

# **EAST AYRSHIRE COUNCIL**

**CABINET – 5<sup>th</sup> MARCH 2008**

## **TERMINATION OF ABC JOINT COMMITTEE ARRANGEMENT**

### **Report by Depute Chief Executive/Executive Director of Corporate Support**

#### **1. PURPOSE OF REPORT**

- 1.1 To advise Cabinet of the technical issues around the timescale to terminate the current **Authorities Buying Consortium** Joint Committee Arrangement.
- 1.2 To seek Cabinet approval to terminate the current ABC Joint Committee Arrangement.

#### **2 BACKGROUND**

- 2.1 Prior to its formal constitution in 1996, East Ayrshire Council along with all the unitary authorities that were to replace Strathclyde Regional Council, founded by Joint Committee the **Authorities Buying Consortium** that would act as the Collaborative Procurement forum for the twelve West of Scotland Councils and other authorities such as Police and Fire.
- 2.2 On behalf of the Scottish Executive, John McClelland completed a review of Public Procurement in Scotland in the Spring of 2006 and amongst the many improvement recommendations was the creation of Centres of Procurement Expertise, both Nationally across the Public Sector and Sectorally for Local Authorities, NHS, Universities & Colleges etc. In the case of Local Authorities the Government's policy is to create a Centre of Expertise to be known as Scotland Excel.
- 2.3 ABC is to be wound-up on 31<sup>st</sup> March 2008 and be reconstituted as Scotland Excel, with Councils free to decide on membership during March 2008. A further detailed report inviting consideration of this Council's membership of Scotland Excel is currently in preparation and will be presented for consideration by Cabinet at the next appropriate meeting before 31<sup>st</sup> March 2008.

#### **3 TERMINATION PROCESS**

- 3.1 The current Minute of Agreement requires that termination of the agreement be by unanimous decision of the Joint Committee, otherwise one year notice is required to wind up ABC and that such a decision/notice requires to be placed before the 31<sup>st</sup> March 2008.
- 3.2 The Joint Committee meets on 14<sup>th</sup> March 2008 at which a decision will be taken on the termination of the ABC Joint Committee Arrangement.

#### **4 PERSONNEL/FINANCIAL IMPLICATIONS**

- 4.1 There are no personnel implications from this proposal, as all ABC staff are to transfer to Scotland Excel.
- 4.2 There are no financial implications as the Frameworks and Contracts arranged by ABC and awarded by Renfrewshire Council will remain in place after 31<sup>st</sup> March 2008.

#### **5 LEGAL/POLICY IMPLICATIONS**

- 5.1 There are no legal or policy implications arising directly from the contents of this report.
- 5.2 Councillor Hugh Ross would represent the council at the ABC Joint Committee Meeting of 14<sup>th</sup> March 2008 for the purpose of terminating the current arrangement.

#### **6 RECOMMENDATIONS**

- 6.1 It is recommended that Cabinet:-
- (i) agrees to terminate the current ABC Arrangement by ensuring representation at the ABC Joint Committee Meeting of 14<sup>th</sup> March 2008;
  - (ii) notes that such termination does not bind the Council to membership of Scotland Excel and that a report on that matter will be brought to the next appropriate meeting of Cabinet for consideration and
  - (iii) otherwise, to note the contents of this report.

Elizabeth Morton  
**Depute Chief Executive/Executive Director of Corporate Support**

27<sup>th</sup> February, 2008

#### **LIST OF BACKGROUND PAPERS**

Members wishing further information should contact David Mitchell, Head of Legal, Procurement & Regulatory Services on Extension 6061