

MAYOR'S EXECUTIVE DECISION MAKING

Thursday, 13 April 2017

Mayor's Decision Log No. 152


1. **152 - SEAHORSE HOMES (Pages 1 - 6)**

If you require any further information relating to this meeting, would like to request a large print, Braille or audio version of this document, or would like to discuss access arrangements or any other special requirements, please contact: Matthew Mannion, Committee Manager, Democratic Services

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Agenda Item 1

Individual Mayoral Decision Proforma Decision Log No: <u>152</u>	 TOWER HAMLETS
Report of: Graham White Acting Corporate Director Governance	Classification: Unrestricted
Appointment of Director to Seahorse Homes Limited	

Is this a Key Decision?	No
Decision Notice Publication Date:	N/A
General Exception or Urgency Notice published?	Not required
Restrictions:	N/A
Reason for seeking an Individual Mayoral Decision	Under Part 3, Article 3.2.2 of the constitution, the mayor has power to appoint officers to external bodies in relation to executive functions.

EXECUTIVE SUMMARY

This report seeks approval to the appointment of Ann Sutcliffe (Interim Divisional Director Property and Major Programmes) as a Director of Seahorse Homes Limited, the council's wholly owned housing company which was established on 10th March 2017. This appointment was previously made by cabinet on 7th of February 2017 when it considered a report to establish a wholly owned company. However the appointment needs to be renewed in order to comply with the notification requirements of the Companies Act 2006. Under the Act, all director appointments must be notified to companies house who maintain a record of company directors.

Full details of the decision sought, including setting out the reasons for the recommendations and/or all the options put forward; other options considered; background information; the comments of the Chief Finance Officer; the concurrent report of the Head of Legal Services; implications for One Tower Hamlets; Risk Assessment; Background Documents; **and other relevant matters are set out in the attached report.**

DECISION

It is agreed that Ann Sutcliffe be appointed Director of Seahorse Homes Limited, the council's wholly owned housing company

APPROVALS

1. (If applicable) Corporate Director proposing the decision or his/her deputy

I approve the attached report and proposed decision above for submission to the Mayor.

Signed  Date 10/4/17

2. Chief Finance Officer or his/her deputy

I have been consulted on the content of the attached report which includes my comments.

Signed  Date 11/04/17

3. Monitoring Officer or his/her deputy

I have been consulted on the content of the attached report which includes my comments.

(For Key Decision only – delete as applicable)

I confirm that this decision:-

- (a) has been published in advance on the Council's Forward Plan OR
- (b) is urgent and subject to the 'General Exception' or 'Special Urgency' provision at paragraph 18 or 19 respectively of the Access to Information Procedure Rules.

Signed  Date 10/04/17

4. Chief Executive 


I have been consulted on the content of the attached report which includes my comments where necessary.

Signed Date

5. Mayor

I agree the decision proposed in the recommendations above for the reasons set out in paragraph XX in the attached report.

Signed  Date 12/4/17

Individual Mayoral Decision Insert Date 12/04/17	 TOWER HAMLETS
Report of: Graham White, Acting Corporate Director - Governance	Classification: Unrestricted
Appointment of Director to Seahorse Homes Limited	

Lead Member	Councillor Rachel Blake, Cabinet Member for Strategic Development
Originating Officer(s)	Janet Fasan (Interim Divisional Director Legal)
Wards affected	All
Key Decision?	No
Community Plan Theme	One Tower Hamlets

Executive Summary

This report seeks approval to the appointment of Ann Sutcliffe (Interim Divisional Director Property and Major Programmes) as a Director of Seahorse Homes Limited, the council's wholly owned housing company which was established on 10th March 2017. This appointment was previously made by cabinet on 7th of February 2017 when it considered a report to establish a wholly owned company. However the appointment needs to be renewed in order to comply with the notification requirements of the Companies Act 2006. Under the Act, all director appointments must be notified to companies house who maintain a record of company directors.

Recommendations:

The Mayor is recommended to:

1. Appoint Ann Sutcliffe as a Director of Seahorse Homes Limited, the council's wholly owned housing company.

REASONS FOR THE DECISIONS

- 1.1 To comply with the Company Act 2006 all director appointments must be notified to Companies House who maintain a record of directors. The director appointment forms are usually completed by the appointees and submitted at the time the company is set up. However where as in this case, the director appointment form is submitted post company set up, the pre set up authority to appoint will not avail and a new one must be given.

2. ALTERNATIVE OPTIONS

- 2.1 There are no alternative options.

3. DETAILS OF REPORT

On the 7th February 20117, in approving the establishment of a wholly owned housing company and Community Benefit Society, cabinet agreed to appoint 3 officers as directors of the company. They are Mark Baigent (Interim Divisional Director Housing; Neville Murton (Divisional Director Finance); and Anne Sutcliffe (Divisional Director Property and Major Programmes). The first 2 director appointments were notified to companies house when the application to register the company was made. The third director appointment form was submitted post company establishment on the 10th of March. Since cabinet's resolution to appoint predates the establishment of the company, it cannot be relied to register the said director and the appointment must be renewed. This report seeks renewal of the said appointment.

4. COMMENTS OF THE CHIEF FINANCE OFFICER

- 4.1 There are no specific implications arising from the recommendations in this report.

5. LEGAL COMMENTS

- 5.1 Under S.167 of the companies Act 2006, all director appointments and terminations must be notified to companies house.
- 5.2 Although Seahorse Homes can itself appoint directors, it has no power to appoint council officers as directors. Officers can only be appointed to external bodies by the council. .
- 5.3 Under Part 3, Article 3.2.2 of the constitution, the mayor may in relation to executive functions, appoint officers to external bodies where the position is unpaid.

6. ONE TOWER HAMLETS CONSIDERATIONS

There are no immediate implications for One Tower Hamlets arising from this report..

7. BEST VALUE (BV) IMPLICATIONS

There are no specific implications arising from the recommendations in this report.

8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

There are no specific implications arising from the recommendations in this report.

9. RISK MANAGEMENT IMPLICATIONS

9.1 Approving the recommendations in this report will ensure that the council does not fall foul of the regulatory requirements in the companies Act 2006.

10. CRIME AND DISORDER REDUCTION IMPLICATIONS

10.1 There are no specific implications arising from the recommendations in this report.

11. SAFEGUARDING IMPLICATIONS

11.1 There are no specific implications arising from the recommendations in this report.

