

DECISION NOTICE



For office use :
Notice and report e-
mailed to EMT,
Democratic
Services, Comms
Team and Report
Author , on 12 April
2018

NOTICE OF DECISION MADE BY PORTFOLIO HOLDER DECISION: PORTER 3:17

(To be made available at the main offices of the Council and sent to all members of the Council within 3 working days of the decision.)

The Council's Constitution (Standing Order 28 – Recording of Executive Decisions; Part 3 Section D4 – Delegations to Cabinet members; and Part 4 D Access to Information Procedure Rules) requires that when any decision is made by an individual Portfolio Holder a record of the decision, including a statement of the reasons for it and any alternative options considered and rejected, must be prepared and published normally **within 3 working days**.

In accordance with this requirement notice is hereby given that the Lord Porter of Spalding, being the Leader of the Council, made the decision detailed below on 12 April 2018. This decision is not a key decision.

This notice is published on 12 April 2018 .

In accordance with the terms of the Constitution (Part 3 Section D – Overview and Scrutiny (including Call-In Procedures)), the decision detailed below will come into force, and may then be implemented, on Friday 20 April 2018 (i.e. following the expiry of 5 working days following the date of publication of this notice) unless during that period a notice, where either a Ward Representative (in relation to a matter in their ward) or two members of the Performance Monitoring Panel or any three members formally request in writing (requests for Call-In must be given on a form designed for that purpose, and must be signed by each subscriber to the call-in) to the Senior Legal Officer (or such other officer as is nominated by the Senior Legal Officer) before the end of the five clear Working Day period specified in the above paragraph in relation to a particular decision by the Leader, a Cabinet Member or Cabinet, a Sub-Committee of Cabinet or an officer, then that decision shall be referred to the Performance Monitoring Panel. Such request must contain a justifiable reason for the reference and one or more of the signatories to the reference must forward to the Senior Legal Officer at least five clear Working Days before the date of the Committee which is to consider the matter a brief explanation or statement as to the

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concerns of the signatories in the matter, and what alternative decision(s) that member/those members consider should be taken. (The call-in period expires at 5pm on the 5th working day following publication of this notice, or 4.30pm if the 5th working day is a Friday.)

Matter to which decision relates

Director Appointment – Compass Point Business Services (East Coast) Ltd. To consider an earlier date for the proposed change to an officer director appointment. (report of the Executive Manager – Governance enclosed).

DECISION (IF URGENT PROVIDE REASONS)

That the current officer director appointed to Compass Point Business Services (East Coast) Ltd (Anna Graves – Head of Paid Service and Chief Executive) be replaced by Rob Walker, Executive Director of Place, as soon as is reasonably practicable and that notice in writing be given to the Company.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

Do Nothing – In which case the change of director will take place on 31 July 2018.

REASON OR REASONS FOR THE DECISION

To ensure a smooth transition between directors prior to the change of governance arrangements in July 2018.

Conflicts of interest declared by an executive member, relating to the decision, and any dispensations granted

N/A

REPORT

- 1 Director Appointment - Compass Point Business Services (East Coast) Ltd. - (Pages 1 - 2)
To consider an earlier date for the proposed changes to an officer director appointment. (Report of the Executive Manager – Governance enclosed)

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SOUTH HOLLAND DISTRICT COUNCIL

Report of: Executive Manager - Governance

To: Leader of the Council
(The Lord Porter of Spalding)

(Author: Mark Stinson – Executive Manager Governance)

Subject: Director Appointment – Compass Point Business Services (East Coast) Ltd

Purpose: To consider an earlier date for the proposed change to an officer director appointment

Recommendation(s):

That the current officer director appointed to Compass Point Business Services (East Coast) Ltd (Anna Graves, Head of the Paid Service and Chief Executive) be replaced by Rob Walker, Executive Director Place as soon as is reasonably practicable and that notice in writing be given to the Company.

1.0 BACKGROUND

- 1.1 Compass Point Business Services (East Coast) Ltd (“CPBS”) is a private company limited by shares and is jointly owned by South Holland District Council and East Lindsey District Council. There are six directors – three appointed by each of the councils. Article 11 of the Constitution deals with appointments – which may be a Chief Officer or Deputy Chief Officer.
- 1.2 A recent decision by the Leader, made on 27 December 2017, included a change of one officer director from 31 July 2018 (to tie in with a proposed change in governance arrangements from that date). It is now considered that it would be beneficial to make the change in advance of change to governance arrangements. As such, it is proposed that Rob Walker, Executive Director Place, be appointed to the Board of Compass Point Business Services (East Coast) Ltd (the appointment to be by name rather than office) in place of Anna Graves, Head of Paid Service and Chief Executive from the earliest practicable date.

2.0 OPTIONS

- 2.1 Do nothing –in which case the change of director will take place on 31 July 2018

3.0 REASONS FOR RECOMMENDATION(S)

- 3.1 To ensure a smooth transition prior to the change of governance arrangements in July 2018.

4.0 EXPECTED BENEFITS

- 4.1 Good governance of the Council’s company.

5.0 IMPLICATIONS

5.1.1 **Constitution & Legal**

5.1.1 Qualification for directorship is set out in law and in the articles of the relevant companies. The proposed appointee meets the requirements of Article 11 of the Council's Constitution.

5.1.2 In law, appointments to outside bodies (including the Council's companies) can be made either by the Council or by the Leader/Cabinet. Under the Council's constitution, it is clear that appointments to a company exercising executive functions is a Leader/Cabinet decision and appointments to a company exercising non-executive functions is a Council decision. As CPBS is exercising executive functions, this appointment is an executive function.

5.2 **Contracts**

5.2.1 These are non-executive directorships, so no contractual implications arise.

5.3 **Stakeholders / Consultation / Timescales**

5.3.1 CPBS has already been briefed.

5.4 **WARDS/COMMUNITIES AFFECTED**

5.4.1 None

5.5 **ACRONYMS**

5.5.1 CPBS – Compass Point Business Services (East Coast) Ltd

Background papers:- None

Lead Contact Officer

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Key Decision: No

Exempt Decision: No

This report refers to a Discretionary Service

Appendices attached to this report: None