PARTNERSHIP CHECKLIST **APPENDIX 4**

	File Reference	To Be Confirmed.
Name of partnership	**WDC WHG Development Joint Venture**	
Partners	Warwick District Council and Waterloo Housing Group	
Commencement Date	April 2011	
Purpose of PARTNERSHIP	Deliver of new affordable housing	

	CONTROL	COMMENTARY Please refer to supporting documents/working paper references	Lead Officer
1.0	**ABOUT THE PARTNERSHIP**		
1.1	Is the partnership to be a formal or informal one?	Formal (Unincorporated Association)	Suzanne Burrell
1.2	Have the aims of the partnership been defined?	Key issues set down in the Heads of Terms and will be transferred to a more detail legal document i.e. a Joint Venture Agreement	Suzanne Burrell
1.3	Is purpose of the partnership short-term or long-term	Long term, 3 year initial period. 10 year partnership overall	Project Team
1.4	Who is the lead partner?	Joint Venture – Equal partnership between Warwick District Council and Waterloo Housing Group	Project Team
1.5	What are the estimated costs to the council of contributing to the partnership (analysed)?	As yet this is not known, if the New Homes Bonus ceases/is amended WDC may need to consider the use of capital funding to provide grant to WHG. (approval from Executive will be required)	Project Team
1.6	What (if any) is the financial liability of the Council if all other partners chose to withdraw	Payment for the land is on a deferred basis, if WHG withdraw from the	Project Team

	from or terminate the agreement?	partnership land may have been transferred to them but not paid for. This will result in the lease being terminated.	
1.7	Are there any other contingent liabilities?	To be confirmed in the Joint Venture Agreement.	Project Team
1.8	What are other parties contributing to the partnership?	WHG will use their own reserves and borrowing to fund schemes	Project Team
2.0	**CONTRACTUAL AGREEMENT**		
2.1	Is there a contractual agreement which includes: • A constitution? • Legal, financial and personnel responsibilities? • Budgetary and accounting arrangements? • The monitoring of service delivery? • Nomination of a guarantor	There is a legally binding partnership/joint venture agreement and there is likely to be a constitution also. There will also be leases for each individual site and any financial contribution granted to WHG will be through a legally binding grant agreement.	Project Team
3.0	**CONSTITUTION**		
3.1	Is there a written constitution?	There is likely to be one appended to the Joint Venture Agreement. If not the Joint Venture Agreement will set out all the governance and decision making details.	Project Team
3.2	Does it define a management structure?	Yes there is a project team, financial sub-group and feasibility sub-group that will report to the project team.	Project Team
3.3	Does it cover such issues as: • The frequency of meetings? • Quoracy?	The Heads of Terms sets out the key principles in relation to governance.	Project Team

	• The recording and distribution of minutes?	However the Joint Venture Agreement will set out the in depth detail about governance including the frequency of meeting, quoracy etc.	
3.4	Does it identify: • Each partner's responsibility in terms of: financial liability (i.e. is it limited/ shared? • Who owns any assets and balances resulting from the partnership? • How will the partnership settle disputes? • Exit clauses and a mechanism for other variations to the agreement? • Any confidentiality issues? • Who will fit the roles of treasurer, secretary, and auditor?	 No N/A Through the sub-group or project team and through mediation. Yes Yes N/A	Project Team
4.0 LEGAL RESPONSIBILITIES			
4.1	What provision has been made for compliance with the law e.g. With respect to health and safety, data protection, employment and service specific legislation?	N/A	
5.0 FINANCIAL RESPONSIBILITIES			
5.1	Who is responsible for ensuring that financial records are maintained and kept?	WHG and Project Team	Project Team
5.2	Have required records been defined to ensure that all legal and other obligations are met?	Yes in the Heads of Terms and Partnership agreement	Project Team
5.3	Have arrangements been made for internal/ external audit as required?	The Joint Venture will be included on the programme for internal audit.	Project Team
5.4	Have insurance requirements been considered, e.g. personal indemnity, third party, vehicles etc?	Will be considered as part of the Joint Venture Agreement	Project Team

5.5	Has advice been sought on the VAT rules applying to the partnership?	N/A	
6.0	**PERSONNEL RESPONSIBILITIES**		
6.1	Who is responsible for recruiting, employing and training staff?	N/A – project will be delivered within existing resources	Project Team
6.2	Are staff clear about their roles and obligations, e.g. awareness of legal liability and governance framework (particularly important in the case of directors/ trustees)?	Yes	Project Team
6.3	Have staff or members made any declarations where there may be a conflict of interest?	Yes	Project Team
6.4	Will partnership employ staff directly or will it expect partners to do it?	N/A	
6.5	What is exit strategy for staff employed by the partnership?	N/A	
7.0	**BUDGETARY AND ACCOUNTING ARRANGEMENTS**		
7.1	Does the agreement include: • Arrangements for approving budget? • Arrangements for monitoring expenditure? • Arrangements for dealing with overspends/ underspend? • How any contributions in kind (e.g. staff time or assets employed) are to be costed and included in the cost sharing arrangements? • What administrative/ management costs are to be charged to the partnership on	N/A – the project has been defined based on a financial model, however it is accepted this may change throughout the lifetime of the partnership. There are contingency arrangements that can be utilised on a scheme by scheme basis if the financial model changes. Any payments made by WDC to WHG will be via a legally binding grant agreement.	Project Team

	the basis of their calculation? • An agreement by all parties, where the partnership will recover grant income, that they will comply with all the requirements specified and will provide the information required? • Arrangements for making payments to the lead authority?		
8.0 MONITORING SERVICE DELIVERY			
8.1	Is there a service plan including profiled budget and performance indicators? If so: • How many years does it span? • How regularly will it be updated?	The project will be monitored on outcomes against the proposals using a software programme. Regular review meetings will be held between WDC and WHG.	Project Team
8.2	How will service delivery be monitored and reported.	Through the sub groups and the Project Team	Project Team