

REPORT TO: Executive Board

DATE: 3 November 2011

PRESENTED BY: Strategic Director – Children and Enterprise

SUBJECT: Proposal for Use of Local Education Partnership (LEP) by Warrington Borough Council

WARDS: Borough-wide

1.0 PURPOSE OF REPORT

- 1.1 To gain approval from the Board to establish a formal agreement that will allow Warrington Borough Council to use the Halton Local Education Partnership (LEP). A report has already been taken to the Executive of Warrington Borough Council and approval has been given to the proposal. This report is attached as Appendix 1.

2.0 RECOMMENDATION:

That the Board:

- 2.1 **(a) Endorse the actions taken to date in respect of the agreement for Warrington Borough Council to use the Halton Local Education Partnership to procure future capital schemes;**
- (b) agree the proposal to enter into collaborative arrangements with Warrington Borough Council for the purposes of allowing them to use the Halton Local Educational Partnership LEP for the provision of future capital schemes;**
- (c) Agree the arrangement in (b) above be subject to the agreement of a deed of assignment of the Strategic Partnering Agreement which is an agreement between Halton Transformational Partnership and Halton Borough Council; and**
- (d) Ensure the deed of assignment be in such detailed drafting as may be agreed by the Operation Director - Legal and Democratic Services, but the form of such Memorandum as set out in this report be approved**

3.0 BACKGROUND

- 3.1 In April 2009 Halton and Warrington Borough agreed to a Memorandum of Understanding to jointly procure a Local Education Partnership. This was subject to a formal OJEU notice in August 2009 in joint names. Due to the Central Government changes to the Building Schools for the Future programme Warrington withdrew from investing in the LEP and being party to the Strategic Partnering Agreement in August 2010. However, they have now

satisfied themselves that the original OJEU notice can still be used to procure future capital schemes for Warrington.

- 3.2 The Halton Building Schools for the Future programme reached Financial Close in June 2011. This established a public private partnership to delivery the two sample schools and any other capital schemes
- 3.3 This public private partnership established in June 2011 is a jointly owned company that the Council have a 10% share in. As a result the Council would benefit from any other capital project procured through the LEP as future capital projects will deliver an income stream for the share holders.
- 3.4 Utilising the LEP to deliver Warrington Capital projects alongside Halton schemes improves the viability of the LEP. It also has the added benefit of establishing the LEP as a regional delivery agent. Establishing the LEP as a regional procurement vehicle will allow Halton to position itself to delivery future capital projects as this is the preferred DFE route.
- 3.5 The subject to the agreement of a deed of assignment of the Strategic Partnering Agreement would ensure that there is a formal structure and agreed procedures to follow by Warrington Borough Council for any future capital schemes. The structure and procedures would include:-
 - The new project approval process which ensures contractually that the LEP costs are agreed to in advance by Warrington Borough Council; and
 - The LEP confirm they agree to be bound by the current Key Performance Indicators and these directly affect the Halton local economy through employment and capital investment with local business.

5.0 FINANCIAL IMPLICATIONS

- 5.1 Any additional projects procured through the LEP will increase its viability and also bring additional income to the LEP and the authority as a shareholder. Any additional costs will need to be covered by Warrington Borough Council.

6.0 OTHER IMPLICATIONS

- 6.1 It is believed that overall a collaboration does not present the Council with new significant or unmanageable risks. A collaboration does have the support of LEP and is likely to be well received within the supply chain which will enhance the attractiveness of the LEP offer and thus bring added value to the company.
- 6.2 Halton and Warrington have developed Strategies for delivering capital projects to continue to improve outcomes for children and young people.

7.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

7.1 Children and Young People

N/A

7.2 Employment Learning and Skills in Halton

There are a range of Key Performance Indicators such as work experience, local employment and apprenticeships which would be delivered locally through any additional capital projects.

7.3 A Healthy Halton

N/A

7.4 A Safer Halton

N/A

7.5 Halton's Urban

N/A

8.0 RISK ANALYSIS

- 8.1 Strategic risk is referred to above (paragraph 6). Other risks have been identified and are being managed through the deed of assignment to the Strategic Partnering Agreement.

9.0 EQUALITY AND DIVERSITY ISSUES

- 9.1 The proposed capital project will increase accessibility.

10.0 REASON(S) FOR DECISION

- 10.1 The wish to take advantage of the gains to be achieved by the collaboration and take advantage of the substantial opportunity which presents itself.

11.0 ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

11.1 Consideration has been given to not supporting collaboration with Warrington, however, Warrington have already invested in the development of the LEP and any future capital projects approved will financially benefit Halton.

12.0 IMPLEMENTATION DATE

12.1 Agreement is needed to proceed by 11th November 2011.

13.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

Programme papers and reports and correspondence and communications with third parties some or all of which may be exempt as being commercial and in confidence.

Warrington Executive Board Report – July 2011 attached.