

**Sutton Shareholdings Board**

**Wednesday, 4 January 2017**

**6.30 pm at the**

**Civic Offices, St Nicholas Way, Sutton SM1 1EA**



**SUPPLEMENTAL AGENDA**


To all members of the Sutton Shareholdings Board:-

Please bring the following papers with you to the meeting:-

- |            |  |       |
|------------|--|-------|
| <b>10.</b> | <b>Sutton Education Services Limited - Launch update &amp; resolutions agreement</b> | 1 - 2 |
|            | Legal Comments   |       |

*Enquiries to: Alexa Coates, Head of Committee and Management Support  
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Copies of reports are available in large print on request*

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<b>Report to:</b>	Sutton Shareholdings Board	<b>Date:</b>	4 January 2017
<b>Report title:</b>	Sutton Education Services - Launch update & resolutions agreement		
<b>Report from:</b>	Strategic Director - People's Directorate		
<b>Ward/Areas affected:</b>	Borough-wide		
<b>Chair of Committee/Lead Member:</b>	Cllr. Simon Wales, Deputy Leader of the Council		
<b>Author(s)/Contact Number(s):</b>	Tom Alexander, Head of Strategic Business - 020 8770 4522		
<b>Corporate Plan Priorities:</b>	<ul style="list-style-type: none"> <li>• A Smart Council</li> </ul>		
<b>Open/Exempt:</b>	Open		
<b>Signed:</b>		<b>Date:</b>	07/12/16

Legal comments not included in original report

#### Legal

- 1.1 SES Ltd has been properly incorporated under law. SLLp and Bevan Brittan (external solicitors) have advised both the Council and the company on Company Law matters and also Contracts, Procurement and other areas of law including Education Law and state Aid.
- 1.2 The Commissioning Agreement between the Council and SES Ltd which took effect on 1st November 2016 was prepared by SLLp and has been signed by both parties. The Schools and Academies will each sign a bespoke commissioning agreement (prepared by Bevan Brittan) with SES Ltd when they wish to buy services from SES Ltd.
- 1.3 The Shareholders' Agreement and Articles of Incorporation were prepared by Bevan Brittan with oversight by SLLp and input from the Council and SES Ltd.
- 1.4 All Due Diligence has been completed and an audit trail maintained of all legal, commercial and other matters.
- 1.5 SLLp is satisfied that all due process has been followed and does not immediately foresee any risks associated with the recommendations requested in this report.

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