act 1987.
- (b) Trading Standards Officers are authorised to be inspectors for the purposes of the Health and Safety at Work etc Act 1974 and to exercise the powers of an inspector specified in:-
  - (i) Sections 20, 21, 22 and 25;
  - (ii) any relevant Health and Safety Regulations; and
  - (iii) the provisions of the relevant Acts mentioned in Schedule 1 to the 1974 Act which specified in the third column of that Schedule and of the Regulations, Orders or other Instruments of a legislative character made or having effect under any provision so specified.
- (c) Trading Standards Officers are appointed as Inspectors of Weights and Measures under Section 72 of the Weights and Measures Act 1985 to discharge all of the functions conferred or imposed on inspectors by or under this Act.

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(d) **General Product Safety Regulations 2005**

Trading Standards Officers are authorised to exercise the enforcement powers specified in Part 3, Regulations 11, 12, 13, 14, 15 and 22.

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(e) **Food Safety Act 1990 and Food Safety and Standard Regulations made under the European Union (Withdrawal) Act 2018**

Trading Standards Officers are authorised to be inspectors for the purposes of:-

- (i) the Food Safety Act 1990 Part I, Section 5(6) and to exercise the powers of an inspector specified in Part II, Section 9, Part III, Sections 29, 30 and 32 and Part IV, Sections 49 and 50;
- (ii) the Food Hygiene (Scotland) Regulations 2006 and to exercise powers of an authorised officer specified in Regulations 12, 13 and 14;
- (iii) the Official Feed and Food Controls (Scotland) Regulations 2005;
- (iv) any Food Safety Regulations and Food Standard Regulations made under the Food Safety Act 1990, or having effect by virtue of the European Union (Withdrawal) Act 2018; and
- (v) any modification or re-enactment of the foregoing.

(f) **Housing (Scotland) Act 2006**

Trading Standards Officers are authorised to exercise the enforcement powers specified in Part 3 of the Act, including the requirement to produce prescribed documents, and to serve Penalty Charge Notices, and generally have power to enforce the provisions of Regulations made under the Act.

**2425. Other Authorisations**

Officers nominated by the Executive Director of Neighbourhood Services are authorised to carry out the statutory duties of the City Council in the terms of the Control of Pollution Act 1974, the Environmental Protection Act 1990, Part II, as the Litter Authority in terms of the Environmental Protection Act 1990, Part IV, and as the Local Authority in terms of Part 1 of the Land Reform (Scotland) Act 2003.

(a) **Environment**

1. to tender for or negotiate appropriate grounds maintenance and arboriculture contracts.
- ~~2. to appoint sub-contractors and suppliers, as necessary, subject to the provisions in the Council's Tender Procedures.~~
- ~~2. to appoint sub-contractors and suppliers, as necessary, subject to the provisions in the Council's subject to the provisions in the Council's Tendering Procedures and if contract value is above £50k for duration of contract, is subject to a report thereon being submitted for information to the next appropriate meeting of the Committee concerned.~~
3. to grant permission and approve bookings for the use of public open spaces and landscaped areas, playing fields and other facilities under the auspices of the Environment Service including lets and repeat events.
4. to develop and provide advice to the Council on policies for the development and maintenance of open spaces and landscaped areas including playgrounds.
5. to alter charges to service facilities and activities as part of short-term marketing initiatives, improve access to all citizens and in order to react to the changing marketing environment.
6. to approve/refuse requests for the use of parks and open spaces as civil marriage venues as far as the service's interest is concerned.

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7. to develop and provide advice to the Council on policies for the development and maintenance of parks, playing fields, outdoor recreation, playgrounds, cemeteries, burial grounds, allotments, urban areas, outdoor access, open spaces and landscaped areas including playgrounds.
8. in liaison with the Head of Democratic and Legal Services, to issue duplicate title deeds for burial plots.
9. to progress exhumation as and when such instances and measures are required.

(b) **Housing and Communities**

1. to advise the Council on strategies and policies for the development and implementation of a comprehensive housing service including Local Housing Strategy and Strategic Housing Involvement Plan.
2. to administer the sale of Council houses to tenants.
3. to administer the Council's House Letting Scheme.

4. to agree changes to tenants allowances in conjunction with Executive Director of City Development/Corporate Services.

45. to offer for sale on the open market properties from the Housing stock which became void and were the sole remaining property in the block of three or more properties and allow marketing by either the Executive Director of City Development or by a local firm of solicitors whichever the Head of Housing and Communities considered appropriate in each case (also see powers delegated to the Head of Democratic and Legal Services (paragraph 13(xiv) refers).

56. the undernoted officers or their equivalents have delegated authority to sign Tenancy Agreements and Short Scottish Secure Tenancies on behalf of the Council:-

District Managers  
Team Leaders  
Housing Officers  
Advice and Information Officers

67. to deal with requests for consent from owners of ex-Council houses or to delegate such authority to such appropriate Senior Housing Officer as they may decide, where such consent is necessary in terms of the title deeds.

78. to designate appropriate members of staff to exercise the powers of inspection and entry vested in the Council by Section 17(2) of the Housing (Scotland) Act 1987 as amended (with regard to furnished tenancies).

89. to assess homeless applications and provide a range of temporary and permanent accommodation in accordance with the Housing (Scotland) Act 2001 and Homelessness (Scotland) Act 2003.

910. to provide housing for essential incoming workers.

1011. to approve Service Level Agreements with Women's Aid and other voluntary organisations.

1112. to approve tenant representation at conferences.

1213. to set and review charges for energy from District Heating Systems for Council Houses.

1314. to develop proposals for a Scheme for Decentralisation in terms of Section 23 of the Local Government etc (Scotland) Act 1994.

1415. to operate the Council's Scheme for Establishment of Community Councils; and

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- | ~~45~~16. to organise and supervise elections or other voting arrangements for the purpose of establishing Community Councils.
- | ~~46~~17. to approve Administration grants to Community Councils, Neighbourhood Representative Structures and Registered Tenant Organisations.
- | ~~47~~18. to grant permission for the use of community facilities including lets and repeat events.
- | ~~48~~19. management and operation of community buildings in accordance with policy.
- | ~~49~~20. to develop and provide advice to the Council on policies for community centres.
- | ~~20~~21. to approve applications from voluntary organisations, including youth organisations and adult learning, for grants and other forms of assistance under the Education (Scotland) Acts and relevant Regulations up to a value of £2,000 to any one group in any financial year subject to (i) the details of any award being reported to Committee for information and record purposes and (ii) any award made meeting criteria laid down by the ~~Policy and Resources~~City Governance Committee.
- | ~~24~~22. to approve Administration grants to Adult Education Associations.

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**REPORT TO: CITY GOVERNANCE COMMITTEE – 22 SEPTEMBER 2025**

**REPORT ON: MEMBERS SALARIES**

**REPORT BY: EXECUTIVE DIRECTOR OF CORPORATE SERVICES**

**REPORT NO: 281-2025**

## **1 PURPOSE OF REPORT**

To recommend a revised scheme of salaries for elected members following changes to council committee structure (Item IV of this Agenda and Report No. 144-2025 Standing Orders and Schemes of Administration for Financial Regulations, Tender Procedures and Delegation of Powers to Officers refer).

## **2 RECOMMENDATIONS**

- 2.1 It is recommended that Committee agrees to suspend Standing Order 39(1) in terms of Standing Order 42 to consider and approve the members' salaries as set out in Appendix A, effective from 1 October 2025."

## **3 FINANCIAL IMPLICATIONS**

- 3.1 The additional cost of these proposals would amount to £2,500 per annum and would be contained within the provision for members' salaries, pensions and expenses that is included in the Democratic and Legal Services Section of the Corporate Services 2025/26 Revenue Budget.

## **4 BACKGROUND**

- 4.1 The Local Governance (Scotland) Act 2004 (Remuneration) Regulations 2007 sets out the framework for members' salaries and The Local Governance (Scotland) Act 2004 (Remuneration) Regulations 2023 details the current rates. Members' expenses are governed by The Local Government (Allowances and Expenses) (Scotland) Regulations 2007.
- 4.2 Following a review by the Scottish Local Authorities Remuneration Committee (SLARC), Councillors Remuneration have been amended. The amended salaries following this review came into effect from 1 April 2025 and are detailed in [The Local Governance \(Scotland\) Act 2004 \(Remuneration\) Amendment Regulations 2025](#) and amended in [The Local Governance \(Scotland\) Act 2004 \(Remuneration\) Amendment \(Amendment\) Regulations 2025](#).
- 4.3 Reference is also made to Article IX of the minute of the meeting of the City Governance Committee of 12 May 2025 and Report 139-2025, that set out the current members' salaries. As outlined in the above legislation, local authorities have the discretion to set the level of salary payable to senior councillors in accordance with a formula set out in the regulations. These salaries reflect an uplift on the basic councillor salary noting the additional responsibilities aligned to these senior roles. Officers noted that after considering the changes applied for basic councillor salaries, as set out in the updated regulations, the level of uplift for these additional responsibilities has now reduced. The changes within this report therefore propose a further increase of £500 per annum for Depute Conveners and the Depute Lord Provost to amend this. The revised proposed salaries are outlined within Appendix A and would be payable from 1 October 2025. It is confirmed the revised salaries remain within the total allowances that can be paid as determined by the formula set out within the regulations.

## 5 SALARIES

5.1 Under the current regulations, the elected members' salaries for the City Council are as set out below.

- The Leader of the Administration shall receive a salary of £50,063.
- The Civic Head, i.e. the Lord Provost, shall receive a salary of £37,548.
- In addition to the Civic Head's remuneration, the Council may pay the Lord Provost a civic allowance of up to £3,000. This allowance shall be reimbursed in respect of receipted expenditure which has been incurred by the Civic Head.
- The City Council can pay remuneration to up to 13 Senior Councillors.
- Each local authority shall pay to each of its Senior Councillors an amount to be determined by the authority, but which shall be greater than the basic Councillor's salary.
- The total amount payable to Senior Councillors is determined by a formula set out in the regulations and for the City Council this total sum is £412,940.
- Each Council shall not pay its Senior Councillors any amount of remuneration as the Leader of Administration, the Civic Head or as a basic Councillor.
- The remaining Councillors who are not the Leader of Administration, Civic Head or Senior Councillors shall each be a basic Councillor and will receive remuneration of £25,982 per annum.
- In terms of the Tayside Valuation Joint Board and Tay Road Bridge Joint Board, the Convener shall be paid a total yearly amount of £28,207 (inclusive of any amount payable to the Convener as a Councillor or Senior Councillor), or if greater, the amount payable to the Convener as a Senior Councillor.
- The Vice Conveners of the two Joint Boards referred to immediately above shall be paid a total yearly amount of £26,797 (inclusive of any amount payable to the Vice Convener as a Councillor or Senior Councillor), or if greater, the amount payable to the elected member as a Senior Councillor.
- An elected member cannot receive more than one salary, and they will receive the higher salary of the respective posts they are holding.
- If a member is suspended in terms of the Ethical Standards in Public Life etc (Scotland) Act 2000 for a period more than 2 calendar months, then the member's remuneration shall be reduced by 50%.

5.2 Dundee City Council payments of salaries and expenses will be paid on a calendar monthly basis.

## 6 POLICY IMPLICATIONS

6.1 This report has been subject to the Pre-IIA Screening Tool and does not make any recommendations for change to strategy, policy, procedures, services or funding and so has not been subject to an Integrated Impact Assessment. An appropriate Senior Manager has reviewed and agreed with this assessment.

