

HOUSING, NEIGHBOURHOODS AND REGULATION AND STRATEGY AND EXTERNAL RELATIONS

A record of decisions made by the Executive Members with responsibility for Housing, Neighbourhoods and Regulation and Strategy and External Relations on:-

MONDAY 11TH OCTOBER, 2010

following consideration of the matters detailed below in the presence of:-

Councillor Peel	Executive Member for Housing, Neighbourhoods and Regulation
Councillor Morris	Executive Member for Strategy and External Relations
Councillor J. Walsh	Major Opposition Spokesperson
Councillor D. Wilkinson	Minor Opposition Spokesperson
Councillor R. Hayes	Minor Opposition Spokesperson
Mr. S. Arnfield	Director of Corporate Resources
Mr. J. Smethurst	Chief Housing Officer
Mr. D. Conway	Head of Bolton Community Homes
Mrs. V. Ridge	Principal Democratic Services Officer

1. CHANGES TO THE CONSTITUTION OF BOLTON AT HOME

The Director of Development and Regeneration submitted a report which provided details of proposed changes to the new style Bolton at Home's Governance Structures and Articles of Association.

The Executive Members were advised that, although the proposed transfer of ownership of the council's housing stock to Bolton at Home would not involve setting up a new company, there was a requirement on the new style Bolton at Home to register with the Tenant Services Authority (TSA) independently from the Council as a registered provider. In

addition there was an intention that Bolton at Home would become a registered charity.

To achieve the above, both the TSA and Charities Commission required sight of the new governance proposals and Articles of Association before they approved the applications. As a result, Bolton at Home had reviewed both the governance arrangements and Articles of Association.

With regard to the Articles of Association, a copy of these were detailed in Appendix 2 to the report. It was stated that the most significant issue was that if the Council approved the new Articles, it would cease to be the sole owner of the company, however, they would still:-

- Continue to own and have control of the housing stock;
- Have total control of all housing budgets; and
- Have the Management Agreement with Bolton at Home.

The Executive Member was also advised that, to provide further safeguards, a side letter was being considered which would ensure that Bolton at Home reverted the Articles of Association to the Council being the sole owner of the company if the transfer did not go ahead.

In terms of the governance arrangements, the Executive Members were advised that further work was required on the proposals and therefore it was recommended that this be deferred for consideration at a future meeting.

The Executive Members APPROVED the changes to Bolton at Home's constitution in relation to the new Articles of Association subject to the insertion of a requirement for a least 75% of the members of the Company to approve a change to the Articles of Association and DEFERRED consideration of the proposed changes to Bolton at Home's governance arrangements to a future meeting.

2. STOCK TRANSFER – LAND AND ASSETS PRINCIPLES

The Director of Development and Regeneration submitted a report which outlined the main principles to be considered for the transfer of land and assets to Bolton at Home.

The Executive Members were advised that, as part of preparing for the transfer of ownership of the Housing Stock to the new style Bolton at Home, work had been progressing on the detail of the land and assets that could be contained within the proposed transfer.

Appendix 1 to the report highlighted the key principles which needed to be considered in deciding on the actual assets to be transferred to Bolton at Home. It was stated that these were the basic principles from which officers were establishing the mechanism and process to develop the comprehensive inventory/list of assets to be considered for transfer and it was anticipated that these principles might evolve further as the final detail around cost implications and liability was fully understood.

The Executive Members SUPPORTED the principles outlined in the LSVT – Land and Assets Principles document as appended to the report.