



**NORTH EAST DERBYSHIRE DISTRICT COUNCIL**

**RECORD OF DECISION TAKEN BY THE  
Chief Executive Officer  
23<sup>rd</sup> March 2020**

**Approval of revised Articles of Association for Rykneld Homes Limited and appointment of new Directors to the Rykneld Homes Limited Board**


<b>Authority for decision</b>	<b>Decision</b>	<b>Reasons</b>	<b>Alternative options considered and rejected</b>	<b>Conflicts of interest and any dispensation</b>
<p>Cabinet on 14<sup>th</sup> November resolved at minute 374:</p> <p>(1) Noted the changes made by the Rykneld Homes Board to its Structure, Recruitment Process and Governance arrangements, as specified in the report;</p> <p>(2) Ratified the changes to the Company's Articles of Association, on the terms as specified in the report, on an interim basis;</p> <p>(3) Agreed that Council appoint a new Council Chair of the Rykneld Homes Board and nominate a further parent Board Member;</p> <p>(4) Agreed that delegated authority be given to the Chief Executive Officer, in consultation with the Leader of the Council and Portfolio Holder, to agree to any changes required as a result of the external legal advice received by the Council.</p> <p>Since then, the post of CEO has been disestablished. This delegated authority will be exercised by the Head of Paid Service.</p>	<p>In accordance with Cabinet minute 374 of 2019 and Article 36(1) of Rykneld Homes Limited's Articles of Association and 13.15 of the Monitoring Officer's delegation in the Constitution to appoint Cllr Alex Dale as Chair of Rykneld Homes Limited in accordance with the revised Articles.</p> <p>In accordance with minute 374 and Article 35 of Rykneld Homes Limited's Articles of Association and 13.15 of the Monitoring Officer's delegation in the Constitution to:- (1) Appoint Cllrs Diana Ruff and Cllr Steven Clough to the Rykneld Homes Limited Board as the 3<sup>rd</sup> and 4<sup>th</sup> Parent Board Director in accordance with the revised Articles.</p>	<p>The Council approved the changes to the Articles of Association as attached. This is on an interim basis.</p> <p>Accordingly the Council can appoint a Fourth Parent Board Director and the Chair of the Board. In view of the next Board Meeting being on the 10<sup>th</sup> December 2019, these changes need to be put in place.</p> <p>In addition the Special Resolution is attached signifying North East Derbyshire District Council's agreement to the new</p>	<p>To make the changes later. However there is a need to get these done in order that Rykneld Homes Limited can operate fully under the new interim Articles of Association.</p>	<p>None</p>




<p>In relation to the appointment to outside bodies the Monitoring Officer's delegation in the Council's Constitution:</p> <p>13.15 Following consultation with the Leader and/or Deputy Leader and relevant Portfolio Holder, to make appointments to outside bodies.</p>	<p>(2) Revoke Cllr Alan Powell's appointment to the Board of Rykneld Homes Limited.</p> <p>With effect from the date of this delegated decision.</p>	<p>Articles of Association.</p>		
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Please complete the following where relevant:

Key Decision?	Confidential/ Exempt (if yes, please state paragraph)?	Do General Exception or Special Urgency Rules apply to this decision?	Consultation has taken place with the Section 151 & Monitoring Officer?	The Leader, Deputy Leader or relevant Portfolio Member have been consulted?
No	No	No	Yes	Yes

Authorising Signature: ..  ..

Job title: ..Head of Paid Service....

Second Authorising Signature... 

Job title.....Monitoring Officer

Unique Reference Number: ..... DD/035/20/SS.....

Date decision may be implemented following call in (if necessary): .....

Circulation to:  
Head of Paid Service  
Monitoring Officer  
Section 151 Officer  
Scrutiny Officer  
Internal Audit