## 7 CONSULTATIONS

7.1 The Council Leadership Team were consulted in the preparation of this report.

## **8 BACKGROUND PAPERS**

None.

**PAUL THOMSON**  
**EXECUTIVE DIRECTOR OF CORPORATE SERVICES**

**1 SEPTEMBER 2025**

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## APPENDIX A

## Members Salaries

Appointment	£	£
<b>Council Leader</b>		<b>50,063</b>
<b>Lord Provost</b>		<b>37,548</b>
<b>Senior Councillors</b>		
Depute Lord Provost	28,657	
Depute Leader of Dundee City Council and Depute Convener City Governance (responsibility for Finance)	33,242	
Lead Member for Health and Social Care	33,242	
Convener, Scrutiny Committee (Leader of Major Opposition Group)	33,242	
Convener, Neighbourhood, Housing and Communities Committee	33,242	
Convener, Children and Families Committee	33,242	
Convener, Climate, Net Zero and Environment Committee	33,242	
Convener, City Growth and Infrastructure Committee	33,242	
Convener, Licensing Committee	-	
Convener, Licensing Board	-	
Convener, Planning Committee	33,242	
Depute Convener, Neighbourhood, Housing and Communities Committee	28,657	
Depute Convener, Children and Families Committee	28,657	
Depute Convener, Climate, Net Zero and Environment Committee	28,657	
Depute Convener, City Growth and Infrastructure Committee	28,657	
Depute Convener, Planning Committee	-	
<b>Total for Senior Councillors</b>		<b>409,221</b>
<b>Basic Councillor Salaries (14 x £25,982)</b>		<b>363,748</b>
<b>Total Salaries</b>		<b>860,580</b>

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**REPORT TO:** CITY GOVERNANCE COMMITTEE – 22 SEPTEMBER 2025

**REPORT ON:** BUDGET STRATEGY AND FINANCIAL OUTLOOK 2026/27

**REPORT BY:** EXECUTIVE DIRECTOR OF CORPORATE SERVICES

**REPORT NO:** 235-2025

## **1 PURPOSE OF REPORT**

- 1.1 To present to elected members medium-term financial projections and to recommend a strategy to address the projected budget shortfall for 2026/27.

## **2 RECOMMENDATIONS**

- 2.1 It is recommended that the Committee:
- (a) notes the financial projections and risks set out in the report and their impact on the future ability of the Council to carry out its statutory functions;
  - (b) notes that a review of the assumptions included in the budget forecast is being undertaken and the outcome of this review will be reflected in an updated provisional revenue budget for 2026/27 that will be presented to members in due course;
  - (c) notes that a separate report on budget consultation for 2026/27 will be presented to a future meeting of the Committee;
  - (d) agrees the budget strategy set out in Section 5 of the Report; and
  - (e) notes the outline timetable set out in Section 7 of the Report.

## **3 FINANCIAL IMPLICATIONS**

- 3.1 There are no direct financial implications arising from this report.

## **4 CONTEXT**

The Council has a duty to set a balanced budget each year. Based on the information currently available the Council is projected to face a budget shortfall of at least £8.4m for 2026/27. The medium-term outlook over the three years 2026-29 indicates an estimated budget gap of £29.1m. This deficit is prior to any agreed Council Tax increase. It is noted each 1% increase in Council Tax level would reduce this gap by £0.7m.

- 4.1 The most significant factors that influence these projections are levels of Scottish Government funding and inflation, especially in relation to pay. Key assumptions in the projections are that Scottish Government funding will be the same in cash terms as 2025/26 with an additional allowance of 0.5% for pay in 2026/27 reflecting the outcome of the recent local government pay negotiations. Pay inflation has been assumed at 3.5% in 2026/27 and 3% in years 2027/28 and 2028/29.
- 4.2 The Council's budget is constrained by its statutory duties, government policy and contractual obligations. In previous years, the Local Government Settlement has required Council's to maintain the level of funding for Health and Social Care and to protect teacher numbers. Taken with the statutory obligations in relation to Children's Services and the commitments the Council has in relation to loan charges and PFI contracts and other costs such as the Council Tax Reduction Scheme, 69% of the Council's net budget of £496m budget is essentially fixed as shown below.

Service	2025/26 Budget (£m)	Share
Health and Social Care	114.8	23%
Teachers	110.8	22%
Loan charges & PFI	61.4	12%
Children's Services	36.4	7%
Corporate Costs	21.2	4%
<b>Total</b>	<b>344.7</b>	<b>69%</b>

- 4.3 This means that savings will require to be made across the remaining 31% of the budget, or alternatively, through raising fees and charges or Council Tax. On a pro-rata basis, £8.4m amounts to a circa 5% reduction across these remaining areas.

Service	2025/26 Budget (£m)	Share
Miscellaneous Income	(3.1)	(1%)
Children & Families	69.9	15%
Corporate Services	35.3	7%
City Development	22.2	3%
Neighbourhood Services	12.8	4%
Leisure and Culture Dundee	9.7	2%
Chief Executive's	4.6	1%
<b>Total</b>	<b>151.4</b>	<b>31%</b>

- 4.4 In the context of savings of £181m that the Council has realised since 2008, this represents a significant challenge with the level of funding needed to deliver a balanced budget is equivalent to a 12% increase in Council Tax.
- 4.5 A report on Transformation published by the Accounts Commission on 1 October 2024 ([Transformation in councils | Audit Scotland](#)) highlights the need for faster reform and the need for collaborative work across the public sector if Councils are to remain financially sustainable.
- 4.6 The nature of the savings proposals set out in this report reflect the challenge the Council faces and that resources will require to be focused on delivering its statutory responsibilities. Single year settlements, without the prospect of inflationary funding increases, mean the Council is on a trajectory that could ultimately mean it is unable to fulfil these duties and becomes financially unsustainable.
- 4.7 The Scottish Government published "Scotland's Fiscal Outlook, the Scottish Government's Medium-Term Financial Strategy" on 25 June 2025. This outlines the economic, funding and spending outlook for the financial years 2025-26 to 2029-30. This continued to set out some of the challenges of the previous strategy and highlights how spending on public services in Scotland was projected to grow faster than forecast funding over the next 4 years as follows:



**Overall Resource Fiscal Position 2025/26 to 2029/30**

<b>Figures in £million</b>	<b>2025/26</b>	<b>2026/27</b>	<b>2027/28</b>	<b>2028/29</b>	<b>2029/30</b>
Resource Spending	52,623	54,938	57,132	59,453	61,723
Resource Funding	52,623	53,975	55,235	57,100	59,099
Fiscal Gap	-	(963)	(1,897)	(2,353)	(2,624)

- 4.8 The first indication of funding for the Scottish Budget will be provided by the UK Government Autumn Statement that has been announced as 26 November 25. As a consequence of the UK budget not being announced until this date, the Scottish Budget will be later than previous years. Whilst no actual date has been confirmed it is likely this announcement will now be made in late December or early January. The Scottish Budget will provide details of the overall allocation for Local Government with the detail of the Financial Settlements for individual local authorities expected the following week.
- 4.9 The Council's latest 10-year financial forecast (Article II of the meeting of City Governance Committee 27 February 2025, report 56-2025 refers) already assumed a very challenging outlook with a cumulative savings requirement of £61m projected over the next 10 years to balance the budget. This longer-term forecast is after assuming annual Council Tax increases of 3% per annum.
- 4.10 The Scottish Government's Medium-Term Financial Strategy outlined the following priorities:
- Eradicating Child Poverty;
  - Sustainable Economic Growth;
  - Investing in public services; and
  - Transitioning to a green economy.
- 4.11 The full financial impact of supporting these priorities may be clearer once the settlement is announced in terms of whether any additional monies will be made available to meet any new commitments.
- 4.12 Members will now be aware that the current revenue monitoring report (240-2025 refers) indicates that the Council is forecasting an overspend of £6.8m in 2025/26. The forecast budget pressure predominantly sits within staffing budgets, property and childcare related commitments particularly related to early years.
- 4.13 It should also be highlighted this position excludes any potential share of the current reported overspend of £5m for the Health and Social Care Partnership (HSCP) and there remains a risk this may require to be partly funded by the Council if this overspend is not contained before the end of the financial year.
- 4.14 It should be noted that whilst the current revenue monitoring report notes the steps that are being taken by officers to address the overspend through the implementation a financial recovery plan, should the above overspend not be reduced, the level of unallocated reserves as at 31 March 2026 is projected to be £1.3m. This amount is significantly lower than minimum recommended amount of £9.9m m i.e. 2% of budgeted revenue expenditure that was recommended to members as part of the budget setting report agreed earlier this year (Article II of the meeting of City Governance Committee 27 February 2025, report 56-2025 also refers).
- 4.15 With the exception of any balances held for service concession flexibility, the remaining usable balances over and above this, that are all earmarked for specific purposes, are projected to be £17.4m as at 31 March 2026.
- 4.16 Finally, as outlined in the latest unaudited accounts for the year ended 31 March 2025 (Article XII of the meeting of Scrutiny Committee 25 June 2025, report 182-2025 refers) the Council are current evaluating a collective equal pay claim on behalf of trade unions. Whilst it is not possible to quantify any financial liability, should there be any, no specific provision has been made in these reserves in respect of any successful claim made by employees.

## 5 BUDGET STRATEGY

5.1 This report sets out a Budget Strategy and process to enable the Council to set a balanced budget for 2026/27 and subsequent years.

5.2 As noted in Section 4, the latest financial projections for 2026-29 indicate that savings or additional income of at least £29.1m could be required to balance the budget over this period. Key assumptions in these estimates are that inflation are as follows:

Details	2026/27	2027/28	2028/29
Pay Awards	3.5%	3%	3%
Inflation on PPP/PFI Contracts	3.5%	3%	2.5%
Scottish Government Funding	As 2025/26 (with uplift of 0.5% for pay award)	As 2026/27	As 2026/27

5.3 The above represents the realistic best-case scenario and reflects additional cost pressures of at least £8.4m in 2026/27, rising by a further minimum of £10.3m in 2027/28 and £10.4m in 2028/29. The above projections include the revenue impact of the latest 5-year Capital plan, including capital financing costs for existing projects notably investments in the school estate. No allowances for capital spend beyond the agreed 5-year capital plan to be funded from new borrowing. Our assumption is that average pooled interest rates will gradually fall from the current budgeted level of 3.85% and then stabilise at 3.5% from 2030/31 onwards. In addition, in the context of single year financial settlements and well-publicised cost pressures across the public sector, it assumes that our funding will be maintained at current levels.

5.4 A summary of other key assumptions are as follows:

- any incremental progression on salaries will be contained by services;
- additional growth provided for changes in the school estate from 2029/30 onwards;
- the full impact of the staffing reductions i.e. 100 FTE posts, that were agreed as part of the 2025/26 budget process are delivered;
- no allowance has been included in respect of Scottish Government priorities e.g. Reduced Class Contract Time, as this would require to be fully funded should this be implemented;
- no additional provision in respect of current cost pressures being faced by Dundee HSCP are included and future funding for the Partnership will continue to be flat cash;
- containment of any future energy price rises will be met through property rationalisation and other energy reduction initiatives; and
- demand and demographic changes will also be managed through prioritisation within services.

