

Subject:	Replacement Board Member for Brighton & Hove Seaside Community Homes Ltd		
Date of Meeting:	13 July 2010		
Report of:	Director of Strategy & Governance		
Contact Officer:	Name:	Oliver Dixon	Tel: 291512
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Wards Affected:	All		

1. SUMMARY AND POLICY CONTEXT:

- 1.1 In light of Councillor Geoff Wells' election as Mayor, this report seeks the Committee's authority to give notice to Brighton & Hove Seaside Community Homes Ltd to remove Councillor Wells as a Board Member and to appoint a replacement.

2. RECOMMENDATIONS:

That the Committee –

- (1) Authorises the Head of Law to serve notice on Brighton & Hove Seaside Community Homes Ltd that the council wishes –
 - (a) to remove Councillor Geoff Wells as a Council Board Member; and
 - (b) to appoint a replacement, as nominated by the Committee
- (2) Nominates a replacement Council Board Member on the terms set out in paragraph 3.6

3. RELEVANT BACKGROUND INFORMATION:

- 3.1 On 18 November 2008 the Governance Committee resolved to appoint four Members as Council Board Members of the Housing Local Delivery Vehicle, now incorporated as a company called Brighton & Hove Seaside Community Homes Ltd. The appointment comprised two Conservative Members (one of whom was Councillor Wells), one Labour Member and one Green Member.
- 3.2 Councillor Wells' election as Mayor makes it inappropriate from him to continue to serve as a Council Board Member with the company.

- 3.3 Under the company's Articles of Association, the council is entitled by notice in writing to remove a Council Board Member and to appoint another person to take their place.
- 3.4 It is proposed that Councillor Wells be replaced by a Conservative Member in order to maintain the political balance among the four Council Board Members.
- 3.5 The replacement Board Member will be subject to the company's Memorandum and Articles of Association, as well as company legislation generally.
- 3.6 To mirror the terms under which Council Board Members were first appointed to the company Board in November 2008, it is proposed that the replacement Board Member be appointed for a term of three years, providing that their terms of office shall terminate if:
 - (a) the Member in question ceases to be a Member of Brighton & Hove City Council; or
 - (b) they are disqualified by the First-tier Tribunal (Local Government Standards in England) for breaching the Code of Conduct for Members; or
 - (c) the council removes them from their position as Board Member.

5. FINANCIAL & OTHER IMPLICATIONS:

5.1 Financial Implications:

There are no direct financial implications arising from this report

Finance officer consulted: Anne Silley

Date: 25 June 2010

5.2 Legal Implications:

These are incorporated in the body of the report

Lawyer Consulted: Oliver Dixon

Date: 25 June 2010

5.3 Equalities Implications:

There are no equalities implications

5.4 Sustainability Implications:

There are no sustainability implications

5.5 Crime & Disorder Implications:

There are no crime and disorder implications

5.6 Risk and Opportunity Management Implications:

There are no risk and opportunity implications

5.7 Corporate / Citywide Implications:

Replacing Cllr Wells ensures that his replacement can take a full and active part in decisions taken by the company Board.

SUPPORTING DOCUMENTATION

Appendices:

None

Documents In Members Rooms

None

Background Documents

None

