

WIRRAL COUNCIL
PENSION COMMITTEE
15 SEPTEMBER 2014

SUBJECT:	ADMISSION BODY APPLICATION – MELLORS CATERING SERVICES LTD – BIRKDALE HIGH SCHOOL (Academy)
WARDS AFFECTED:	ALL
REPORT OF:	STRATEGIC DIRECTOR OF TRANSFORMATION & RESOURCES
KEY DECISION?	NO

1.0 EXECUTIVE SUMMARY

- 1.1 This report informs members of the decision taken under delegation, to approve the application received from Mellors Catering Services Ltd for admission to Merseyside Pension Fund as a contractor admission body. The company has secured a catering contract with Birkdale High School from 1st April 2013 for a period of 5 years.
- 1.2 The application is made in accordance with Schedule 2 part 3 Regulation 1(d) (l) of the Local Government Pension Scheme Regulations 2013. As such the body is providing a service in connection with the exercise of a function of a Scheme employer as a result of the transfer of the service.

2.0 BACKGROUND

- 2.1 Mellors Catering Services Ltd is a private limited company registered in England and Wales (number 07717083).
- 2.2 There are 7 employees who are currently employed by Birkdale High School and are members of Merseyside Pension Fund. They have transferred to Mellors Catering Services Ltd in accordance with T.U.P.E. regulations and wish to continue to participate in the Local Government Pension Scheme.
- 2.3 The principal objective of the company is the provision of catering facilities on the premises of third parties.

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 Scheme Regulations 2013, which provides for the ceding employer to underwrite the contractor's pension obligations.

4.0 OTHER OPTIONS CONSIDERED

- 4.1 The organisation's only option in accordance with the Fair Deal Policy 2013, which applies to central government departments, including academies and free schools, is to secure admitted body status following a relevant transfer subject to 2006 TUPE Regulations.

5.0 CONSULTATION

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

6.0 OUTSTANDING PREVIOUSLY APPROVED ACTIONS

- 6.1 None associated with the subject matter

7.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

- 7.1 None arising from this report.

8.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS

- 8.1 Any outstanding contributions either not recovered from the contractor or bond provider at closure will ultimately fall to Birkdale High School.

9.0 LEGAL IMPLICATIONS

- 9.1 The Legal documents have been drafted and approved by Wirral's Legal Department.

10.0 EQUALITIES IMPLICATIONS

- 10.1 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.

11.0 CARBON REDUCTION IMPLICATIONS AND ENVIRONMENTAL IMPLICATIONS

- 11.1 None arising from this report.

12.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

- 12.1 None arising from this report.

13.0 RECOMMENDATION

- 13.1 It is recommended that the members of the Pension Committee note the approval of the application for admission to the Merseyside Pension Fund from Mellors Catering Services Ltd.

14.0 REASON/S FOR RECOMMENDATION/S

14.1 The application for admission meets all prescribed regulatory and financial requirements under the Local Government 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 statutorily required 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 18 March 2014, was used in producing this report.

SUBJECT HISTORY (last 3 years)

Council Meeting	Date