

Appendix 1 to Minute Number 65

Leaders Statement

As part of the formation of a Local Housing Company, considered by the Executive on 10 December 2020, named Council employees were approved to act as Directors. Unfortunately, one of those Directors is no longer in a position to act, and a temporary replacement has been identified in order to permit incorporation of the company whilst a longer term appointment is considered. In order to enable the replacement of the temporary Director in due course, an addition to the Constitution of our Local Housing Company is necessary, as follows.

I therefore ask the Council:

- amends Part 3, responsibility for functions, Section 3 Executive Functions, Section (e) external working of the Constitution to include reference to appointments to local housing companies; and
- notes that Lisa Barker and Bill Hunt be appointed as the first Council Directors of the Local Housing Company.

As a result of this decision, I am sure that Council would agree that it would be inappropriate for Bill Hunt, as Deputy Chief Executive, to be delegated authority to approve a number of aspects of the loan and its details, as resolved by the Executive. I therefore seek Council's approval for me, as the Leader, to use my Executive powers so that in Resolved Matters, the Deputy Chief Executive (BH) is replaced with Deputy Chief Executive and Monitoring Officer, to remove any conflict of interest in the decisions that are to be taken. In effect this produces a motion, supported by 10 or more Councillors, for me to rescind the decision and of the Executive. Normally this would be brought to the next Executive but as you will appreciate, time is of the essence and this resolution allows the matter to be progressed in a timely manner.

If Council makes that resolution I will use my authority as Leader accordingly, which will then be reported to the Executive so their minutes of the 10 December meeting can marked accordingly.

The Head of Finance & Section 151 officer has confirmed that Council does not need to receive a further report to amend the Prudential Indicators. Therefore, based on the above guidance, I propose the following recommendations to Council:

Recommended that:

- a. The capital programme be adjusted to reflect the loan to the LHC funded by Public Works Loan Board (PWLB) borrowing.
- b. Part 3, responsibility for functions, Section 3 Executive Functions, Section (e) external working of the Constitution, be amended to include reference to appointments to local housing companies.

- c. Notes that Lisa Barker and Bill Hunt be appointed as the first Council Directors of the Local Housing Company.
- d. Directs the Leader to use his Executive powers so that in Resolved Matters, the Deputy Chief Executive (BH) is replaced with Deputy Chief Executive and Monitoring Officer to remove any conflict of interest in the decisions that are to be taken.