

CHESHIRE EAST COUNCIL

REPORT TO: JOINT EXTRA CARE HOUSING MANAGEMENT BOARD

Date of Meeting: 12 May 2010
Report of: Borough Solicitor
Subject/Title: Delegation and Roles

1.0 Report Summary

- 1.1 To outline the roles and responsibilities in relation to the Extra Care Housing PFI project ('the project').

2.0 Decision Requested

- 2.1 To note the report
- 2.2 To confirm the roles and responsibilities in relation to the Extra Care Housing PFI project
- 2.3 To agree the requirement for a full time Project Manager

3.0 Reasons for Recommendations

- 3.1 To ensure that there is clarity about roles and responsibilities and decision-making for the project.

4.0 Wards Affected

- 4.1 No wards are affected.

5.0 Local Ward Members

- 5.1 Not applicable

6.0 Policy Implications including - Climate change - Health

- 6.1 Not applicable

7.0 Financial Implications for Transition Costs (Authorised by the Borough Treasurer)

- 7.1 Not applicable

8.0 Financial Implications 2009/10 and beyond (Authorised by the Borough Treasurer)

- 8.1 There are no direct financial implications arising from the decisions outlined in this report.

9.0 Legal Implications (Authorised by the Borough Solicitor)

- 9.1 It is important that there is clarity about decision-making. This report outlines the roles and responsibilities of the current arrangements.

10.0 Risk Management

- 10.1 Having robust governance arrangements should reduce risks associated with decision-making.
- 10.2 The project could be compromised by delay in decision-making. However, it is believed that the arrangements described in this report should allow decisions to be secured sufficiently quickly to allow the project to proceed.

11.0 Background and Options

- 11.1 A table appears at Appendix 1, which shows the respective responsibilities of the Councils and Joint Extra Care Housing Management Board.
- 11.2 Whilst it was not stated explicitly in the reports dealing with the setting up of the Joint Extra Care Housing Management Board, Members will appreciate that all other decisions will fall to be made by officers, particularly the Project Director and Project Manager (taking direction from the Joint Extra Care Housing Officer Group and with support from lead officers for financial and legal issues and with further support from the external advisers).
- 11.3 The HCA has stated that it expects there to be a full time Project Manager and Lynn Glendenning has been earmarked for that role.
- 11.4 The responsibilities of the Project Director and Project Manager appear in Appendix 2. It is hoped that they are self-explanatory.
- 11.5 For information, a table appears at Appendix 3 showing the officers involved in the project.

12.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

Name: Andrew Leadbetter
Designation: Legal Services Manager
Tel No: 01270 866642
Email: andrew.leadbetter@cheshireeast.gov.uk

APPENDIX 1

JOINT EXTRA CARE HOUSING MANAGEMENT BOARD Round 5 – Procurement of New Provision	
RESERVED TO RESPECTIVE CABINET/EXECUTIVE	JOINT EXTRA CARE HOUSING MANAGEMENT BOARD
Decision to acquire a site (or secure an option on a site) including granting leases as appropriate.	Approval and review of inter authority arrangements
Approval of the project affordability at all stages	Provide overview of and all necessary procurement approvals other than those specifically reserved to the Authorities
Approval of Bidders to proceed to final stage	Approval of Outline Business Case and authorisation to submit
Approval of Preferred Bidder	Approval of list of Bidders to be invited to participate in the competitive dialogue procurement process
Award of and approval of execution of PFI contract	Recommendations to respective Cabinet/Executive in relation to procurement approvals as necessary
Certification of PFI Contract and costs indemnities	Appointment of external advisers (subject to Finance and Contract Procedure Rules of Lead Authority and provided appropriate budget identified by respective Councils)
Award of and approval of execution of Care and where appropriate Catering Contracts	
Changes to Terms of Reference	
Changes to Constitution	
Appointment of Joint Extra Care Housing Management Board Members	
It is possible for the Joint Extra Care Housing Management Board to refer a matter to the respective Cabinet/Executive for decision.	

APPENDIX 2

Duties of the Project Director and the Project Manager

Project Director

- Lead and manage the Extra Care Housing Round 5 PFI Procurement on behalf of Cheshire West and Chester and Cheshire East Councils to ensure contract close and delivery of the contract.
- Lead and manage the PFI contract for Extra Care Housing Round 3 developments on behalf of Cheshire West and Chester and Cheshire East Councils within allocated budget and workforce resources to deliver the Councils' key strategic aims.
- Effectively plan and manage the preparation, letting and control of Extra Care associated contracts for catering and care services to ensure contract compliance, effective service delivery and value for money.
- Inform, support and advise elected members of the Councils so that they can perform their executive, scrutiny and representational responsibilities and ensure that decisions are appropriately informed and services delivered in accordance with Council priorities.
- Attend and support the Joint Extra Care Housing Management Board and other Council meetings as necessary to ensure members are appropriately advised and decisions are taken to meet Council priorities.
- Provide advice and support to the Director of People Services for Cheshire East Council and the Director of Adult Social Care and Health for Cheshire West and Chester Council
- Recruit, manage, motivate and develop employees in the Extra Care Project team in order to ensure all aspects of service delivery.
- Manage the Project budget in conjunction with the Project accountant.

Project Manager

- Direct, plan and manage the procurement of the Extra Care Housing Round 5 PFI Contract to ensure contract close and delivery of the contract in conjunction with the Project Director.
- Manage the project team and external advisers to ensure the efficient procurement of contracts.
- Act as principal contact with Bidders in the PFI Contract to ensure that they provide relevant information and are apprised of the Councils' requirements.

- Supervise the Project Assistant in the role of secretary to the PFI Project Development Group and Joint Officer Group and attend meetings as necessary.
- Inform, support and advise elected members of the Councils so that they can perform their executive, scrutiny and representational responsibilities.
- Manage and monitor the revenue and capital budgets, with support from Finance, reporting at regular intervals to the Joint Officer Group and Joint Board.

APPENDIX 3

ECH PFI Team

Project Team role	Name	Organisation	Position
Officers			
Project Director	Nuala Keegan	Cheshire East Council	Strategic Commissioning Manager
Project Manager	Lynn Glendenning	Cheshire East Council	Commissioning Manager
Project Accountant	Lisa Quinn	Cheshire East Council	Borough Treasurer & Head of Assets
Project Legal Officer	Andrew Leadbetter	Cheshire East Council	Legal Services Manager
Advisers			
Finance	Grant Thornton	Current advisers have been appointed for the period up to the submission of the OBC. New advisers will need to be appointed once the OBC has been submitted.	
Technical	Gleeds		
Legal			
Project Management	Gleeds		

ECH Joint Officer Group Members

Cheshire East Council		Cheshire West & Chester Council	
Phil Lloyd (Chair)	Head of Services for Adults		
Lisa Quinn / Christine Mann	Borough Treasurer/ Head of Finance	Maggie Sheppard	Accounting Manager
Chris Chapman	Borough Solicitor	Simon Goacher	Head of Legal Services
Arthur Pritchard	Assets Manager	Noel O'Neill	Head of Facilities & Asset Management
Nuala Keegan	Strategic Commissioning Manager	Stephen Wilds	Interim Director of Adult Social Care
Lynn Glendenning	Project Manager	Mick Howarth	Head of Social Care Provision
Sophie Middleton	PFI Contract Manager		
Louise Gibson	Project Assistant		