5.5 Finally, whilst the Council have agreed a timeline for early engagement on a potential visitor levy scheme (Article VI of the meeting of the Fair Work, Economic Growth and Infrastructure Committee 9 June 2025. Report 155-2025 refers), no provision has been assumed in terms of any income the implementation of such a scheme may generate.

5.6 The Council's Medium-Term Financial Strategy (MTFS) was last considered on 28 October 2024 (Article X of the meeting of City Governance Committee refers). This set out the Council's medium-term strategy and an updated strategy is included at Appendix A for approval.

## 6 SAVINGS OPTIONS

6.1 To provide elected members with options to support the setting of a balanced budget in February 2026, Officers are identifying potential savings that could be implemented. These can be categorised as either:

- (I) operational savings/efficiencies that can be implemented without any significant impact on frontline services; or
- (II) service savings that would impact on the services the Council provides.

The obligations placed on the Council in relation to equalities etc. mean that it will again be necessary to consult with the public on budget proposals in advance of the budget setting meeting to ensure that decisions taken are informed by information on the impact that they may have on individuals.

6.2 Officers are reviewing the feedback from last year's consultation exercise and will reflect on this and make any required changes to enable the process to be undertaken in a way that ensures the public fully understand these proposals and allows citizens to comment on the impact of specific proposals. Details of any options that are recommended for public consultation will be presented to a future meeting of the Council for approval. In addition, Officers are also considering:

- (a) income generation, including fees and charges, with a continued focus on ensuring that the costs of service provision are fully recovered;
- (b) transformational change projects; and
- (c) opportunities to realise savings in staff costs (as employee costs represent the Council's biggest element of expenditure amounting to 63% of the net revenue budget).

6.3 Leisure and Culture Dundee will also be asked to identify how savings could be realised from their management fee so that these options can be considered alongside the options identified in this paper when the Council sets its budget. This process will be informed by the review of Leisure and Culture Dundee that has recently been undertaken (Article X of minute of meeting of City Governance Committee on 19 August 2024, Report 210-2024 refers).

6.4 As appropriate further reports and information will be provided to Members.

## 7 OUTLINE BUDGET TIMETABLE

7.1 It is recommended that the Council notes the following key aspects of the provisional budget timetable. Members will be advised once confirmation of these dates has been received.

- **27 October:** Report to City Governance Committee on Budget Consultation Options
- **26 November 2025:** UK Autumn Statement
- **Late December / Early January 2026:** Scottish Budget
- **January 2026:** Local Government Settlement
- **19 January 2026:** Report to City Governance Committee on Financial Settlement
- **February 2026:** Council Budget and Council Tax Setting

## 8 POLICY IMPLICATIONS

8.1 This report has been subject to the Pre-IIA Screening Tool and does not make any recommendations for change to strategy, policy, procedures, services or funding and so has not been subject to an Integrated Impact Assessment. An appropriate senior manager has reviewed and agreed with this assessment.

**9 CONSULTATIONS**

9.1 The Council Leadership Team have been consulted on the content of this report.

**10 BACKGROUND PAPERS**

10.1 None.

**PAUL THOMSON**  
**EXECUTIVE DIRECTOR OF CORPORATE SERVICES**

**5 SEPTEMBER 2025**

**MEDIUM TERM FINANCIAL STRATEGY**

The Council budget will be developed along the following principles:

- (a) the Council will set a balanced budget each year;
- (b) savings and efficiencies will be driven by transformation and service prioritisation;
- (c) resources will be prioritised to improve outcomes;
- (d) the Council will seek to achieve an overall outturn in-line with or below budget;
- (e) usable balances will be retained at the higher of 2% of revenue budget or £8m;
- (f) reserves will only be used for earmarked purposes and to support the revenue budget through transformation and / or spend to save initiatives;
- (g) demand and demographic change will be managed through prioritisation within services;
- (h) the contingency budget will only be used for one off expenditure which is not recurring;
- (i) Joint bodies and boards will bear their share of any General Revenue Grant reduction;
- (j) a planning assumption that fees and charges will increase by at least 3% annually;
- (k) a planning assumption that Council Tax will increase by at least 3% annually;
- (l) budget provision will be made for pay awards (with incremental drift managed by services) and unavoidable inflation; and
- (m) the Council will evaluate the risks and benefits of all financial flexibilities made available to local authorities

The Council further agreed that this Medium-Term Strategy will form the basis of planning, and the Council will continue to maintain a rolling three-year financial plan at each budget cycle. A longer term (10 year) financial outlook will be prepared alongside the 2026/27 budget and this and the MTFS will be updated annually.

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**REPORT TO:** CITY GOVERNANCE COMMITTEE – 22 SEPTEMBER 2025

**REPORT ON:** CAPITAL EXPENDITURE MONITORING 2025/26

**REPORT BY:** EXECUTIVE DIRECTOR OF CORPORATE SERVICES

**REPORT NO:** 237–2025

## 1 PURPOSE OF REPORT

- 1.1 To appraise Elected Members of the latest position regarding the Council's Capital Plan 2025-30.

## 2 RECOMMENDATION

- 2.1 It is recommended that the Committee note the latest position regarding the Council's Capital Plan 2025-30.
- 2.2 It is recommended that the Committee extend the delegated authority of the Head of Sustainable Transport & Roads, as approved at Fair Work, Economic Growth & Infrastructure Committee on 21<sup>st</sup> August 2023 (Report 222-2023 Article V refers) to cover the additional £0.916m, as detailed in para 5.2.1, of this report. The vehicles will be purchased through the relevant national framework contract to ensure market competition and best value.

## 3 FINANCIAL IMPLICATIONS

- 3.1 This report shows the latest projections for 2025/26 expenditure and total cost as at 31st July 2025.

Appendix 1, which details the General Services position to the end of July 2025, shows a revised projected outturn for 2025/26 of £61.914m, an increase of £0.015m since the previous Capital Monitoring report was approved at City Governance Committee on 18<sup>th</sup> August 2025 (Report 216-2025, Article VI refers). The movements that have contributed to this increase are summarised in paragraph 5.2 of this report. The net movement of budget from 2025/26 into 2026/27 of £1m will be funded from borrowing.

Appendix 3, which details the Housing HRA position to the end of July 2025, shows a projected outturn for 2025/26 of £26.919m, a decrease of £0.607m since the previous Capital Monitoring report was approved at City Governance Committee on 18<sup>th</sup> August 2025 (Report 216-2025, Article VI refers). The main reasons for this increase are detailed in paragraphs 6.2.1 to 6.2.2 below.

## 4 BACKGROUND

- 4.1 The Capital Plan 2025-30 was approved at City Governance Committee on 17 February 2025 (Report 44-2025, Article V refers).

In addition to monitoring the in-year budget (i.e. 2025/26) the total projected cost of each project will be monitored against the cost when the tender acceptance was approved at Committee. Furthermore, the projected completion date for each project will be monitored against the completion date as anticipated when the tender report was approved. The capital programme is being monitored in conjunction with the Council's asset managers.

The Housing HRA Capital Programme 2025/26 was approved as part of the Capital Plan 2025-30 at the City Governance Committee on 17 February 2025 (Report 44-2025, Article V refers).

- 4.2 Local Authorities from 1 April 2004 are required, by Regulation, to comply with the Prudential Code under Part 7 of the Local Government Act 2003. The Capital Budget for 2025/26 is being monitored within the framework of the updated Prudential Code 2021.
- 4.3 The Capital Monitoring report provides detailed information on major projects and programmes contained within the Capital Budget and the impact of expenditure movements on future financial years.

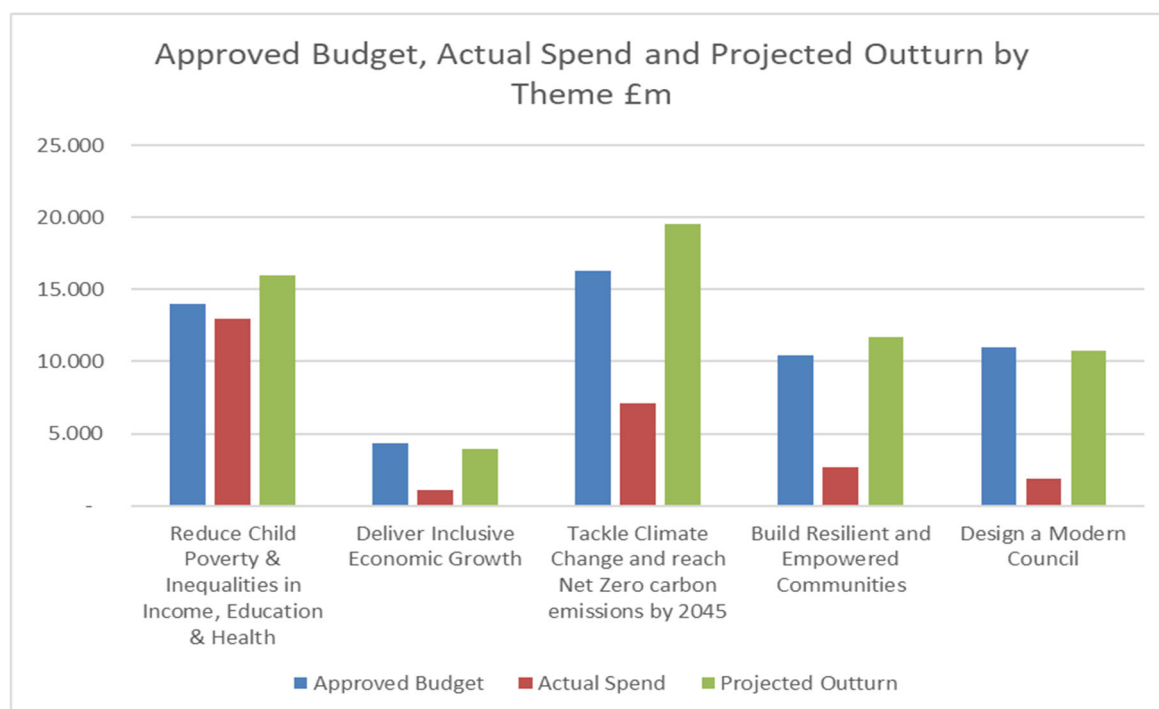
## 5 GENERAL SERVICES CURRENT POSITION

- 5.1 Appendix 2 details the latest projected outturn for major projects and programmes, both for 2025/26 and for the whole project lifespan. In addition, the Appendix monitors project timescales, with approved completion dates taken from tender approval reports.

In some instances, it is not possible to provide approved or projected total project costs and timescales due to the budget being a block programme containing various smaller projects within it. In these cases, the total cost is assumed to be the budgeted figure plus previous year actuals. The projected completion date is assumed to be the end of the financial year.

- 5.1.1 The projects funded from the grant award of £20m to Dundee for the Community Regeneration Partnership (previously named the Levelling Up Partnership) reported to the Fair Work, Economic Growth and Infrastructure Committee on 21 April 2025 (Report 114-2025, Article X refers) are now being progressed with officers working with stakeholders to progress the delivery of the projects, in accordance with the terms of the Partnership's Memorandum of Understanding, and details of funds committed to spend in 2025/26 will be reflected in future capital monitoring reports.
- 5.1.2 Appendix 1 summarises the total gross expenditure for 2025/26 and how this expenditure is funded. The projected budgeted capital expenditure is 101% of the projected capital resources. Project cashflows, for phasing of budgets, are constantly being reviewed. Actual expenditure to 31<sup>st</sup> July 2025 is £25.565m, 41% of the Revised Budget 2025/26 compared to 28% for the same period last year.

