

## PERTH AND KINROSS COUNCIL

Council Meeting – 23 May 2012

**APPOINTMENT OF REPRESENTATIVES TO PARTNER ORGANISATIONS AND  
OUTSIDE BODIES**

Report by Head of Democratic Services

**ABSTRACT**

This report asks the Council to consider the appointment of representatives to a range of partner organisations and outside bodies.

**1. RECOMMENDATION**

- 1.1 It is recommended that the Council consider the appointment of representatives to partner organisations and external bodies as set out in this report and in **Appendix 1** to this report.

**2. BACKGROUND**

- 2.1 There are a number of partner organisations / outside bodies on which the Council is entitled to be represented. These organisations / bodies are at national, regional and local levels and range from the Convention of Scottish Local Authorities (COSLA) through joint boards, joint committees, companies and trusts. The complete list of partner organisations / outside bodies is contained at **Appendix 1** to this report.
- 2.2 The relationship that the Council has with these organisations / bodies is vital to the delivery of outcomes and it is therefore important that the Council considers very carefully the question of representation, particularly where it is already known that these organisations will be subject to change in the near future e.g. Live Active Leisure and Horsecross where there will be changes to the legal basis and constitutional arrangements.

**3. PROPOSALS**

- 3.0 There are some organisations / bodies on which it was felt it would be useful to provide additional information as follows:-

**Convention of Scottish Local Authorities (CoSLA)**

- 3.1 The first meeting of the CoSLA Convention after the elections will take place on 29 June 2012 in Edinburgh, and nominations for the Council's delegation must be received by 18 June 2012. **The Council is entitled to appoint 4 representatives to the Convention.**

- 3.2 The principal office-bearers of COSLA will be appointed at that meeting of the COSLA Convention and the Council has been asked to consider nominations for COSLA President and Vice President, to be received by COSLA by 8 June 2012.

### **Statutory Joint Boards**

- 3.3 There are three statutory joint boards in Tayside as set out below, and as the next meetings of the Boards are on 11 June 2012, **the Council requires to appoint representatives as highlighted –**

#### **Tayside Police Joint Board**

- 3.3.1 The Board oversees Tayside Police in terms of the Tayside Combined Police Amalgamation Scheme Order 1995. It comprises 18 councillors - 7 members of Dundee City Council, **6 members of Perth and Kinross Council** and 5 members of Angus Council.

#### **Tayside Fire and Rescue Board**

- 3.3.2 The Board oversees Tayside Fire and Rescue in terms of the Mid Eastern Combined Fire Services Area Administration Scheme Order 1995. It comprises 18 councillors – 7 members of Dundee City Council, **6 members of Perth and Kinross Council** and 5 members of Angus Council.

#### **Tayside Valuation Joint Board**

- 3.3.3 The Board appoints the Assessor, whose statutory duty is to prepare the Valuation Roll and the Council Tax Valuation List. The Assessor also provides the Electoral Registration service for Perth and Kinross Council and Angus Council. It comprises 15 councillors - 6 members of Dundee City Council, **5 members of Perth and Kinross Council** and 4 members of Angus Council.
- 3.3.4 In relation to the statutory joint boards in Tayside, it has been accepted custom and practice since 1996 that the convenerships of the Tayside Joint Police Board, the Tayside Fire and Rescue Board and the Tayside Valuation Joint Board are shared between the three constituent councils – Angus, Dundee City and Perth and Kinross. Following that custom and practice, the convenership of the Police Joint Board will fall to Dundee City Council, the Fire and Rescue Board to Angus Council and the Valuation Joint Board to Perth and Kinross Council. Each of the three Councils will be entitled to appoint a vice-convenor to the two Boards where it does not hold the convenership.
- 3.3.5 The remuneration payable in respect of the convenership of the Joint Police Board and the Fire and Rescue Board is set at £24,353 per annum, with the remuneration for the vice-conveners of these Boards set at £18,265 per annum. The remuneration payable to the convenor of the Valuation Joint

Board is set at £20,294 per annum and the two vice-conveners at £19,279 per annum.

- 3.3.6 It should be noted that the remuneration payable in respect of the statutory joint boards is not included in the calculations with regards to senior councillors' allowances in the Council. It should be noted also that the basis of the remuneration of these offices is that the local authority of which the councillor is a member meets the basic salary and the joint board meets the balance.
- 3.3.7 Although the current timescale for the reform of police, and fire and rescue services in Scotland means that those joint boards will only remain in existence until 1 April 2013, the members of the Boards will play a key role in ensuring a smooth transition to the new arrangements.

