

**NOTICE OF DELEGATION OF DECISION TO CABINET MEMBER BY STRONG LEADER**

Section 15(4) of the Local Government Act 2000, the senior executive member may discharge any of the functions that are the responsibility of the Cabinet or may arrange for them to be discharged by another member of the Cabinet or Officer. On 1<sup>st</sup> December 2010, the Council adopted the Strong Leader Model for Corporate Governance 2011 as required under Part 3 of The Local Government and Public Involvement in Health Act 2007 (The 2007 Act).

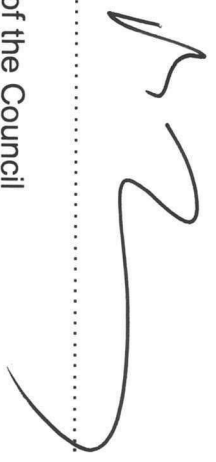
I, Cllr Marcus Hart, as Strong Leader, delegate the decision, cessation of the Community Housing Group Shareholder vote to the Cabinet Member detailed below:

Cllr Chris Rogers, Cabinet Member for Health, Wellbeing & Housing

1<sup>st</sup> day of February, 2015

Dated:

Signed:

  
.....  
Leader of the Council

**NOTICE OF DECISION OF CABINET MEMBER**

Pursuant Section 15(4) of the Local Government Act 2000, as amended by section 63 of the Local Government and Public Involvement in Health Act 2007, the senior executive member may discharge any of the functions that are the responsibility of the Cabinet or may arrange for them to be discharged by another member of the Cabinet or Officer. On 1<sup>st</sup> December 2010, the Council adopted the Strong Leader Model for Corporate Governance 2011 as required under Part 3 of The Local Government and Public Involvement in Health Act 2007 (The 2007 Act).

In accordance with the authority delegated to me by the Leader, I have made the following decision:

<b>Subject</b>	<b>Decision</b>	<b>Reason for decision</b>	<b>Date for Decision to be taken</b>
<b>Community Housing Group Shareholder Vote</b>	To cease the Council's Community Housing Group Shareholder Vote	In accordance with the Regulation of Social Housing (Influence of Local Authorities) (England) Regulations 2017 which require the Community housing Group to amend their constitution by 16/05/18 to exclude the Council as a shareholder, to confirm in advance that the Council agrees to surrender its voting rights.	1/2/18

**I confirm that the appropriate statutory officer consultation has taken place with regard to this decision.**

Dated: 1/2/18

Signed:



Councillor Chris Rogers, Cabinet Member for Housing, Health & Wellbeing

To: Leader of the Council  
From: Director of Economic Prosperity & Place  
Date: 31st January 2018

### **Cessation of the Community Housing Group Shareholder Vote**

#### **1. PURPOSE**

To agree to end the Council's shareholder vote on the Community Housing Group in advance of the 2017 Regulations coming into effect.

#### **2. RECOMMENDATION**

The Leader is asked to **DECIDE**:

- 2.1 To authorise the Cabinet Member for Housing, Health & Wellbeing to advise the Community Housing Group that the Council wishes to cease its shareholder vote in advance of the Regulation of Social Housing (Influence of Local Authorities) (England) Regulations 2017 coming into effect.

#### **3. BACKGROUND**

- 3.1 On 10 May 2017 the Council agreed to support changes to the governance structure of the Community Housing Group (CHG) that it wished to implement in response to requirements from its Regulator. That ended the longstanding relationship of Council Members sitting on various Boards of CHG as community representatives. What was offered by CHG at the time and accepted by the Council was to have a single shareholder vote which it could exercise at the CHG AGM if required to do so.
- 3.2 The exercise of the shareholder vote is a matter for the Cabinet as noted in this recommendation in the 10<sup>th</sup> May report, because it is an executive function:

**2.1 note that any question of mandating how the Council shareholder should vote in future would be a matter for Cabinet to decide;**

#### **4. KEY ISSUES**

- 4.1 On 16<sup>th</sup> November 2017 following approval by both Houses of Parliament 'The Regulation of Social Housing (Influence of Local Authorities) (England) Regulations 2017' came into force. The effect of the Regulations is to bring about an end to any shareholder votes that local authorities might have on the boards of Registered Providers. This was part of a suite of measures that the Office for National Statistics was implementing to re-classify housing associations from being 'public non-financial corporations'

4.2 The Regulations mean that by 16<sup>th</sup> May 2018 (The Appointed Day) all Registered Providers such as CHG must amend their constitutions to give effect to the Regulations i.e. to remove the District Council as shareholder.

4.3 Clearly the Council could just do nothing and the Regulations will have effect anyway but, in the spirit of partnership and cooperation, CHG has asked the Council to give up its shareholder vote voluntarily in advance of 16<sup>th</sup> May to enable CHG to make its amendments to its constitution well in advance of the Appointed Day.

4.4 Removal of the shareholder vote has no consequential implications for any other agreements or contracts the Council has in place with CHG.

## **5. RECOMMENDATION**

5.1 It is recommended that the Cabinet instructs the Council shareholder to notify the Community Housing Group that the Council's shareholder vote on CHG can be brought to an end.

## **6. FINANCIAL IMPLICATIONS**

6.1 There are no financial consequences arising from this decision.

## **7. LEGAL AND POLICY IMPLICATIONS**

7.1 There are no legal or policy implications arising from this decision.

## **8. RISK MANAGEMENT**

8.1 There are no risks associated with taking this decision.

## **9. EQUALITY IMPACT NEEDS ASSESSMENT**

9.1 Not required for this decision.

## **10. CONSULTEES**

CLT

## **11. BACKGROUND PAPERS**

11.1 Report to Council, 10 May 2017

11.2 The Regulation of Social Housing (Influence of Local Authorities) (England) Regulations 2017

<http://www.legislation.gov.uk/uksi/2017/1102/contents/made>