The table below shows a comparison of approved budget, actual spend and projected outturn for 2025/26, broken down by Council Theme.



The net increase in the projected outturn for 2025/26 reflects additional grant income to be Council, and project/programme budgets being reprofiled from 2025/26 into 2026/27. Key variations are as follows and details are provided in subsequent paragraphs.

Increases in planned expenditure:

- Vehicle Fleet & Infrastructure - £0.916m

Reduction in planned expenditure:

- Site 6 South Side – Office Development – (£1m)



## 5.2 2025/26 Expenditure Variations

Appendix 1, which details the General Services position to the end of July 2025, shows a revised projected outturn for 2025/26 of £61.914m, an increase of £0.015m since the previous Capital Monitoring report was approved at City Governance Committee on 18<sup>th</sup> August 2025 (Report 216-2025, Article VI refers). The net movements that have contributed to this increase are summarised in paragraphs 5.2.1 & 5.2.2 below.

- 5.2.1 Vehicle Fleet & Infrastructure (Tackle Climate Change and Reach Net Zero Carbon Emissions by 2045) – Additional expenditure of £0.916m in 2025/26. The expenditure is funded by a grant from the Scottish Government's Climate Change Emergency Fund. The grant will be utilised to procure fully electric light vans to replace existing diesel vans in the fleet. While the exact number of vans to be replaced will be determined during the procurement process, it is anticipated approximately forty light vans will be replaced with electric variants resulting in a reduction of 150kg of CO2 emissions annually. There will be no impact on the Council's level of borrowing.
- 5.2.2 Site 6 South Side – Office Development (Deliver Inclusive Economic Growth) – Reduction in projected expenditure of £1m in 2025/26. Works, now sequenced post construction completion to suit the tenant fit out programme. The budget will be required in 2026/27. There will be a reduction in borrowing in 2025/26 and a corresponding increase in 2026/27.

- 5.3 The table below shows the latest position regarding the capital resources for funding of the 2025/26 programme: -

	<b>Approved Budget £m</b>	<b>Adjustments £m</b>	<b>Revised Budget £m</b>	<b>Projected Outturn £m</b>	<b>Variance £m</b>
Borrowing	27.230	4.359	31.589	31.589	-
General Capital Grant	13.187	916	14.103	14.103	-
Capital Grants & Contributions	8.859	4.937	13.796	13.796	-
Capital Receipts – Sale of Assets	<u>2.000</u>	-	<u>2.000</u>	<u>2.000</u>	-
	<u>51.276</u>	<u>10.212</u>	<u>61.488</u>	<u>61.488</u>	<u>-</u>

- 5.3.1 General Capital Grant – Additional Grant of £0.916m in 2025/26. The Council has been allocated £0.916m The Scottish Government's Climate Change Emergency Fund. The details on how it is proposed this additional grant is spent are detailed above in para 5.2.1.
- 5.3.2 Over the last 5 years the actual outturns achieved have been: -

	<b>£m</b>
2021/22	45.038
2022/23	44.086
2023/24	73.454
2024/25	105.619
2025/26 (Projected)	61.488

## 5.4 Projected Total Cost Variations

There are no total cost variations to report since the previous capital monitoring report went to committee.

## 5.5 Completion Date Variations (this compares the estimated completion date as per the tender acceptance report to the actual completion date)

There are no completion date variations to report since the previous capital monitoring report went to committee.

Officers are constantly reviewing the capital programme to ascertain the impact of global supply chain issues on the timescales for delivering projects. Officers will report any further revisions to estimated completion dates in future capital monitoring reports.

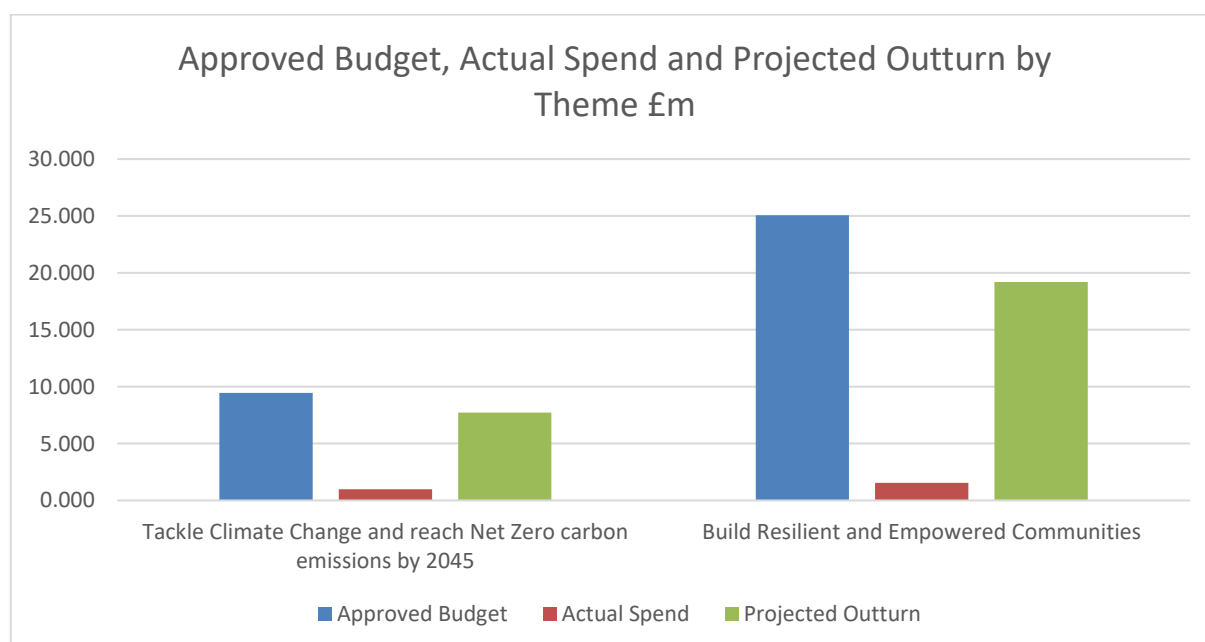
## 6 HOUSING HRA - CURRENT POSITION

### 6.1 2025/26 Expenditure Variations

Appendix 2 details the latest projected outturn for each project, both for 2025/26 and for the whole project lifespan. In addition, the Appendix monitors project timescales. In some instances, it is not possible to provide approved or projected total project costs and timescales due to the project being a block programme containing various smaller projects within it. In these cases, the total cost is assumed to be the budgeted figure plus previous year actuals.

Appendix 3 summarises the total gross expenditure for 2025/26 and how this expenditure is funded. The projected budgeted capital expenditure is 100% of the projected capital resources. Project cashflows, for phasing of budgets, are constantly being reviewed. Actual expenditure to 31st July 2025 is £2,519m, 9% of the Revised Budget 2025/26 compared to 18% for the same period last year.

The table below shows a comparison of approved budget, actual spend and projected outturn for 2025/26, broken down by Council Theme.



6.2 Appendix 3, which details the Housing HRA position to the end of July 2025, shows a projected outturn for 2025/26 of £26.919m, a decrease of £0.607m since the previous Capital Monitoring report was approved at City Governance Committee on 18<sup>th</sup> August 2025 (Report 216-2025, Article VI refers). The main reasons for this decrease are detailed in paragraphs 6.2.1 to 6.2.2 below.

6.2.1 Free from Serious Disrepair – Windows (Build Resilient and Empowered Communities) - The projected expenditure for 2025/26 has been reduced by £0.965m. This decrease is mainly due to the Menzieshill 11<sup>th</sup> programme which has been updated to align with the latest phasing of the project.

6.2.2 Healthy, Safe and Secure - Smoke Detector Programme – (Build Resilient and Empowered Communities) - The projected expenditure for 2025/26 has decreased by £0.250m. A tender for the replacement programme will be presented to the committee later this year.

6.3 The table below shows the latest position regarding the funding of the 2025/26 programme: -

	Approved Budget £m	Adjustments £m	Revised Budget £m	Projected Outturn £m	Variance £m
Borrowing	32.301	(7.587)	24.714	24.714	-
Capital Grants & Contributions	1.130	-	1,130	1.130	-
CFCR	450	-	450	450	-
Capital Receipts – Sale of Assets	460	-	460	460	-
Receipts from Owners	<u>165</u>	<u>-</u>	<u>165</u>	<u>165</u>	<u>-</u>
	<u>34.506</u>	<u>(7.587)</u>	<u>26.919</u>	<u>26.919</u>	<u>-</u>

6.3.1 Over the last 5 years the actual outturns achieved have been: -  
£m

2021/22	12.338
2022/23	9.232
2023/24	12.175
2024/25	16.530
2025/26 (Projected)	26.919

#### .4 Projected Total Cost Variations

There are no total cost variations to report since the previous capital monitoring report went to committee.

6.5 Completion Date Variations (this compares the estimated completion date as per the tender acceptance report to the actual completion date)

There are no completion date variations to report since the previous capital monitoring report went to committee.

## 7 **POLICY IMPLICATIONS**

7.1 This report has been subject to the Pre-IIA Screening Tool and does not make any recommendations for change to strategy, policy, procedures, services, or funding and so has not been subject to an Integrated Impact Assessment. An appropriate senior manager has reviewed and agreed with this assessment.

## 8 **CONSULTATION**

8.1 The Council Leadership Team have been consulted with the content of this report.

## 9 **BACKGROUND PAPERS**

9.1 None.

**PAUL THOMSON**  
**EXECUTIVE DIRECTOR OF CORPORATE SERVICES**  
**2025**

**08 SEPTEMBER**

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**2025/26 DUNDEE CITY COUNCIL CAPITAL EXPENDITURE MONITORING TO 31st JULY 2025**

Appendix 1

	<u>Approved Capital Budget 2025/26 £000</u>	<u>Total Budget Adjustments £000</u>	<u>Revised Capital Budget 2025/26 £000</u>	<u>Actual Spend 2025/26 £000</u>	<u>Projected Outturn 2025/26 £000</u>	<u>Variance £000</u>	<u>Actual Spend to 31.7.25 as a % of Revised Budget</u>
<b>GENERAL SERVICES</b>							
<b><u>Capital Expenditure</u></b>							
Reduce Child Poverty & Inequalities in Income, Education & Health	13,982	2,002	15,984	<b>12,929</b>	<b>15,984</b>	0	81%
Deliver Inclusive Economic Growth	4,298	(354)	3,944	<b>1,058</b>	<b>3,944</b>	0	27%
Tackle Climate Change and reach Net Zero carbon emissions by 2045	16,331	3,221	19,552	<b>7,091</b>	<b>19,552</b>	0	36%
Build Resilient and Empowered Communities	10,397	1,280	11,677	<b>2,638</b>	<b>11,677</b>	0	23%
Design a Modern Council	10,968	(211)	10,757	<b>1,849</b>	<b>10,757</b>	0	17%
<b>Capital Expenditure 2025/26</b>	<b>55,976</b>	<b>5,938</b>	<b>61,914</b>	<b>25,565</b>	<b>61,914</b>	<b>0</b>	41%
<b><u>Capital Resources</u></b>							
Expenditure Funded from Borrowing	27,230	4,359	<b>31,589</b>	<b>15,118</b>	<b>31,589</b>		
General Capital Grant	13,187	916	<b>14,103</b>	<b>4,615</b>	<b>14,103</b>		
Capital Grants & Contributions - project specific	8,859	4,937	<b>13,796</b>	<b>5,630</b>	<b>13,796</b>		
Capital Receipts - Sale of Assets	2,000		<b>2,000</b>	<b>202</b>	<b>2,000</b>		
<b>Capital Resources 2025/26</b>	<b>51,276</b>	<b>10,212</b>	<b>61,488</b>	<b>25,565</b>	<b>61,488</b>		
<b>Capital Expenditure as % of Capital Resources</b>	<b>109%</b>		<b>101%</b>		<b>101%</b>		