#### **Tayside Contracts Joint Committee**

- 3.4 The Joint Committee oversees the services provided by Tayside Contracts. It comprises 18 councillors - 7 members of Perth and Kinross Council, 5 members of Angus Council and 6 members of Dundee City Council. The next meeting of the Joint Committee is on 11 June, 2012, and **the Council requires to appoint 7 members.**
- 3.5 The offices of Convener and Vice –Convener rotate on 1 May each year. It is anticipated that the office of Convener will fall to Dundee City Council for 2012-13.

#### **Tayside and Central Scotland Transport Partnership (TACTRAN)**

- 3.6 Established by the Transport (Scotland) Act 2005, the remit of the Tayside and Central Scotland Transport Partnership (known as TACTRAN) is to develop a Regional Transport Strategy setting out a vision for the medium to long term future of transport in the area over a 15 year time horizon and to oversee its implementation. The next meeting of the Partnership is on 12 June 2012, and **the Council requires to appoint 3 members of the Enterprise and Infrastructure Committee.**

#### **Strategic Development Planning Authority - TAYplan**

- 3.7 Designated by Scottish Ministers in June 2008 under the Planning etc. (Scotland) Act 2006, the Strategic Development Planning Authority (SDPA) (known as TAYplan) operates on behalf of Dundee City, Perth and Kinross, Angus and Fife Councils, with three members appointed by each council. The key role of the SDPA is to prepare and maintain an up to date Strategic Development Plan for the area covered by the four Councils. The convenership rotates on an annual calendar basis and Perth and Kinross Council holds the convenership for 2012. The next meeting of TAYplan is on 26 June 2012, and **the Council requires to appoint 3 members.**

### **Tayside Community Justice Authority**

- 3.8 Established by the Management of Offenders etc (Scotland) Act 2005, the remit of the Tayside Community Justice Authority is to target services to reduce re-offending and to ensure close co-operation between community and prison services to aid the rehabilitation of offenders. Each of the three constituent councils of the Justice Authority appoints 2 members and each council may also appoint 2 substitute members. The next meeting of the Authority is on 19 June 2012 and **the Council requires to appoint 2 members and to consider whether to appoint substitute members.**
- 3.9 Since the establishment of the Justice Authority in 2008, the convenership of the Justice Authority has been held by Dundee City Council, with the deputy convenership being held by Angus Council. It may be that in line with custom and practice in relation to the joint boards, the convenership will pass to Angus Council, and the deputy convenership to Perth and Kinross Council.
- 3.10 There is a framework for the remuneration of the Convener and the Deputy Conveners of the Justice Authority. The levels of remuneration are in line with those payable to the Convener and Vice Conveners of the Tayside Valuation Joint Board. It should be noted that where a Convener or Deputy Convener is not already in receipt of additional remuneration either as the Convener or Vice Convener of a joint board or as a senior councillor in their parent authority, then a claim for remuneration can be made to the Justice Authority, which will be responsible for the payment of the additional allowance and not for any part of the councillor's basic salary.

### **Board of NHS Tayside**

- 3.11 In relation to the appointment of a councillor to serve on the Board of NHS Tayside, **the Council is entitled to nominate a councillor for approval by Scottish Ministers.** As the Council and NHS Tayside develop the way forward with regard to health and social care integration, this appointment will be pivotal in managing the strategic relationship between the Council and the Board. In the consultation paper published recently by the Scottish Government, the proposed Health and Social Care Partnership Committee will assume control of community care matters currently within the remit of the Council's Housing and Health Committee.
- 3.12 The remuneration payable by Scottish Government in respect of that appointment is £8,008 per annum. It should be noted that this would be in addition to the remuneration that the Councillor would be in receipt of from the Council.
- 3.13 Although the next meeting of the Board is on 7 June 2012, the Council's nominee will require to be approved by Scottish Ministers.

### **Horsecross and Live Active Leisure**

- 3.14 At its meetings in June and September 2011 (Articles 404/11 and 549/11 respectively) the Council considered proposals to change how culture and leisure services are delivered in Perth and Kinross. The Boards of both Horsecross and Live Active Leisure have expressed a willingness to consider supporting a move to a two organisation sole member delivery model, with the Council as the sole member of both organisations. The (Executive Director (Education and Children's Services) will report back to the Council on further progress by September 2012. In the meantime, the Council requires to consider appointments to the Boards of both organisations.

