

**CONSTITUTION WORKING PARTY**

<b>Report Title</b>	<b>APPOINTMENT OF DIRECTORS TO CATFORD REGENERATION PARTNERSHIP LIMITED.</b>		
<b>Key Decision</b>			<b>Item No. 5</b>
<b>Ward</b>			
<b>Contributors</b>	<b>HEAD OF LAW</b>		
<b>Class</b>	<b>Part 1</b>	<b>Date: 17 FEBRUARY 2010</b>	

1 Summary

This report asks the Constitution Working Party (CWP) to make a recommendation to the Council about whether the Council or the Mayor should appoint directors to Catford Regeneration Partnership Limited (CRPL) in future.

2 Purpose

The purpose of this report is to ask the Council who should make the appointment of directors to CRPL, as this is a “local choice function” under the Local Government Act 2000.

3 Recommendation

That CWP recommend to Council whether the appointment of directors to CRPL should be the responsibility of full Council or the responsibility of the Mayor and to recommend that the Constitution be explicit on this point.

4 Background

4.1 The Local Government Act 2000 (LGA) and regulations made under it provide that with the exception of certain matters which are either reserved to full Council (such as setting the Council Tax) and others which are specifically prohibited to him, (such as electoral matters and development control, generally all decisions fall to the Mayor to make.

4.2 There are a few decisions however, known as local choice functions, where the Council may decide whether those decisions should be made by the Mayor or the Council. Appointments to outside bodies is one such local choice function.

4.3 The Council’s Constitution currently provides for responsibility for this local choice function to be split, with certain appointments specifically reserved to the Mayor and all others being made by the Council.

- 4.4 However, members of the Council requested that the matter of appointments to CRPL be brought forward to this meeting of the CWP. At the January meeting of full Council, the Council resolved to establish CRPL for the purpose of acquiring Catford Centre with a view to its future regeneration. Mayor and Cabinet and full Council agreed that two officers, Conrad Hall and Steve Gough, be appointed as the initial directors of the company. They have agreed to act and the initial directors meetings have taken place with advice to the company from Messrs Trowers and Hamlin, solicitors.
- 4.5 The company's articles of association provide for the directors to hold office until they are removed by the Council (or resign) but it would be normal practice for the Council's appointments to be made on an annual basis as with other external appointments.
- 5 Financial implications
- There are no specific financial implications
- 6 Legal Implications
- These are reflected in the body of the report
- 7 Equalities, Environmental and Crime and Disorder implications
- There are none arising.
- 8 Conclusion
- Members of the CWP are therefore asked to make their recommendation as to who should make those appointments annually – the Mayor or the full Council.

#### Background Papers

None reported

If there any queries on this report please contact the Head of Law 0208 314 7648