

**ITEM No ...2.....**

**REPORT TO: PENSIONS SUB-COMMITTEE – 26TH OCTOBER 2015**

**REPORT ON: ADMISSION AGREEMENT ANGUS ALIVE**

**REPORT BY: EXECUTIVE DIRECTOR OF CORPORATE SERVICES**

**REPORT NO: 414-2015**

## **1 PURPOSE OF REPORT**

- 1.1 This report seeks agreement of the Sub-Committee to the admission of Angus Alive to the Local Government Pension Scheme as an Admission Body.

## **2 RECOMMENDATIONS**

- 2.1 Angus Alive will be established as an arms length charitable organisation, a company limited by guarantee, to deliver leisure and cultural services on behalf of Angus Council and its staff will be transferred from Angus Council. It is recommended that the Sub-Committee agree that from the date it comes into being, Angus Alive is admitted to the Local Government Pension Scheme as an Admission Body and to make and enter into an appropriate admission agreement. The Sub-Committee is also asked to note that Angus Council will act as guarantor.

## **3 FINANCIAL IMPLICATIONS**

- 3.1 As staff are transferring from Angus Council there will be no additional liabilities on the Fund

## **4 BACKGROUND**

- 4.1 Under Schedule 2, Part 2, Paragraph 1(a) of The Local Government Pension Scheme (Scotland) Regulations 2014, the administering authority may admit an "admission body" into the Local Government Pension Scheme providing they meet the requirements of those regulations. Any admission body then has the same rights and liabilities as the local authorities in the scheme. Angus Alive could become an "admission body", as it would provide a public service in the United Kingdom otherwise than for the purposes of gain and has sufficient links with a Scheme employer for the body and the Scheme employer to be regarded as having a community of interest.
- 4.2 The Local Government Pension Scheme (Scotland) Regulations 2014 lays down the conditions to apply before a body can be considered for admission into the Local Government Pension Scheme.
- 4.2.1 The following bodies are admission bodies with whom an administering authority may make an admission agreement—
- (a) a body which provides a public service in the United Kingdom which operates otherwise than for the purposes of gain and has sufficient links with a Scheme employer for the body and the Scheme employer to be regarded as having a community of interest (whether because the operations of the body are dependent on the operations of the Scheme employer or otherwise);

- (b) a body, to the funds of which a Scheme employer contributes;
- (c) a body representative of—
  - (i) any Scheme employers, or
  - (ii) local authorities or officers of local authorities;
- (d) a body that is providing or will provide a service or assets in connection with the exercise of a function of a Scheme employer as a result of—
  - (i) the transfer of the service or assets by means of a contract or other arrangement, or
  - (ii) any provision in any enactment.
- (e) a body which provides a public service in the United Kingdom and is approved in writing by the Scottish Ministers for the purpose of admission to the Scheme.

## **5 CONCLUSIONS**

- 5.1 In view of the fact that Angus Alive are taking over employees of Angus Council and will provide a public service in the United Kingdom otherwise than for the purposes of gain and has sufficient links with a Scheme employer for the body and the Scheme employer to be regarded as having a community of interest it is recommended that Angus Alive is granted admission to the Local Government Pension Scheme as a Community Admission Body. In view of the funding position Angus Council will act as guarantor to the liabilities of the body to pay all amounts due from it under the 2014 regulations.

## **6 POLICY IMPLICATIONS**

- 6.1 This Report has been screened for any policy implications in respect of sustainability, strategic environment assessment, anti poverty, equality impact assessment, privacy impact assessment and risk management.

There are no major policy issues

## **7 CONSULTATIONS**

- 7.1 The Chief Executive and Head of Democratic and Legal Services were consulted in the preparation of this report.

## **8 BACKGROUND PAPERS**

None