#### **Horsecross**

- 3.14.1 Horsecross is a company with limited liability and charitable status established to oversee the management and operation of Perth Concert Hall and Perth Theatre. The company's Memorandum and Articles of Association provide for the Council to nominate 3 members of the Council to serve as Directors and be members of the Board. The next meeting of the Board is on 30 May 2012, and **the Council requires to appoint 3 representatives.**

#### **Live Active Leisure**

- 3.14.2 Live Active Leisure is a company with limited liability and charitable status, established to supply sport and leisure management services and facility operation across Perth and Kinross. The company's Memorandum and Articles of Association provide for the Council to nominate 3 members to serve as Directors and be members of the Board. The next meeting of the Board is to be held on 21 June 2012, and **the Council requires to appoint 3 representatives.**

### **Perth and Kinross Children's Panel Advisory Committee**

- 3.15 It is the duty of the Local Authority under Schedule 1 of the Children (Scotland) Act (1995) to form a Children's Panel Advisory Committee (CPAC). Scottish Ministers appoint the Chairman and two Members. Perth and Kinross Council is required to nominate 2 additional Members, who need not be elected members. The next meeting of the CPAC is scheduled for 29 May 2012, and **the Council requires to appoint 2 representatives, who need not be elected members.**
- 3.16 It should be noted that there are planned changes to the structure of the Children's Hearings System, including CPACs, in accordance with the requirements of the Children's Hearings (Scotland) Act 2011, but the timescale for the implementation of these changes has now been deferred until April 2013.

## **Prison Visiting Committees**

- 3.17 Local Authorities are required under the Prisons and Young Offenders Institutions (Scotland) Rules 1994 to appoint members to Prison Visiting Committees.
- 3.18 It should be noted that the Scottish Government has announced its intention to put in place an independent prisoner advocacy service with effect from 1 April 2013. However, although the Cabinet Secretary for Justice will publish, at the end of May 2012, legislation to remove prison visiting committees, it has been confirmed that as there will also be further consultation on the future independent monitoring of prisons, prison visiting committees will continue to operate until the new prisoner advocacy service is in place.

## **4. CONSULTATION**

There has been no consultation in the preparation of this report.

## **5. RESOURCE IMPLICATIONS**

The appointment of representatives to partner organisations / outside bodies will have financial implications in relation to travelling expenses etc which it is not possible to quantify at this stage.

## **6. COUNCIL CORPORATE PLAN OBJECTIVES 2009-2012**

The Council's Corporate Plan 2009-2012 lays out five Objectives which provide clear strategic direction, inform decisions at a corporate and service level and shape resources allocation. They are as follows:-

- (i) A Safe, Secure and Welcoming Environment
- (ii) Healthy, Caring Communities
- (iii) A Prosperous, Sustainable and Inclusive Economy
- (iv) Educated, Responsible and Informed Citizens
- (v) Confident, Active and Inclusive Communities

The appointment of representatives to partner organisations / outside bodies supports the Council in fulfilling its objectives as set out in the Corporate Plan.

## **7. EQUALITIES IMPACT ASSESSMENT (EqIA)**

- 7.1 The function, policy, procedure or strategy presented in this report was considered under the Corporate Equalities Impact Assessment process (EqIA) and was assessed as not relevant for the purposes of EqIA

## **8. STRATEGIC ENVIRONMENTAL ASSESSMENT**

- 8.1 Strategic Environmental Assessment (SEA) is a legal requirement under the Environmental Assessment (Scotland) Act 2005 that applies to all qualifying plans, programmes and strategies, including policies (PPS). However, no action is required as the Act does not apply to the matters presented in this report.

## 9. CONCLUSION

The Council requires to consider making appointments to the partner organisations and outside bodies listed in **Appendix 1** to this report.

**GILLIAN A TAYLOR**  
**Head of Democratic Services**

### **Appendix 1                      Partner Organisations and Outside Bodies**

#### **BACKGROUND PAPERS**

No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) were relied on to any material extent in preparing the above report.

