

Public Document Pack



**North East
Derbyshire**
District Council

Our Ref:

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Date: Wednesday, 6 November 2019

To: **Members of the Cabinet**

Please attend a meeting of the Cabinet to be held on **Thursday, 14 November 2019, at 4.30 pm in the Executive Meeting Room**, District Council Offices, 2013 Mill Lane, Wingerworth, Chesterfield, S42 6NG.

Yours sincerely

A handwritten signature in black ink that reads "Sarah Steuberg".

Joint Head of Corporate Governance and Monitoring Officer

Cabinet Members

Councillor M E Thacker (Chair)
Councillor C Cupit
Councillor B Lewis
Councillor A Powell

Councillor A Dale (Vice-Chair)
Councillor J Kenyon
Councillor P Parkin
Councillor R Welton

For further information about this meeting please contact Alan Maher, 01246 217391

Notice of Meeting to be held in Private

It is intended that part of this meeting will be held in private under the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012. The matters to be considered in private are listed under the heading Private Session. The categories of exempt information that are likely to be disclosed during the discussion of these items, as defined in Part 1 of Schedule 12A to the Local Government Act 1972, are listed below each item.

No representations have been received requesting that these items be open to the public.

AGENDA

Public Session

1 Apologies for Absence

2 Declarations of Interest

Members are requested to declare the existence and nature of any disclosable pecuniary interest and/or other interest, not already on their register of interests, in any item on the agenda and withdraw from the meeting at the appropriate time.

3 Exclusion of Public

The Leader to move:-

That the public be excluded from the meeting during the discussion of the following items of business to avoid the disclosure to them of exempt information as defined in Part 1 of Schedule 12A to the Local Government Act 1972, (as amended by the Local Government (Access to Information) (Variation) Order 2006). [The category of exempt information is stated after each item].

Private Session

Key Decisions

- (a) The Future of Housing Services for North East Derbyshire District Council (Paragraph 3) (Pages 4 - 7)

Report of Councillor R Welton – Portfolio Holder for Housing

Readmission of the Public

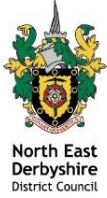
That the public be re-admitted to the meeting at this point

- (b) Governance Arrangements between the Council and Rykneld Homes Limited (Pages 8 - 80)

Report of Councillor R Welton – Portfolio Holder for Housing

5 Urgent Items

To consider any other matter which the Leader is of the opinion should be considered as a matter of urgency, in accordance with the provisions of Statutory Instrument 2012 No 2089, Regulations 5 and 11.



North East
Derbyshire
District Council

We speak your language

Polish

Mówimy Twoim językiem

French

Nous parlons votre langue

Spanish

*Hablamos su
idioma*

Slovak

*Rozprávame Vaším
jazykom*

Chinese

我们会说你的语言

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this agenda in
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format
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us on

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217753**

If you require an adjustment to enable you to participate in or access the meeting please contact the Governance Team at least 72 hours before the meeting starts.

Agenda Item 4a

By virtue of paragraph(s) 3, 5 of Part 1 of Schedule 12A of the Local Government Act 1972.

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North East Derbyshire District Council

Special Cabinet

14 November 2019

Governance Arrangements between the Council and Rykneld Homes Ltd

Report of the Councillor Richard Welton, Portfolio Holder for Housing

This report is public

Purpose of the Report

The purpose of the report is to update Cabinet regarding the outcomes of the Rykneld Homes Ltd (RHL) Board Meeting held on Monday 14th October 2019. The Board were asked to consider and approve recommended changes to the Board structure, recruitment process and governance arrangements as well as associated changes to the Company's Articles of Association.

Board agreed the changes to the Articles and now require North East Derbyshire District Council's (NEDDC) Cabinet to ratify them.

Following ratification of the articles NEDDC can then appoint a new Council Chair to the Rykneld Homes Board and nominate an additional parent Board member.

The Board report and Appendices are attached at **Appendix 1**.

1 Report Details

Background

1.1 The background information is detailed in the attached RHL Board report.

2 Conclusions and Reasons for Recommendation

2.1 RHL Board agreed the proposed changes to the Articles of Association and this now requires ratification by Cabinet.

3 Consultation and Equality Impact

3.1 No consultation has taken place with customers or staff at this time.

4 **Alternative Options and Reasons for Rejection**

4.1 An alternative would be to leave RHL's Board structure and Governance arrangements 'as is' however this would not provide NEDDC, the sole Shareholder the leadership and control that it seeks.

5 **Implications**

5.1 **Finance and Risk Implications**

5.1.1 None

5.2 **Legal Implications including Data Protection**

5.2.1 The changes to the Articles of Association have been prepared by Trowers Hamlins LLP and have been reviewed by the Council's legal team.

5.3 **Human Resources Implications**

None

6 **Recommendations**

6.1 That Cabinet note Rykneld Homes Board report and the agreed changes to the Board structure, recruitment process and governance arrangements.

6.2 That Cabinet ratify the changes to the Company's Articles of Association.

6.3 That Council appoint the new Council Chair of Rykneld Homes and nominate a further parent Board member.

Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: <i>BDC: Revenue - £75,000</i> <input type="checkbox"/> <i>Capital - £150,000</i> <input type="checkbox"/> <i>NEDDC: Revenue - £100,000</i> <input type="checkbox"/> <i>Capital - £250,000</i> <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i>	No
Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)	No
District Wards Affected	All
Links to Corporate Plan priorities or Policy Framework	All

7 Document Information

Appendix No	Title
1	Board Report and Appendices App 2 - Governance Handbook App 3 - Role Descriptions and Persons Specifications App 4 - Draft Revised Recruitment process App 5 - Draft Revised Articles of Association App 6 – Governance Agreement
Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)	
N/A	
Report Author	Contact Number
Lorraine Shaw - Managing Director, Rykneld Homes Ltd	01246 217 621

AGIN 4(b) (CAB 1114) 2019 – SPECIAL

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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