

**WIRRAL COUNCIL
PENSION COMMITTEE
1 JULY 2014**

SUBJECT:	ADMISSION BODY APPLICATION CATERING ACADEMY LTD – MAGHULL HIGH SCHOOL – CATERING CONTRACT
WARDS AFFECTED:	ALL
REPORT OF:	STRATEGIC DIRECTOR TRANSFORMATION & RESOURCES
KEY DECISION?	NO

1.0 EXECUTIVE SUMMARY

- 1.1 This report informs members of my decision taken under delegation, to approve the application received from Catering Academy Limited for admission to Merseyside Pension Fund as an Admitted Body. The company has secured a catering contract with Maghull High School for a period of 3 years with effect from 1st September 2013.
- 1.2 The application is made in accordance with Schedule 2 part 3 Regulation 1 (d) (i) of the Local Government Pension Scheme Regulations 2013. Thus the body is providing or will provide a service or asset in connection with the exercise of a function of a Scheme employer as a result of – the transfer of the service or assets by means of a contract or other arrangement
- 1.3 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 6 transferred staff members who were previously employed by Maghull High School and wish to continue to participate in the local government pension scheme.
- 2.2 Catering Academy Ltd is a private Limited Company, with a Company number of 5261471 and the date of incorporation was 15 October 2004.
- 2.3 The principal activity of the company is that of contract catering.

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 64(3) (a) of the Local

Government Pension Regulations 2013. Maghull High School would be responsible for any outstanding contributions on the closure of the body which may not be recoverable from the contractor or the bond provider.

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 is to be effected on a fully funded basis and any outstanding contributions either not recovered from the contractor or any bond provision at closure will fall to Maghull High School.

8.0 LEGAL IMPLICATIONS

8.1 The Legal documents have been 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 Catering Academy 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 required to comply with the governance policy of Merseyside Pension Fund.

REPORT AUTHOR: YVONNE CADDOCK
PRINCIPAL PENSIONS OFFICER
telephone: (0151- 242-1333)
email: yvonnecaddock@wirral.gov.uk

APPENDICES

Exempt Appendix included in committee papers.

REFERENCE MATERIAL

The report produced by Mercer Limited the Fund Actuary, dated April 2014, was used in producing this report.

SUBJECT HISTORY (last 3 years)

Council Meeting	Date