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**PERTH AND KINROSS COUNCIL – REPRESENTATION ON PARTNER ORGANISATIONS AND OUTSIDE BODIES  
NATIONAL AND BEYOND TAYSIDE**

<b>Body</b>	<b>Requirements</b>	<b>Nominations</b>
CoSLA	4 Council Members	Councillors
COSLA – Community Wellbeing and Safety	TBA	Councillor
COSLA – Education, Children and Young People	TBA	Councillor
COSLA – Health and Wellbeing	TBA	Councillor
COSLA – Regeneration and Sustainable Development	TBA	Councillor
COSLA – Resources and Capacity	TBA	Councillor
COSLA – Strategic Human Resource Management	TBA	Councillor
Cairngorms National Park Board	Nominate 1 Member to Scottish Ministers Current Nominee continues until 30/09/2012	Councillor K Howie
East of Scotland European Consortium	1 Council Member	Councillor
Forth Estuary Transport Authority	1 Council Member	Councillor
Highland Reserve Forces and Cadets Association	1 Council Member	Councillor
Loch Lomond and the Trossachs National Park Board	Nominate 1 Member to Scottish Ministers Current Nominee continues until 30/09/2012	Councillor B Ellis
St Andrew's Ambulance Association Council of Trustees	1 Council Member	Councillor
Scotland Excel Joint Committee	1 Council Member	Councillor
Scotland Malawi Partnership	1 Council Member	Councillor
Scottish Councils' Committee on Radioactive Substances (S.C.C.O.R.S.)	1 Council Member	Councillor
Supporting Veterans in Scotland (Scottish Parliament Cross Party Group on Supporting Veterans)	1 Council Member	Councillor
UHI Millennium Institute Foundation	1 Council Member	Councillor

## PERTH AND KINROSS COUNCIL – REPRESENTATION ON PARTNER ORGANISATIONS AND OUTSIDE BODIES TAYSIDE

Body	Requirements	Nominations
Strategic Development Plan Authority Joint Committee (TAYplan)	3 Council Members	Councillors
Tayside Fire and Rescue Board	6 Council Members	Councillors
Tayside Joint Police Board	6 Council Members	Councillors
Tayside Valuation Joint Board	5 Council Members	Councillors
Tayside Contracts Joint Committee	7 Council Members	Councillors
Tayside and Central Scotland Transport Partnership (TACTRAN)	3 Council Members 3 Named Substitutes	Councillors Substitutes –
Tayside Community Justice Authority	2 Council Members and 2 Named Substitutes	Councillors Substitutes –
Dovetail Enterprises (1993) Limited	1 Council Member	Councillor
NHS Tayside	Nominate 1 Member to Scottish Ministers	Councillor
Open Estate Prison Visiting Committee	5 to be appointed Maximum of 3 Council Members 2 Non-Council Members	Councillors
Perth Prison Visiting Committee	10 members of which a maximum of 6 can be Council members – currently vacancies in Non-Council members	Councillors
Scottish Enterprise Tayside Regional Advisory Board	1 Council Member	Councillor
Tay District Salmon Fisheries Board	Council through Perth Common Good Fund is actual member as registered proprietor – representative is nominated mandatory – elected by Board at triennial elections – currently only an observer capacity – traditionally representative has been Convener of Perth Common Good Fund Committee	Councillor
Tay Estuary Forum	1 Council Member	Councillor
Tay Landscape Partnership Steering Group	1 Council Member	Councillor
The Tay Foundation	Provost or nominee	Provost

## PERTH AND KINROSS COUNCIL – REPRESENTATION ON PARTNER ORGANISATIONS AND OUTSIDE BODIES PERTH AND KINROSS

Body	Requirements	Nominations
Carse of Gowrie Development Group	2 Council Members	Councillors
Children's Panel Advisory Committee (Perth and Kinross)	2 Council Members	Councillors
David K Thomson Award Trust	Provost in <u>ex officio</u> capacity	Provost
Friends of Aschaffenburg – Management Committee	1 Council Member in <u>ex officio</u> capacity. Provost is Honorary President in <u>ex officio</u> capacity.	Provost and Councillor
Friends of Bydgoszcz – Management Committee	1 Council Member in <u>ex officio</u> capacity. Provost is Honorary President in <u>ex officio</u> capacity.	Provost and Councillor
Friends of Cognac – Management Committee	1 Council Member in <u>ex officio</u> capacity. Provost is Honorary President in <u>ex officio</u> capacity.	Provost and Councillor
Friends of Haikou – Management Committee	1 Council Member in <u>ex officio</u> capacity. Provost is Honorary President in <u>ex officio</u> capacity.	Provost and Councillor
Friends of Pskov – Management Committee	1 Council Member in <u>ex officio</u> capacity. Provost is Honorary President in <u>ex officio</u> capacity.	Provost and Councillor
Highland Perthshire Communities Partnership – Executive Committee	1 Council Member in observer capacity	Councillor
Highland Perthshire Ltd (Board of Directors)	1 Council Member	Councillor
Horsecross Perth Theatre and Concert Hall – Executive Committee	3 Council Members as Directors	Councillor
J D Fergusson Arts Awards Trust	2 Council Members	Councillors
Live Active Leisure Ltd	3 Council Members as Directors	Councillors
Morrison's Academy Board	1 Council Member in having experience and interest in the field of Education.	Councillor
Moulin Kirk Trust	1 Council Member	Councillor
Perth and Kinross Community Health Partnership Committee	Convener, Vice-Convener (Housing and Health) and Executive Director (Housing and Community Care) (or nominated representative)	Councillors