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## Appendix 2

## REDUCE CHILD POVERTY AND INEQUALITIES IN INCOMES, EDUCATION AND HEALTH

Project/Nature of Expenditure	Approved Budget 2025/26 £000	Total Adjusts £000	Revised Budget 2025/26 £000	Expenditure to 31/07/2025 £'000	Projected Outturn 2025/26 £000	Note 1				
						Actual Project Cost to 31/07/2025 £000	Current Approved Project Cost £000	Projected Total Cost £000	Approved Completion Date	Projected/ Actual Completion Date
<b>MAJOR PROJECTS - Reduce Child Poverty and Inequalities</b>										
School Estate Investment-East End Community Campus	12,992	2,181	15,173	12,924	15,173	98,651	100,800	100,900	Jul-25	Aug-25
(Less External Funding)	(100)		(100)		(100)			(100)		
<b>OTHER PROJECTS - Reduce Child Poverty and Inequalities</b>	990	(179)	811	5	811	464	1,262	1,270		
(Less External Funding)	(210)		(210)			(50)	(260)	(260)		
<b>Net Expenditure</b>	<b>13,672</b>	<b>2,002</b>	<b>15,674</b>	<b>12,929</b>	<b>15,884</b>	<b>99,065</b>	<b>101,802</b>	<b>101,810</b>		
<b>Receipts</b>	<b>(310)</b>		<b>(310)</b>		<b>(100)</b>	<b>(50)</b>	<b>(260)</b>	<b>(360)</b>		
<b>Gross Expenditure</b>	<b>13,982</b>	<b>2,002</b>	<b>15,984</b>	<b>12,929</b>	<b>15,984</b>	<b>99,115</b>	<b>102,062</b>	<b>102,170</b>		

Note 1: The Current approved project cost is either the approved cost as per the tender price, or the revised budgeted figure as per the Capital Plan 2025-30

## Appendix 2

## DELIVER INCLUSIVE ECONOMIC GROWTH

Project/Nature of Expenditure	Approved Budget 2025/26	Total Adjusts	Revised Budget 2025/26	Expenditure to 31/07/2025	Projected Outturn 2025/26	Note 1				
	£000	£000	£000	£'000	£000	Actual Project Cost to 31/07/2025	Current Approved Project Cost	Projected Total Cost	Approved Completion Date	Projected/ Actual Completion Date
<b>MAJOR PROJECTS - Deliver Inclusive Economic Growth</b>										
Site 6 South Side - Office Development	2,615	(909)	1,706	1,047	1,706	24,543	26,202	26,202	Feb-25	Jun-25
Demolition of Properties & Remediation Works	1,312	556	1,868	34	1,868	205	2,039	2,039	Mar-26	Mar-26
<b>OTHER PROJECTS - Deliver Inclusive Economic Growth</b>	371	(1)	370	(23)	370	1,797	2,321	2,190		
<b>(Less External Funding)</b>	(331)	31	(300)		(300)	(134)	(485)	(434)		
<b>Net Expenditure</b>	<b>3,967</b>	<b>(323)</b>	<b>3,644</b>	<b>1,058</b>	<b>3,644</b>	<b>26,411</b>	<b>30,077</b>	<b>29,997</b>		
<b>Netted Off Receipts</b>	<b>(331)</b>	<b>31</b>	<b>(300)</b>		<b>(300)</b>	<b>(134)</b>	<b>(485)</b>	<b>(434)</b>		
<b>Gross Expenditure</b>	<b>4,298</b>	<b>(354)</b>	<b>3,944</b>	<b>1,058</b>	<b>3,944</b>	<b>26,545</b>	<b>30,562</b>	<b>30,431</b>		

Note 1: The Current approved project cost is either the approved cost as per the tender price, or the revised budgeted figure as per the Capital Plan 2025-30



## Appendix 2

## TACKLE CLIMATE CHANGE AND REACH NET ZERO CARBON EMISSIONS BY 2045

Project/Nature of Expenditure	Approved Budget 2025/26 £000	Total Adjusts £000	Revised Budget 2025/26 £000	Expenditure to 31/07/2025 £'000	Projected Outturn 2025/26 £000
<b>MAJOR PROJECTS - Tackle Climate Change and Reach Net Zero Emissions by 2045</b>					
Broughty Ferry to Monifieth Active Travel Improvements	1,490	(505)	985	225	985
(Less External Funding)	(1,269)	434	(835)	85	(835)
Tier 1 Active Travel Infrastructure Fund (formerly known as Cycling, Walking & Safer Routes)	655	517	1,172	255	1,172
(Less External Funding)	(655)	(517)	(1,172)	(255)	(1,172)
DCA Lifecycle plant replacement programme	1,110	20	1,130	158	1,130
Low Carbon Transport (Green Transport Hub & Spokes - Bell Street)	6,414	1,784	8,198	4,920	8,198
(Less External Funding)	(4,519)	(1,784)	(6,303)	(4,920)	(6,303)
Vehicle Fleet & Infrastructure	3,172	1,026	4,198	1,274	4,198
(Less Sale of Vehicles & Equipment)		(99)	(99)	(24)	(99)
<b>OTHER PROJECTS - Tackle Climate Change and Reach Net Zero Carbon Emissions by 2045</b>	3,490	379	3,869	259	3,869
(Less External Funding)	(666)	(1,140)	(1,806)	(151)	(1,806)
<b>Net Expenditure</b>	<b>9,222</b>	<b>115</b>	<b>9,337</b>	<b>1,826</b>	<b>9,337</b>
<b>Receipts</b>	<b>(7,109)</b>	<b>(3,106)</b>	<b>(10,215)</b>	<b>(5,265)</b>	<b>(10,215)</b>
<b>Gross Expenditure</b>	<b>16,331</b>	<b>3,221</b>	<b>19,552</b>	<b>7,091</b>	<b>19,552</b>

## Note 1

Actual Project Cost to 31/07/2025 £000	Current Approved Project Cost £000	Projected Total Cost £000	Approved Completion Date	Projected/ Actual Completion Date
16,773	17,479	17,533	Sep-24	Mar-26
(16,394)	(17,314)	(17,314)	Sep-24	Mar-26
255	1,172	1,172	Mar-26	Mar-26
(255)	(1,172)	(1,172)	Mar-26	Mar-26
414	4,550	4,550	Main Works Tender targeted for approval during 2025/26	
14,662	17,940	17,940	Sep-25	Sep-25
(14,662)	(14,400)	(16,045)	Sep-25	Sep-25
2	4,254	4,254	Mar-26	Mar-26
(24)	(99)	(99)	Mar-26	Mar-26
16,951	21,616	21,639		
(201)	(1,214)	(1,214)		
<b>17,521</b>	<b>32,812</b>	<b>31,244</b>		
<b>(31,536)</b>	<b>(34,199)</b>	<b>(35,844)</b>		
<b>49,057</b>	<b>67,011</b>	<b>67,088</b>		

Note 1: The Current approved project cost is either the approved cost as per the tender price, or the revised budgeted figure as per the Capital Plan 2025-30

## Appendix 2

## BUILD RESILIENT AND EMPOWERED COMMUNITIES

Project/Nature of Expenditure	Approved Budget 2025/26 £000	Total Adjusts £000	Revised Budget 2025/26 £000	Expenditure to 31/07/2025 £'000	Projected Outturn 2025/26 £000
<b>MAJOR PROJECTS - Build Resilient and Empowered Communities</b>					
Road Maintenance Partnership	3,460	(77)	3,383	1,126	3,383
Street Lighting Renewal	1,016	32	1,048	252	1,048
City Improvement/Investment Fund	1,342	(951)	391	5	391
(Less External Funding)	(500)	109	(391)	0	(391)
Community Regeneration Partnership		<b>700</b>	<b>700</b>	151	700
(Less External Funding)		<b>(700)</b>	<b>(700)</b>	(151)	(700)
Parks & Open Spaces	2,140	214	2,354	539	2,354
(Less External Funding)	(609)		(609)	(203)	(609)
<b>OTHER PROJECTS/PROGRAMMES - Build Resilient and Empowered Communities</b>	2,439	2,062	3,801	565	3,801
<b>(Less External Funding)</b>		(1,271)	(1,271)	(11)	(1,271)
<b>Net Expenditure</b>	<b>9,288</b>	<b>118</b>	<b>8,706</b>	<b>2,273</b>	<b>8,706</b>
<b>Receipts</b>	<b>(1,109)</b>	<b>(1,862)</b>	<b>(2,971)</b>	<b>(365)</b>	<b>(2,971)</b>
<b>Gross Expenditure</b>	<b>10,397</b>	<b>1,980</b>	<b>11,677</b>	<b>2,638</b>	<b>11,677</b>

Note 1

Actual Project Cost to 31/07/2025 £000	Current Approved Project Cost £000	Projected Total Cost £000	Approved Completion Date	Projected/ Actual Completion Date
1,126	3,383	3,383	Mar-26	Mar-26
252	1,048	1,048	Mar-26	Mar-26
47	938	933	Mar-26	Mar-26
0	(500)	(391)	Mar-26	Mar-26
	700	700	Mar-26	Mar-26
	(700)	(700)	Mar-26	Mar-26
1,462	3,343	3,343	Mar-26	Mar-26
(398)	(804)	(804)	Mar-26	Mar-26
1,960	5,992	6,051		
(771)	(2,728)	(2,728)		
<b>3,678</b>	<b>10,672</b>	<b>10,835</b>		
<b>(1,169)</b>	<b>(4,732)</b>	<b>(4,623)</b>		
<b>4,847</b>	<b>15,404</b>	<b>15,458</b>		

Note 1: The Current approved project cost is either the approved cost as per the tender price, or the revised budgeted figure as per the Capital Plan 2025-30

## Appendix 2

## DESIGN A MODERN COUNCIL

Project/Nature of Expenditure	Approved Budget 2025/26 £000	Total Adjusts £000	Revised Budget 2025/26 £000	Expenditure to 31/07/2025 £'000	Projected Outturn 2025/26 £000
<b>MAJOR PROJECTS/PROGRAMMES - Design a Modern Council</b>					
Baldovie Depot Redevelopment	200	31	231	4	231
Depot Rationalisation Programme	867	(847)	20		20
Dundee Ice Arena Plant & Upgrade	500	(24)	476	37	476
Property Lifecycle Development Programme	5,089	617	5,706	416	5,706
Purchase Computer Equipment	1,251	114	1,365	398	1,365
Schools Connectivity		48	48	53	48
<b>OTHER PROJECTS/PROGRAMMES - Design a Modern Council</b>	3,061	(150)	2,911	941	2,911
<b>Net Expenditure</b>	<b>10,968</b>	<b>(211)</b>	<b>10,757</b>	1,849	<b>10,757</b>
<b>Netted Off Receipts</b>					
<b>Gross Expenditure</b>	<b>10,968</b>	<b>(211)</b>	<b>10,757</b>	1,849	<b>10,757</b>

