

REPORT TO: Musselburgh Associated Racing Committee

MEETING DATE: 7 January 2020

BY: Depute Chief Executive (Resources and People Services)

SUBJECT: Procurement / General Update

1 PURPOSE

- 1.1 To provide an update to the Committee regarding the Procurement Process and other related matters.

2 RECOMMENDATIONS

- 2.1 It is recommended that the committee:
- i. notes the position on regarding the proposed handover date to Chester Racecourse;
 - ii. notes the position on TUPE; and
 - iii. delegates to the Racecourse Secretary to ensure that there is a smooth handover to Chester Racecourse to implement any reasonable steps required to implement same.

3. BACKGROUND

- 3.1 Following completion of the tender process Chester Racecourse was announced as the preferred tenderer. At the point of preparing this report the contract documentation is in the process of being finalised between Chester Racecourse and East Lothian Council.
- 3.2 In terms of the Agreement we are working towards a target handover date of 1 March 2020 and in any event no later than end of 2019/20 financial year. The British Horse Racing Authority has been consulted on this and have now issued a Licence for Musselburgh Racecourse which is in keeping with that timeframe.
- 3.3 In preparation for the target transfer on 1 March 2020 the TUPE consultation with the racecourse employees has commenced. This, as

previously approved, is being supported by the racecourse solicitors Harper MacLeod.

- 3.4 Following the handover to Chester Racecourse MRAC will no longer be deemed to operate Musselburgh Racecourse and the Minute of Agreement between the Council and Lothian Racing Syndicate shall terminate.

4. POLICY IMPLICATIONS

- 4.1 There are no policy implications relating to this report.

5. INTEGRATED IMPACT ASSESSMENT

- 5.1 The subject of this report does not affect the wellbeing of the community or have a significant impact on equality, the environment or economy.

6. RESOURCE IMPLICATIONS

- 6.1 Financial - there may be additional financial costs arising from the transfer of the operation of the Racecourse to Chester Racecourse.
- 6.2 Personnel - it is envisaged that all employees will be in scope to transfer to Chester Racecourse under TUPE legislation
- 6.3 Other – none.

7. BACKGROUND PAPERS

- 7.1 None.

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