## PERTH AND KINROSS COUNCIL – REPRESENTATION ON PARTNER ORGANISATIONS AND OUTSIDE BODIES PERTH AND KINROSS

Perth and Kinross Countryside Trust – Executive Committee	2 Council Members as Directors	Councillors
Perth and Kinross Heritage Trust – Executive Committee	2 Council Members as Directors	Councillors
Perth and Kinross Quality of Life Trust	3 Council Members	Councillors
Perth and Kinross Society for the Blind – Management Committee	2 Council Members	Councillors
Perth and Kinross Sports Council	Provost in <u>ex officio</u> capacity and a maximum of 6 other Council Members	Provost and Councillors
Perth Academy War Memorial Bursary Trust	1 Council Member	Councillor
Perth Airport Consultative Committee	2 Council Members	Councillors
Perth Citizens Advice Bureau – Management Committee	1 Council Member	Councillor
Perth Civic Trust – Executive Committee	2 Council Members in a non-voting capacity	Councillors
Perth Farmers Market Ltd	1 Council Member	Councillor
Perth Festival of the Arts	2 Council Members	Councillors
Perthshire Area Tourism Partnership	3 Council Members preferably from Enterprise and Infrastructure Committee	Councillors
Perthshire Public Art Trust	2 Council Members	Councillors
Pitlochry Civic Trust	1 Council Member	Councillor
Recycle to Cycle - Perth Bike Station	1 Council Member	Councillor
Scots Language Centre Association Limited – Executive Committee	2 Council Members	Councillors
Strathord Initiative Steering Group	2 Council Members	Councillors
Thomas Barclay's Trust	7 Council Members (including Provost)	Provost and Councillors

**PERTH AND KINROSS COUNCIL – REPRESENTATION ON PARTNER ORGANISATIONS AND OUTSIDE BODIES  
WARD SPECIFIC**

<b>Body</b>	<b>Requirements</b>	<b>Nominations</b>
Alyth, Meigle and District Nursing and Samaritan Association	1 Council Member – Ward 2 (Strathmore)	Councillor
Blair Atholl and Struan Initiative	1 Council Member from Ward 4 (Highland)	Councillor
Comrie War Memorial Institute	1 Council Member from Ward 6 (Strathearn) as ex officio Trustee	Councillor
Dr Donald Duncan Bequest	2 Council Members from Ward 8 (Kinross-shire) in ex officio capacity	Councillors
Hayfield Trust	1 Council Member from Ward 8 (Kinross-shire)	Councillor
Heartland Radio Foundation Limited	1 Council Member from Ward 4 (Highland)	Councillor
Hope Park Trust – Smith Bequest	4 Council Members – representing Blairgowrie and Rattray – 3 members from Ward 3 (Blairgowrie and Glens) and 1 member from Ward 2 (Strathmore)	Councillors
Innerpeffray Library	1 Council Member as Governor from either Ward 6 (Strathearn) or Ward 7 (Strathallan).	Councillor
Kinloch Rannoch Village Hall Trust	1 Council Member from Ward 4 (Highland)	Councillor
Laggan Park Playing Field, Comrie	1 Council Member from Ward 6 (Strathearn) in ex officio capacity	Councillor
Pitlochry Festival Theatre	Up to 3 Council Members from the surrounding area.	Councillors
Sharp Fund	1 Council Member in ex officio capacity – (from Wards 1 (Carse of Gowrie) or 2 (Strathmore))	Councillor