## Note 1

Actual Project Cost to 31/07/2025 £000	Current Approved Project Cost £000	Projected Total Cost £000	Approved Completion Date	Projected/ Actual Completion Date
248	5,200	5,200	Tender will follow acquisition of land	
431	3,063	3,063	Service review ongoing - tender will follow once review complete	
1,212	9,100	9,100	Early stages of development with consultation on-going. Tender report will follow	
3,466	9,761	9,761	Mar-26	Mar-26
475	1,462	1,462	Mar-26	Mar-26
1,542	2,600	2,678		
4,559	6,727	6,855		
<b>11,933</b>	<b>37,913</b>	<b>38,119</b>		
<b>11,933</b>	<b>37,913</b>	<b>38,119</b>		

Note 1: The Current approved project cost is either the approved cost as per the tender price, or the revised budgeted figure as per the Capital Plan 2025-30

## Appendix 2

## TACKLE CLIMATE CHANGE AND REACH NET ZERO EMISSIONS BY 2045 - HOUSING REVENUE ACCOUNT ELEMENT

Project/Nature of Expenditure	Approved Budget 2025/26 £000	Total Adjusts £000	Revised Budget 2025/26 £000	Expenditure to 31/07/2025	Projected Outturn 2025/26 £000
Energy Efficient	9,452	(1,734)	7,718	978	7,718
<b>Net Expenditure</b>	<b>9,452</b>	<b>(1,734)</b>	<b>7,718</b>	<b>978</b>	<b>7,718</b>
<b>Receipts</b>					
<b>Gross Expenditure</b>	<b>9,452</b>	<b>(1,734)</b>	<b>7,718</b>	<b>978</b>	<b>7,718</b>

Note 1

Actual Project Cost to 31/07/2025 £000	Current Approved Project Cost £000	Projected Total Cost £000	Approved Completion Date	Projected/ Actual Completion Date
1,746	8,610	8,610	Mar-26	Mar-26
<b>1,746</b>	<b>8,610</b>	<b>8,610</b>		
<b>1,746</b>	<b>8,610</b>	<b>8,610</b>		

## BUILD RESILIENT AND EMPOWERED COMMUNITIES - HOUSING REVENUE ACCOUNT ELEMENT

Project/Nature of Expenditure	Approved Budget 2025/26 £000	Total Adjusts £000	Revised Budget 2025/26 £000	Expenditure to 31/07/2025	Projected Outturn 2025/26 £000
Free from Serious Disrepair	11,658	(3,042)	8,616	1,128	8,616
Modern Facilities & Services	876	52	928	25	928
Healthy, Safe and Secure	5,383	(1,965)	3,418	118	3,418
Miscellaneous	2,497	309	2,806	361	2,806
Increased Supply of Council Housing	4,430	(1,273)	3,157	(174)	3,157
(Less External Funding)	(1,130)		(1,130)		(1,130)
Demolitions	10	66	76	62	76
Sheltered Lounge Upgrades	200		200	21	200
<b>Net Expenditure</b>	<b>23,924</b>	<b>(5,853)</b>	<b>18,071</b>	<b>1,541</b>	<b>18,071</b>
<b>Receipts</b>	<b>(1,130)</b>		<b>(1,130)</b>		<b>(1,130)</b>
<b>Gross Expenditure</b>	<b>25,054</b>	<b>(5,853)</b>	<b>19,201</b>	<b>1,541</b>	<b>19,201</b>

Note 1

Actual Project Cost to 31/07/2025 £000	Current Approved Project Cost £000	Projected Total Cost £000	Approved Completion Date	Projected/ Actual Completion Date
4,535	12,023	12,023	Mar-26	Mar-26
153	1,078	1,078	Mar-26	Mar-26
3,105	6,405	6,405	Mar-26	Mar-26
2,539	5,027	5,027	Mar-26	Mar-26
1,227	8,673	8,684	Apr-27	Apr-27
	(2,526)	(2,526)	Apr-27	Apr-27
114	128	128	Mar-26	Mar-26
21	200	200	Mar-26	Mar-26
<b>11,694</b>	<b>31,008</b>	<b>31,019</b>		
	<b>(2,526)</b>	<b>(2,526)</b>		
<b>11,694</b>	<b>33,534</b>	<b>33,545</b>		

Note 1: The Current approved project cost is either the approved cost as per the tender price, or the revised budgeted figure as per the Capital Plan 2025-30

**DUNDEE CITY COUNCIL CAPITAL EXPENDITURE MONITORING 31 JULY 2025****Appendix 3**

	<u>Approved</u> <u>Capital</u> <u>Budget</u> <u>2025/26</u> <u>£000</u>	<u>Total</u> <u>Budget</u> <u>Adjustments</u> <u>£000</u>	<u>Revised</u> <u>Capital</u> <u>Budget</u> <u>2025/26</u> <u>£000</u>	<u>Actual</u> <u>Spend to</u> <u>31 Jul 2025</u> <u>£000</u>	<u>Projected</u> <u>Outturn</u> <u>2025/26</u> <u>£000</u>	<u>Variance</u> <u>£000</u>	<u>Actual Spend</u> <u>to 31.7.2025</u> <u>as a % of</u> <u>Revised</u> <u>Budget</u>
<b><u>Capital Expenditure</u></b>							
<b><u>Tackle Climate Change and reach Net Zero carbon emissions by 2045</u></b>							
Energy Efficiency	9,452	(1,734)	7,718	978	7,718	-	13%
<b><u>Build Resilient and Empowered Communities</u></b>							
Free from Serious Disrepair	11,658	(3,042)	8,616	1128	8,616	-	13%
Modern Facilities and Services	876	52	928	25	928	-	3%
Healthy, Safe & Secure	5,383	(1,965)	3,418	118	3,418	-	3%
Miscellaneous	2,497	309	2,806	361	2,806	-	13%
Increase Supply of Council Housing	4,430	(1,273)	3,157	(174)	3,157	-	-6%
Demolitions	10	66	76	62	76	-	82%
Sheltered Lounge Upgrades	200		200	21	200	-	11%
<b>Capital Expenditure 2025/26</b>	<b>34,506</b>	<b>(7,587)</b>	<b>26,919</b>	<b>2,519</b>	<b>26,919</b>	-	9%
<b><u>Capital Resources</u></b>							
<b>Expenditure Funded from Borrowing</b>	32,301	(7,587)	24,714	2,311	24,714	-	
<b>Capital Receipts, Grants &amp; Contributions - project specific</b>							
Scottish Government Grants	930		930		<b>930</b>	-	
Insurance contribution	200		200		<b>200</b>	-	
<b>Capital Funded from Current Revenue</b>							
Council Tax discount reductions used to fund affordable housing	450		450		<b>450</b>	-	
<b>Capital Receipts, Grants &amp; Contributions</b>							
Receipts from Owners	165		165		<b>165</b>	-	
<b>Capital Receipts:-</b>							
Sale of Assets - Land	460		460	208	<b>460</b>	-	
<b>Capital Resources 2025/26</b>	<b>34,506</b>	<b>(7,587)</b>	<b>26,919</b>	<b>2,519</b>	<b>26,919</b>		
<b>Capital Expenditure as % of Capital Resources</b>	<b>100%</b>		<b>100%</b>		<b>100%</b>		

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**REPORT TO:** CITY GOVERNANCE COMMITTEE – 22 SEPTEMBER 2025

**REPORT ON:** REVENUE MONITORING 2025/2026

**REPORT BY:** EXECUTIVE DIRECTOR OF CORPORATE SERVICES

**REPORT NO:** 240-2025

## **1 PURPOSE OF REPORT**

- 1.1 To provide Elected Members with an analysis of the 2025/2026 projected revenue outturn as at 30 June 2025 and the impact on the Council's overall revenue budget position.

## **2 RECOMMENDATIONS**

- 2.1 It is recommended that the Committee:

- (a) note that as at 30 June 2025 the General Fund is projecting an overall overspend for the year of £6.8m against the adjusted 2025/2026 Revenue Budget, the impact this has on the projected Council's General Fund Balances and the actions being taken to address the forecast budget shortfall;
- (b) note the budget adjustments totalling £2.317m and detailed in the second column of Appendix A and (summarised in Appendix B) as adjustments to the previously approved Revenue Budget;
- (c) note that as at 30 June 2025 the Housing Revenue Account (HRA) is projecting an overspend of £2.637m against the adjusted HRA 2025/2026 Revenue Budget and the impact this has on the element of the projected Renewal & Repair Fund balance earmarked to HRA;
- (d) note the information included in paragraph 3.4 in relation to financial recovery and authorise the Executive Director of Corporate Services to continue to take actions address any overspends with an objective of achieving a balanced budget;
- (e) authorise the Executive Director of Corporate Services to:
  - (i) take steps to control in year spend to reduce the projected overspends including by limiting overtime, ceasing avoidable expenditure on supplies and services;
  - (ii) further review earmarked balances and;
  - (iii) in consultation with Corporate Leadership Team identify further financial recovery options.

## **3 FINANCIAL IMPLICATIONS**

- 3.1 The unallocated portion of the General Fund as at 30 June 2025 is projecting an overspend of £6.8m against the adjusted 2025/2026 Revenue Budget. The impact this would have on the Council's General Fund Balances is outlined below:

General Fund	Opening Balance 1 April 2025 £000	(Surplus) / Deficit for the Year £000	Transfers (In) / Out	Projected Balance 31 March 2026 £000
Earmarked Carry-forwards *	1,509			1,509
Children Services pressures	1,033	449		584
Organisational Change Fund	2,169			2,169
Covid cost related pressures *	1,550			1,550
Service change initiatives	5,000			5,000
Roof Remedial Works	1,875	1,254		621
Other earmarked Funds	5,948			5,948
Service concessions flexibility	39,773			39,773
<b>Total earmarked funds</b>	<b>58,857</b>	<b>1,703</b>	<b>0</b>	<b>57,154</b>
Unallocated Balance	8,174	6,800		1,374
<b>Total General Fund</b>	<b>67,031</b>	<b>8,503</b>	<b>0</b>	<b>58,528</b>

\* These balances will be drawn down as required during the year.

- 3.2 The approved budget included an allowance of 3% for the 2025/2026 pay awards for both LGE and teachers. Provision for the pay award is included within contingencies and has not yet been allocated to service budgets. It should be noted that CoSLA's pay offer for LGE of 4% increase for the current financial year has been agreed although funding to support the additional 1% is yet to be determined. Negotiations regarding the teachers pay award remain ongoing and the outcome of this and any impact will be reflected in future reports.
- 3.3 Based on the financial information available as at 30 June 2025 the HRA outturn position for 2025/2026 is projecting an overspend of £2.637m. Further details are provided in section 8 of this report.

