

**WIRRAL COUNCIL  
PENSION COMMITTEE  
25 MARCH 2013**

<b>SUBJECT:</b>	<b>ADMISSION BODY APPLICATION GRAYSONS RESTAURANTS LTD LIVERPOOL CITY COUNCIL – CATERING CONTRACT</b>
<b>WARDS AFFECTED:</b>	<b>ALL</b>
<b>REPORT OF:</b>	<b>INTERIM DIRECTOR OF FINANCE</b>
<b>RESPONSIBLE PORTFOLIO HOLDER:</b>	
<b>KEY DECISION?</b> <i>(Defined in paragraph 13.3 of Article 13 'Decision Making' in the Council's Constitution.)</i>	<b>NO</b>

## **1.0 EXECUTIVE SUMMARY**

- 1.1 This report informs members of my decision taken under delegation, to approve the application received from Graysons Catering Services Limited for admission to Merseyside Pension Fund as a Transferee Admission Body. The company has secured a catering contract with Liverpool City Council for a period of 3 years with effect from 1<sup>st</sup> March 2012 with an option to extend for a further 2 years.
- 1.2 The appendix attached to the report contains exempt information. This is by virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972, i.e. Information relating to the financial or business affairs of any particular person (including the authority holding that information)

## **2.0 BACKGROUND**

- 2.1 The application is to provide pension provision for 19 transferred staff members who were previously employed by Liverpool City Council and wish to continue to participate in the local government pension scheme.
- 2.2 Graysons Restaurant Ltd is a private Limited Company, with a Company number of 06313610 and the date of incorporation was 16 July 2007.
- 2.3 The principal activity of the company is to act as a holding company of any other limited company or to purchase any existing business of any limited liability company.

### **3.0 RELEVANT RISKS**

- 3.1 The potential risk of financial loss to the Fund resulting from the admittance of the company is mitigated by virtue of Regulation 38(3) (a) of the Local Government Pension (Administration) Regulations 2008, which provides for the ceding employer to underwrite the contractor's pension obligations.

### **4.0 OTHER OPTIONS CONSIDERED**

- 4.1 The contractor's preferred route in accordance with the Statutory Best Value Authorities Staff Transfer (Pension) Direction 2007 on staff Transfers was to secure admitted body status as an alternative to the provision of a comparable pension scheme.

### **5.0 CONSULTATION**

- 5.1 No consultation required as staff retained access to the LGPS.

### **6.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS**

- 6.1 None arising from this report.

### **7.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS**

- 7.1 The transfer of past service liabilities are to proceed on a fully funded basis and will have no immediate impact on Liverpool City's Council's current assessed contribution rate.
- 7.2 Any outstanding contributions either not recovered from the contractor or any bond provision at closure will ultimately fall to Liverpool City Council.

### **8.0 LEGAL IMPLICATIONS**

- 8.1 The Legal documents to be drafted and approved by Wirral's Legal Department.

### **9.0 EQUALITIES IMPLICATIONS**

- 9.1 Has the potential impact of your proposal(s) been reviewed with regard to equality?

No, as there are no equalities implications as employees retain access to the LGPS.

### **10.0 CARBON REDUCTION IMPLICATIONS**

- 10.1 None arising from this report.

**11.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS**

11.1 None arising from this report.

**12.0 RECOMMENDATION/S**

12.1 It is recommended that the members of the Pension Committee note the approval of the application for admission to the Merseyside Pension Fund of Graysons Restaurants Ltd.

**13.0 REASON/S FOR RECOMMENDATION/S**

13.1 The application for admission meets all prescribed regulatory and financial requirements under the Local Pension Scheme Regulations and the appropriate supporting documentation has been received and approved by the Fund's Legal Monitoring Officer. All parties to the agreement are legally enforced to comply with the governance policy of Merseyside Pension Fund.

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**APPENDICES**

Exempt Appendix included in committee papers.

**REFERENCE MATERIAL**

The report produced by Mercer Limited the Fund Actuary, dated 21 August 2012, was used in producing this report.

**SUBJECT HISTORY (last 3 years)**

Council Meeting	Date