

ANGUS COUNCIL

ANGUS COUNCIL – 7 DECEMBER 2017

TAYSIDE CONTRACTS REVISED MINUTE OF AGREEMENT

REPORT BY HEAD OF LEGAL AND DEMOCRATIC SERVICES

ABSTRACT

This Report advises members that the Minute of Agreement amongst Angus Council, Dundee City Council and Perth and Kinross Council has now been agreed and in terms of the amended Minute of Agreement and consequently, an additional member requires to be appointed.

1. RECOMMENDATION(S)

It is recommended that the Council:

- (i) note the revised Minute of Agreement amongst Angus Council, Dundee City Council and Perth and Kinross Council in respect of the continued operation of Tayside Contracts; and
- (ii) agrees to nominate an additional sixth member from Angus Council to sit on the Tayside Contracts Joint Committee.

2. ALIGNMENT TO THE ANGUS COMMUNITY PLAN/SINGLE OUTCOME AGREEMENT/ CORPORATE PLAN

This report contributes to the following local outcomes contained within the Angus Community Plan and Single Outcome Agreement 2013-2016:

- We have a sustainable economy with good employment opportunities
- Angus is a good place to live in, work in and visit
- Individuals are supported in their own communities with good quality services

3. BACKGROUND

Tayside Contracts was established in 1995 as a joint committee under Section 57(1) of the Local Government (Scotland) Act 1973 by Angus Council, Dundee City Council and Perth and Kinross Council to carry out functions on behalf of the three councils.

As a result of audit reports in Angus and Perth & Kinross Councils, the councils were asked to carry out a review of the Minute of Agreement which governed the operations of Tayside Contracts to ensure that it was still fit for purpose and adequately reflected the current operational arrangements. The review has now been carried out and the amended Minute of Agreement is attached for information to this report.

As a result of the discussions amongst officers, it was agreed that each authority should appoint 6 members to the joint committee (Angus currently appoints 5 members) and therefore the Council is requested to appoint a sixth member.

The principal changes to the minute of Agreement include the following additional matters:-

Quorum

At present, the quorum must include a member from two of the three Councils. In terms of the new Minute of Agreement it is proposed that the quorum must include a member from all three Councils.

Powers and Duties of the Joint Committee

It is suggested that should the Managing Director of Tayside Contracts propose that the Joint Committee undertakes work of a type which is materially different in nature and/or scale from previous agreed activities or would expose the Council and/or the Joint Committee to additional risks he shall require the approval of the Governance and Strategy Group consisting of the Chief Executives of the three Councils or their nominees and the approval of the three Councils.

Employees

It is clarified that all employees are employees of Tayside Contracts.

Financial Arrangements

For the avoidance of doubt it is proposed that Tayside Contracts will be responsible for the payment of the loan charges outstanding as at 31 March 2017 in respect of all the depots which they occupy.

The Council's respective shares of the businesses (which is now proposed to be reviewed annually) will determine the amount of any surplus (or loss) which Angus Council receives in each year.

4. FINANCIAL IMPLICATIONS

There are no additional financial implications arising from this Report.

NOTE: Report No 67/15 has been taken into account in connection with this matter. No background papers, as detailed by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) were relied on to a material extent in preparing the above report.

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