#### 3.4 Financial Recovery Plan

Given the adverse forecasts on both General Fund and HRA budgets, the following specific actions will be taken to address the current overspends;

- a) services will limit recruitment of vacancies to posts that are considered essential or where not filling these posts would place the Council at significant risk. All recruitment requests will be monitored through the Establishment Control Board.
- b) non-contractual overtime will be restricted to essential areas only and will only be approved where considered essential or where not undertaking this overtime would place Council at significant risk. All requests from overtime will not be granted without approval from Heads of Services.
- c) the Head of Corporate Finance is undertaking a review of earmarked balances to ascertain whether these can be utilised to offset in year pressures.
- d) the Head of Design and Property has established a working group to review all property expenditure an ensure only essential works are undertaken.
- e) the Head of Corporate Finance is undertaking a review of all property contracts to ensure that value for money is being achieved across all property, maintenance and inspection contracts.



- f) the Head of Design and Property is undertaking a review of energy costs to ensure energy usage is reduced and consider any spend to save projects that can be undertaken. This review will include the raising of awareness to promote more efficient energy usage in all council buildings.
- g) the Head of Housing, Construction and Communities is conducting a thorough review of all expenditure and income within the Housing Revenue Account to ensure non-essential spending is not incurred.

The above actions will be monitored closely by the Council Leadership Team through regular meetings and elected members will be kept updated on any progress through the regular budget monitoring reports.

#### 4 BACKGROUND

- 4.1 Following approval of the Council's 2025/2026 Revenue Budget by the City Governance Committee on 27 February 2025, this report provides the projected revenue outturn position as at 30 June 2025, against the adjusted 2025/2026 Revenue Budget.
- 4.2 The total 2025/2026 Revenue Budget is £496.111m. For revenue monitoring purposes, the Council Tax Reduction Scheme budget of £14.741m is moved from expenditure to income and netted off against Council Tax income. This results in total budgeted expenditure of £481.370m for revenue monitoring purposes, as set out in Appendix A.
- 4.3 This report provides a detailed breakdown of service revenue monitoring information along with explanations of material variances against adjusted budgets. Where services are projecting a significant (underspend) or overspend against adjusted budget, additional details have been provided. Where service expenditure is on target and no material variances are anticipated, additional information has not been provided.
- 4.4 The forecast position is shown in more detail in the appendices to this report, as follows:

**Appendix A** shows the variances between budget and projected outturn for each service of the Council.

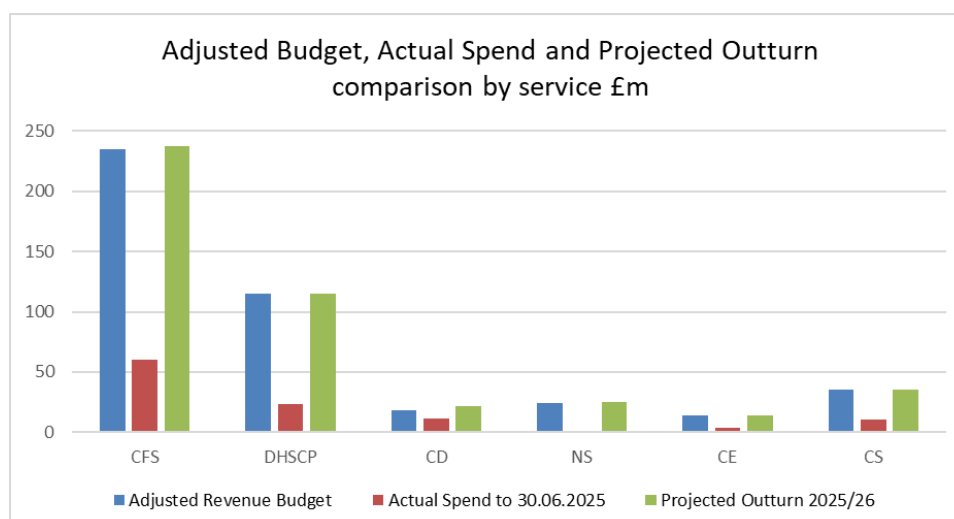
**Appendix B** lists the budget adjustments undertaken to date.

#### 5 GENERAL FUND SERVICES - MONITORING POSITION AS AT 30 JUNE 2025

- 5.1 The forecast position as at 30 June 2025 for General Fund services is summarised below.

	(Under)/Over Spend as at 30 June £m	(Under)/Over Spend as at 31 May £m	Movement (from previous month) £m
Net Expenditure	6.883	5.851	1.032
Sources of Income	(0.083)	(0.147)	0.064
<b>Net projected reduction uncommitted balances</b>	<b>6.800</b>	<b>5.704</b>	<b>1.096</b>

The graph below details the comparison between each service's actual spend and projected outturn.



## 6 DETAILED ANALYSIS

The following paragraphs summarise the main areas of variance by service along with appropriate explanations. These figures reflect movements for the full year to date.

### 6.1 Children & Families Services: £2.372m overspend

The key elements of the overspend relate to overspend in staffing costs for Children Services due to service demand in this area (£1.112m) and a projected overspend in third party payments for early years childcare reflecting the increased demand and cost of provision of care for children in private nurseries (£1.007m).

### 6.2 Dundee Health & Social Care Partnership (DHSCP)

The latest financial monitoring report presented to Dundee IJB projects an overspend of £4.946m for 2025/26 (utilising actual info to end June), with this information presented to Dundee IJB at its meeting on [20th August 2025](#). This projected overspend reflects the challenging financial position being experienced by Dundee IJB and while it reflects progress towards achieving savings targets totalling £17.5m for 2025/26, there remains a shortfall in the overall position. At present, the IJB only holds £644k in General Reserves to offset this shortfall and, as a result, the IJB remains in Financial Recovery with an updated Financial Recovery Plan to be presented to the IJB's October 2025 meeting.

DHSCP is continuing to respond to significant operational challenges in demand and demographics (notably in Care at Home provision to help support discharge without delay from hospital, minimise unnecessary hospital admissions, reduce social care unmet need and reduce Care Home beds), and in particular staffing challenges (both recruitment and retention, sickness absence and premium cost of back-fill cover) and increasing complexity of needs in both in-patient / residential and community settings. Operational managers and finance team continue work to explore ways of mitigating the overspend through efficiencies, cost reduction, whole-system working, transformation and savings opportunities against current year and recurring budgets with any impact of these being reported to the IJB.

Under the risk sharing arrangement reflected in the Integration Scheme, the Integration Joint Board (IJB) retains any underspend within its reserve balances for investment in integrated health and social care services in future years, however any shortfall (after utilising reserves and implementing the Financial Recovery Plans) would be shared proportionately between the

Partner Bodies. Officers continue to liaise with Council (and NHST) colleagues to monitor the financial implication.

The potential impact to the Council should the overspend not be fully contained is £1.444m. Senior officers from the Council and NHS Tayside are engaged in discussion to take the necessary actions to reduce this overspend with an objective of achieving a balanced budget.

#### 6.3 City Development: £3.453m overspend

The projected overspend is within corporate property mainly due to costs of property, maintenance and inspection contracts and any remedial repairs and works arising from these inspections. A working group is being formed to review the position with regard to property cost pressures. The outcome of this review will be reflected in future revenue monitoring reports.

#### 6.4 Neighbourhood Services: £0.864m overspend

The projected overspend is within waste management third party payments, mainly relating to increased MEB Gates Fees, increased tonnage and forecasted lower electricity income expected to be gained from the excess revenue share for the waste to energy contract (£0.398m). In addition, there is a reduction in expected income from waste plant (lines 1 & 2) due to operational issues within the plant. These relate to the age and reliability of the plant leading to a series of unplanned stoppages with associated loss of revenue from waste processing and additional costs to repair and restart the process. The Council is in regular dialogue with the contractor in relation to the impacts of the plant's performance and the long-term viability of the lifetime extension agreement (LEA) (£0.865m). These adverse variances are partially offset through the holding of vacant posts (£0.680m).

#### 6.5 Corporate Fleet: £0.348m overspend

Reflects the projected net overspend associated with the corporate fleet. The cost of the Council's fleet remains a budget pressure mainly due to rising expenditure in relation to the external hire of vehicles used by services together with the cost of parts and materials for vehicle repairs. The fleet review is ongoing to ensure the overall fleet utilised by services is in line with the budget provision available and that the true cost of fleet managed on behalf of external bodies is recovered accordingly and the outcome will be reported to members as part of future monitoring reports

#### 6.6 Supplementary Superannuation: (£0.313m) underspend

Projected underspend in Supplementary Superannuation costs.

#### 6.7 Miscellaneous Items: £0.325m overspend

Reduction in grant income reflecting lower than expected allocation from Extended Producer Responsibilities.

#### 6.8 Capital Financing Costs: (£0.599m) underspend

Projected underspend mainly due to higher than expected interest on revenue balances.

#### 6.9 Empty Property Relief: £0.245m overspend

Reflected expected level of reliefs granted for non-domestic rates on vacant properties.

## 7 EXTERNAL ORGANISATIONS

- 7.1 Our budget includes the assumption that Tayside Contracts will return a surplus in 2025/2026, our share of which will be £0.232m. Any expected variances against this will be reflected as known. Please note we have set aside an allowance for Tayside Contracts pay awards within our pay contingency that will be allocated to service budgets in due course.

## 8 HOUSING REVENUE ACCOUNT - MONITORING POSITION AT 30 JUNE 2025

- 8.1 The forecast position as at 30 June 2025 for the HRA is summarised below:

	(Under)/Over Spend as at 30 June £m	(Under)/Over Spend as at 31 May £m	Movement (from previous month) £m
Net Expenditure	2.602	0.000	2.602
Sources of Income	0.035	0.000	0.035
<b>Net over/ (underspend)</b>	<b>2.637</b>	<b>0.000</b>	<b>2.637</b>

- 8.2 The key variances that make up the above projection include increased recharge from Construction Services for repairs reflecting an increase in the number of full-time equivalent employees working on repairs and the agreed pay award being greater than expected (£0.877m). In addition, property costs relating to nonconstruction repairs and maintenance, fire damage jobs, tenants allowances and decant payments are greater than budget (£1.153m). The anticipated cost of relets is also greater than budgeted due to the increase in the number of relet properties assumed within the budget (£0.927m). These adverse variances are offset on projected underspends on environmental improvements due to delays in commencing these projects.

- 8.3 A system of ongoing monitoring will continue to take place up to 31 March 2026 with the objective of the HRA achieving a final outturn which is below or in line with the adjusted 2025/2026 HRA Revenue Budget.

Any variance will be adjusted against the Renewal & Repair Fund, the housing element of which amounted to £3.193m as at 31 March 2025:

<b>HRA Renewal and Repair Fund</b>	<b>June £m</b>
Opening Balance as at 1 April 2025	3.193
<u>Less</u> Projected Overspend to 31 March 2026	(2.637)
<b>Projected Balance as at 31 March 2026</b>	<b>0.556</b>

**9 POLICY IMPLICATIONS**

- 9.1 This report has been subject to the Pre-IIA Screening Tool and does not make any recommendations for change to strategy, policy, procedures, services or funding and so has not been subject to an Integrated Impact Assessment. An appropriate senior manager has reviewed and agreed with this assessment.

**10 CONSULTATIONS**

- 10.1 The Council Leadership Team were consulted in the preparation of this report.

**11 BACKGROUND PAPERS**

- 11.1 None.

