

WELWYN HATFIELD BOROUGH COUNCIL
CABINET – 3 NOVEMBER 2021
REPORT OF THE CORPORATE DIRECTOR (HOUSING AND COMMUNITIES)

APPOINTMENT OF DIRECTORS TO NOW HOUSING LIMITED

1 Executive Summary

- 1.1 This report recommends that Cabinet delegates the function of director appointments to the council's Shareholders' Group (SG) for Now Housing Limited. The SG comprises members of the Corporate Management Team and includes the Head of Housing Operations as the housing adviser to the SG.
- 1.2 Now Housing Limited is the council-owned housing company set up following Cabinet approval in January 2019 with the aim of helping to meet local housing need.

2 Recommendation(s)

- 2.1 That Cabinet delegates authority to the Shareholders Group for Now Housing Limited, to appoint directors to the Now Housing Limited Board, in consultation with the Leader and Executive Member, Housing and Climate Change.

3 Explanation

- 3.1 The current governance arrangements provide that any directors to Now Housing Limited are to be appointed by Cabinet.
- 3.2 In addition to council officer appointments, Cabinet have made two external director appointments to the Now Housing Board.
- 3.3 It is considered good governance for a company board of directors to have the necessary range of skills amongst its directors in order to successfully deliver on the company's objectives.
- 3.4 There are two current vacancies on the board which need to be appointed to.
- 3.5 SG recognises the need to be able to appoint new directors swiftly to enable the housing company business to be progressed.
- 3.6 SG is requesting delegated authority to make these appointments and in addition to this, to make any future appointments as required. This will enable appointments to take place in a timely way. On every proposed appointment, it is proposed that SG will consult with the Leader and relevant Executive Member.

Implications

4 Legal Implication(s)

- 4.1 The company was set up in reliance on the Council's general power of competence (Localism Act 2011) and was incorporated and registered at Companies House on 12th September 2019 under company number 12204450.
- 4.2 Now Housing Limited is a 'Teckal company' which allows the Council to deal with the Company without having to carry out procurement processes in accordance with The Public Contracts Regulations 2015. To retain its 'Teckal' status the Company must perform more than 80% of its activities for the Council and there must be no direct private capital participation in the Company.

5 Financial Implication(s)

- 5.1 There are no direct financial implications to the council or housing company because the posts of directors to the company are not remunerated. It is customary for any necessary travel expenses to be met.

6 Security and Terrorism Implication(s)

- 6.1 There are no implications arising from this report.

7 Procurement Implication(s)

- 7.1 There are no procurement implications for the council arising directly from this report.

8 Risk management

- 8.1 The inability to appoint new directors to the Now Housing Limited Board in a timely way may affect the company's ability to conduct its business in a swift and timely manner. The recommendation in this report seeks to mitigate that risk.

9 Climate Change Implication(s)

- 9 There are no direct implications arising from this report. However, the objective of Now Housing is to provide good quality, affordable homes, which will include consideration of any energy efficiency measures that may be possible and consideration of appropriate methods of construction.

10 Human Resources Implication(s)

- 9.1 There are no direct implications arising from this report, however the skills and experience offered by any appointments must make a great contribution to company and help meet its objectives.

11 Communication and Engagement Implication(s)

- 11.1 The name of any new company director will be made available on the Now Housing Limited website and registered with Companies House.

12 Link to Corporate Priorities

- 12.1 The subject of this report is linked to the council's Strategic Aim 'Quality homes through managed growth' and specifically our commitment to 'deliver more affordable homes to meet local housing need'.

13 Equality and Diversity

- 13.1 Where new policies are developed for the local housing company, EqlAs will be completed in accordance with its Equality Policy. Now Housing's Equality Policy will reflect that of the council.

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Appendices: None

Background Papers: None