

PERTH AND KINROSS COUNCIL

27 February 2019

TAY CITIES DEAL GOVERNANCE ARRANGEMENTS

PROPOSED JOINT COMMITTEE GOVERNANCE AGREEMENT

Report by Depute Chief Executive & Chief Operating Officer (Report No. 19/63)

The purpose of the report is:-

- to seek approval for the Council to enter into a formal agreement with Angus Council, Dundee City Council, and Fife Council to establish the governance arrangements for the Joint Committee established under Section 57 of the Local Government (Scotland) Act 1973 set out in Minute of Agreement approved by Council 16 August 2017.
- note the legal requirement for the Consituent Authorities to defray the operating costs of the Tay Cities Region Joint Committee; and
- agree the contribution sum as set out in the Governance Agreement

1. BACKGROUND / MAIN ISSUES

- 1.1 At its meeting on 16 August 2017 the Council agreed to establish a Joint Committee with Angus Council, Dundee City Council and Fife Council ("the Consitituent Authorities") for the purposes of progressing and implementing the Tay Cities Deal.
- 1.2 The Consitituent Authorities entered into a Minute of Agreement ("MOA") which was signed for and on behalf of the Council on 18 December 2017 establishing the Tay Cities Region Joint Committee ("the Joint Committee").
- 1.3 The MOA provided that the governance arrangements for the discharge of the Joint Committee's functions should be the subject of a separate t formal agreement.
- 1.4 The proposed agreement sets our the purpose, structure and operating principles of the Joint Committee and is attached as Appendix A.
- 1.5 Section 58 of the Local Government (S) Act 1973 states that the expenses incurred by a Joint Committee shall be defrayed by the appointing local authorities in such proportions as they may agree.
- 1.6 Perth & Kinross Council along with Angus Council, Dundee City Council and Fife Council are the appointing local authorities (referred to in the

governance agreement as “the Constituent Authorities”) in respect of the Joint Committee for the purposes of Section 58 of the 1973

2. CONCLUSION AND RECOMMENDATIONS

2.1 The Joint Committee requires to put in place formal governance procedures to ensure clarity and transparency in respect of the discharge of the functions delegated to it by the Constituent Authorities in terms of the Minute of Agreement.

2.2 It is recommended that the Council:

- (i) Approves the terms of the proposed Governance Agreement setting out the governance arrangements for the Joint Committee as attached at Appendix A.
- (ii) Delegates authority to officers to negotiate and agree other minor amendments, as appropriate.
- (iii) Agrees that the operating costs of the Joint Committee shall be defrayed by the Constituent Authorities in accordance with the terms of the Governance Agreement as required by S 58 of the Local Government (S) Act 1973

Name	Designation	Contact Details
Lisa Simpson	Head of Legal & Governance	01738 475000

Approved

Name	Designation	Date
Jim Valentine	Depute Chief Executive (Chief Operating Officer)	19 February 2019

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IMPLICATIONS, ASSESSMENTS, CONSULTATION AND COMMUNICATION

Strategic Implications	Yes / None
Community Plan / Single Outcome Agreement	Yes
Corporate Plan	Yes
Resource Implications	Yes
Financial	Yes
Workforce	
Asset Management (land, property, IST)	
Assessments	Yes
Equality Impact Assessment	
Strategic Environmental Assessment	
Sustainability (community, economic, environmental)	
Legal and Governance	Yes
Risk	Yes
Consultation	
Internal	Yes
External	
Communication	None
Communications Plan	

1. Strategic Implications

Community Plan / Single Outcome Agreement

- 1.1 The proposals support the delivery of the priorities in the Perth and Kinross Community Plan / Single Outcome Agreement.

Corporate Plan

- 1.2 The proposals support the achievement of the priorities in the Council's Corporate Plan Priorities.

2. Resource Implications

Financial

- 2.1 the Agreement commits the Council to defray a proportion of the operating costs of the Joint Committee.

Workforce

- 2.2 Not applicable.

Asset Management (land, property, IT)

2.3 Not applicable.

3. Assessments

Equality Impact Assessment

3.1 Not applicable.

Strategic Environmental Assessment

3.2 Not applicable.

Sustainability

3.3 Not applicable.

Legal and Governance

3.4 The Head of Legal and Governance has been fully involved in the development of this report and the drafting of the proposed Governance Agreement

Risk

3.5 The Governance Agreement provides clarity and transparency as regards the governance arrangements of the Joint Committee which will mitigate risk and facilitate the effective delivery of the Tay Cities Deal programme.

4. Consultation

Internal

4.1 Head of Economic Development

External

4.2 Not applicable.

2. BACKGROUND PAPERS

Report No. 17/264

3. APPENDICES

Appendix A: Joint Committee Governance Agreement