**PAUL THOMSON**  
**EXECUTIVE DIRECTOR OF CORPORATE SERVICES**

**09 SEPTEMBER 2025**

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<b>DUNDEE CITY COUNCIL</b>							
<b>2025/2026 REVENUE OUTTURN MONITORING</b>							
<b>PERIOD 1 APRIL 2025 - 30 JUNE 2025</b>							
	<b>Approved</b>	<b>Total</b>	<b>Adjusted</b>		<b>Projected</b>	<b>Previous</b>	<b>Movement</b>
	<b>Revenue</b>	<b>Budget</b>	<b>Revenue</b>	<b>Projected</b>	<b>Variance</b>	<b>Months</b>	<b>Since</b>
	<b>Budget</b>	<b>Adjustments</b>	<b>Budget</b>	<b>Outturn</b>	<b>Over/(under)</b>	<b>Projected</b>	<b>Previous</b>
	<b>2025/26</b>	<b>(see Appx B)</b>	<b>2025/26</b>	<b>2025/26</b>	<b>spend</b>	<b>Variance</b>	<b>Month</b>
	<b>£m</b>	<b>£m</b>	<b>£m</b>	<b>£m</b>	<b>£m</b>	<b>£000</b>	<b>£000</b>
<b>General Fund Services</b>							
Children & Families	233.620	1.450	235.070	237.442	2.372	1.550	0.822
Dundee Health & Social Care Partnership	114.842		114.842	114.842	0.000	0.000	
City Development	18.250	0.100	18.350	21.803	3.453	3.600	(0.147)
Neighbourhood Services	23.603	0.292	23.895	24.759	0.864	0.809	0.055
Chief Executive	14.320		14.320	14.290	(0.030)	(0.035)	0.005
Corporate Services	35.318		35.318	35.414	0.096	0.096	
Construction Services	0.000	1.254	1.254	1.263	0.009	(0.016)	0.025
	439.953	3.096	443.049	449.813	6.765	6.005	0.760
Capital Financing Costs / Interest on Revenue Balances	30.863		30.863	30.264	(0.599)	(0.599)	
Contingencies:							
- General	0.500	(0.100)	0.400	0.400	0.000	0.000	
- Budget growth/Pay Pressures	8.324		8.324	8.324	0.000	0.000	
- Unallocated Corporate Savings	(0.944)	(0.246)	(1.190)	(1.190)	0.000	0.000	
- New monies	0.922	(0.467)	0.455	0.455	0.000	0.000	
Tayside Contracts surplus	(0.232)		(0.232)	(0.232)	0.000	0.000	
Corporate Fleet	3.982	0.034	4.016	4.364	0.348	0.359	(0.011)
Miscellaneous Items	(7.628)		(7.628)	(7.303)	0.325	0.325	
Discretionary Non Domestic Rates (NDR) Relief	0.392		0.392	0.504	0.112	0.113	(0.001)
Supplementary Superannuation Costs	3.041		3.041	2.728	(0.313)	(0.313)	
Tayside Valuation Joint Board	1.149		1.149	1.149	0.000	0.000	
Empty Property Relief Devolution	1.048		1.048	1.293	0.245	(0.038)	0.284
<b>Total Expenditure</b>	<b>481.370</b>	<b>2.317</b>	<b>483.687</b>	<b>490.569</b>	<b>6.883</b>	<b>5.851</b>	<b>1.032</b>
<b>Sources of Income</b>							
General Revenue Funding	(335.339)	(0.534)	(335.873)	(335.873)			
Contribution from National Non Domestic Rates (NNDR) Pool	(71.406)		(71.406)	(71.406)			
Council Tax	(70.249)		(70.249)	(70.332)	(0.083)	(0.147)	0.064
Use of Balances -							
Committed Balances c/f	0.000		0.000	0.000			
Earmarked funds	0.000	(1.703)	(1.703)	(1.703)			
Service concessions	(4.376)		(4.376)	(4.376)			
Change Fund	0.000		0.000	0.000			
R&R Fund	0.000	(0.080)	(0.080)	(0.080)			
<b>(Surplus)/Deficit for the year</b>	<b>0.000</b>	<b>0.000</b>	<b>0.000</b>	<b>6.800</b>	<b>6.800</b>	<b>5.704</b>	<b>1.096</b>
<b>(Surplus)/Deficit for Housing Revenue Acct</b>	<b>0.000</b>	<b>0.000</b>	<b>0.000</b>	<b>2.637</b>	<b>2.637</b>	<b>0.000</b>	<b>2.637</b>

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Dundee City Council							
Revenue Monitoring to 31st March 2026 - Budget Adjustments to date							
	<u>Alloc To/From General Conts</u> <u>£000</u>	<u>Alloc To/From Conts: New Monies</u> <u>£000</u>	<u>Alloc To/From Conts: Savings</u> <u>£000</u>	<u>Funding Transfers</u> <u>£000</u>	<u>Alloc from Earmarked Funds</u> <u>£000</u>	<u>Alloc from R&amp;R Fund</u> <u>£000</u>	<u>Dept Totals</u> <u>£000</u>
<b>General Fund Services</b>							
<b>Children &amp; Families</b>							<b>1,450</b>
Social Care Uplift 2024-25 and 2025-26		467		230			
Revenue Support Grant to Children & Families - Early Learning Care uplift 2025/26				273			
Revenue Support Grant to Children & Families - Holiday playschemes and activities				31			
Earmarked Reserves to Children & Families service re Children Services TPP pressures					449		
<b>City Development</b>							<b>134</b>
Contingencies to City Development - budget for driver post (permanent)			34				
Contingencies to City Development - Bus Shelters/Street Lighting	100						
<b>Neighbourhood Services</b>							<b>292</b>
Renewal & Repair fund to Neighbourhood Services - Kirkton overspend £80k						80	
Contingencies to Neighbourhood Services - Communities Staff Budget			212				
<b>Construction</b>							<b>1,254</b>
Earmarked Reserves to Construction service re Roofs					1,254		
<b>General Contingency</b>							<b>(100)</b>
Contingencies to City Development - Bus Shelters/Street Lighting	(100)						
<b>Contingency: New monies</b>							<b>(467)</b>
Social Care Uplift 2024-25 and 2025-26		(467)					
<b>Contingency: Unallocated Savings</b>							<b>(246)</b>
Contingencies to City Development - budget for driver post (permanent)			(34)				
Contingencies to Neighbourhood Services - Communities Staff Budget			(212)				
<b>Total Adjustments (General Fund)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>534</b>	<b>1,703</b>	<b>80</b>	<b>2,317</b>

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**REPORT TO: CITY GOVERNANCE COMMITTEE – 22 SEPTEMBER 2025**

**REPORT ON: SOURCING STRATEGY AND PROPOSED TENDER AWARD FOR PENSION ADMINISTRATION SERVICES**

**REPORT BY: EXECUTIVE DIRECTOR OF CORPORATE SERVICES**

**REPORT NO: 282-2025**

## **1. PURPOSE OF REPORT**

- 1.1 The purpose of this report is to provide an update on the development of a sourcing strategy for the tender process for pension administration services to undertake GMP (Guaranteed Minimum Pension) reconciliation, and the rectification of Tayside Pension Fund's records to HMRC records to ensure accurate reflection of the Fund's contracted out liability, and to seek approval to commence a compliant tender process, leading to the award of a contract.

## **2. RECOMMENDATION**

It is recommended that the Committee approves the commencement of a direct award to Equiniti in respect of the provision of GMP reconciliation, based on the sourcing strategy summarised in this report.

## **3. FINANCIAL IMPLICATIONS**

- 3.1 There are no direct costs for the Council arising from the award of this contract.
- 3.2 The estimated total contract value is £117,000. The contract will be fully funded by Tayside Pension Fund for which budget provision has been made and will be until the completion of the exercise that is expected to be no later than 31 March 2026.

## **4. DETAILS OF THE PROJECT BEING COMMISSIONED**

- 4.1 Provision of Pension Administration Support Services – GMP Reconciliation

Dundee City Council is seeking to engage a supplier to provide Pension Administration Support Services for the purpose of completing the GMP reconciliation exercise for the Tayside Pension Fund. This exercise will cover all members with GMP and contracted-out service, including active members. The objective is to ensure that all GMP and contracted-out records held by the Fund are individually reconciled with those held by HMRC. Additionally, any HMRC records that have been incorrectly attributed to the Tayside Pension Fund will be corrected to reflect the Fund's actual contracted-out liabilities.

- 4.2 There are limited delivery opportunities as this type of service is provided by specialist companies. It is also unsuitable for collaboration, as service provision is bespoke to each pension fund based on their individual circumstances.

## **5 SOURCING STRATEGY SUMMARY**

- 5.1 Although this contract is for specialist financial services, there is a framework available. This is the Norfolk LGPS Framework Pensions Administration Operational Support Services Framework Lot 1 – Pensions Administration Operational Services. Direct awards are an option under this Framework. There are 6 suppliers on the list, however, we wish to direct award as Equiniti have already successfully delivered previous work and are familiar with

Tayside Pension Fund systems and caseload. Furthermore, during these factors, Equiniti's overall approach provided officers with reassurance of their depth of resources, experience, and their internal controls and risk management processes. They were able to demonstrate that their approach was tailored to suit the needs of the fund, fully meeting requirements, and reflecting good practice. Both material delivery and presentation were considered superior and on a set of standard assumptions, their contract estimate was the mid-range price.

- 5.2 The expected range of benefits that this contract will deliver is limited as this is a contract for specialist pension administration services. There are expected economic benefits in the form of bespoke financial services to Tayside Pension Fund to ensure that GMP records are complete and accurate.

## 6. RISK ANALYSIS

- 6.1 There are four standard risks in any procurement and for public sector regulated procurement. A fifth is added, that of the procurement exercise itself breaching the public contract regulations and leaving the Council open to a legal challenge.

Description of Risk	Actions to be taken to manage Risk
<b>Commercial Risk</b> – That either the price objectives are not achieved up front or there are other costs that arise during the contract and diminish the overall benefits.	Under the framework agreement, if a direct award is made, the costs are fixed for the duration.
<b>Technical Risk</b> – This concerns the difficulty in being able to specify the desired outcome and on the market being unable to deliver to the specification	The specification is contained within the framework.
<b>Performance Risk</b> – This concerns the ability of suppliers to perform consistently over the life of the contract to deliver the planned benefits	Supplier has proven experience demonstrated by already carrying out Phases 1 and 2 previously.
<b>Contractual Risk</b> – Being able to remedy the company's shortcomings in the contractor's performance without severely damaging the contract and avoiding reliance on the contracted supplier as the contract develops.	Framework Service Specification and Contract Conditions provide a structure for monitoring performance.
<b>Legal Risk</b> – where a procurement is found unsound in law, through the public procurement rules	Procurement is through a legally compliant Framework.

## 7. CONCLUSION

- 7.1 The information above demonstrates clarity of sourcing strategy for the procurement of services.

## 8. POLICY IMPLICATIONS

- 8.1 This report has been subject to the Pre-IIA Screening Tool and does not make any recommendations for change to strategy, policy, procedures, or funding and so has not been subject to an Integrated Impact Assessment. An appropriate senior manager has reviewed and agreed with this assessment.

## 9. CONSULTATION

- 9.1 The Council Leadership Team were consulted in the preparation of this report.

**10. BACKGROUND PAPERS**

10.1 None

**PAUL THOMSON**  
**EXECUTIVE DIRECTOR OF CORPORATE SERVICES**

**5 SEPTEMBER 2025**