

Appendix 1: Previously agreed Committee approval on Academy Conversions

At the [Children and Families Committee meeting on 12 July 2021](#), approval was given to put in place a process by which academy conversions would be undertaken by Cheshire East Borough Council (the council). A decision was taken to enable certain conversions to be progressed via Officer Decision Record subject to exemptions. Key to these were the arrangements relating to the land transfer, the commercial transfer agreement and the financial position of the school as the point of transfer.

It was resolved that the committee:

- 2.1 Delegates to the Executive Director of Children's Services in consultation with Chief Finance Officer and Monitoring Officer authority to take all steps necessary to agree and execute the commercial transfer agreement, novation of third-party contracts, Shared Use Agreements/Facilities Access Agreements, staffing and information transfer.
- 2.2 Delegates to the Executive Director of Place in consultation with Chief Finance Officer and Monitoring Officer to take all steps necessary to agree and execute any transactions in relation to land, facilities or shared use agreements.
- 2.3 Notes that the Chief Finance Officer has authority to take all steps necessary to agree, transfer and adjust relevant budgets and allocate balances in accordance with Department for Education Guidance
- 2.4 Notes that no delegation may be exercised to execute any agreement as per recommendations 2.1 ,2.2 or 2.3 of the report where:
 - a) the school has a deficit of £100k or there is any significant impact on the Medium Term Financial Strategy
 - b) there are substantive third party land interests
 - c) any public funds are to be reclaimed under section (land contributions)
 - d) any current or proposed legal claim has been identified
 - e) where an indemnity is sought against Cheshire East Council on any matter.