

Council Meeting

16 July 2013

SUPPLEMENTAL REPORT OF THE HEAD OF GOVERNANCE

3. APPOINTMENT TO THE BARNET GROUP BOARD

The recruitment process to appoint to the role of Chair of The Barnet Group has been completed. Following a full and thorough process, Mr Terry Rogers is deemed suitable to put forward to Council for ratification.

Following an advertising campaign, using online only cost effective media and search, completed by retained recruitment consultancy Non-Executive Unlimited, eleven applications for the role were submitted. Following a shortlisting meeting on 21 May 2013, four candidates were put forward to the final interview stage with Members.

Prior to final interview, the four shortlisted candidates completed psychometric testing in order to analyse their personality profile. Candidates were also tasked with leading a board, comprising of actors and current Barnet Group Board Members, in order to assess their ability to lead a Board on a set scenario.

Following a Member interview panel held on 24 June 2013, Mr Terry Rogers is deemed suitable to put forward to Council for ratification.

RECOMMEND - That Council approve the appointment of Mr Terry Rogers as Chair to the Barnet Group Board.

4. APPOINTMENT OF REPRESENTATIVES TO JOINT VENTURE COMPANY (JVCO) WITH CAPITA SYMONDS LIMITED AND HOLDING COMPANY (NEWCO)

1. At its meeting on 24 June 2013 Cabinet approved the formation of a joint venture company (JVCo) with Capita Symonds Limited in order to deliver Development and Regulatory Services. The Council will retain a 49% shareholding in the JVCo, with that investment made by a new holding company (NewCo) that will be fully owned by the Council. It is JVCo that will employ staff (including those transferring from the Council under TUPE), enter into contracts and deliver services.

2. The decision making arrangements of the JVCo will be set out in the Articles of Association and the joint venture agreement (to be agreed subject to contract). However in broad terms the Council's input into decision making will operate at two levels - as a shareholder of the JVCo; and at an operational level through the appointment of two unremunerated directors (Capita Symonds will appoint four directors) to be part of the board of JVCo. All board meetings of JVCo will require the presence of a NewCo (Council) director in order to be quorate. All decisions of the board of directors will be made by resolution with the exception of Reserved Matters that will require the prior written consent of each of Capita Symonds Limited and NewCo (the Council). Where such Reserved Matters (or any other decision) is beyond the delegated authority of the (Council) directors, the matter will revert to Cabinet for direction.

3. In order to ensure efficient expedition of such arrangements, subject to a successful outcome of the Judicial Review Appeal,

RECOMMEND -

1. That Council approve the appointment of the Chief Executive and the Leader of the Council as the nominated Directors of the new company to be created to represent the Council's best interests as part of the new partnership arrangements for Development and Regulatory Services;
2. That Council approve the appointment of the Chief Executive and the Leader of the Council as the nominated Council representative Directors of the joint venture company with Capita Symonds Limited.

5. STATUTORY PROPER OFFICER BIRTHS DEATHS AND MARRIAGES AND DELEGATION OF FUNCTIONS UNDER THE MARRIAGES AND CIVIL PARTNERSHIPS (APPROVED PREMISES) REGULATIONS 2005

Background

1. The Registration Service Act 1953 requires the appointment of a proper officer to carry out functions under the Act, including exercising powers under a local registration scheme. The proper officer for these purposes also has responsibilities under the Marriages and Civil Partnerships (Approved Premises) Regulations 2005 which govern the process for the approval of premises for the solemnization of marriages and the formation of civil partnerships.

2. The function of approval of premises under the 2005 Regulations does not necessarily have to be delegated to the proper officer for births, marriages and deaths. However, Regulation 3(4)(b) requires that if the functions of the authority have not been delegated to the proper officer, the authority must seek and have regard to his recommendation in relation to the application. It therefore appears logical to delegate the function of approval to the proper officer.

3. Following the Senior Management restructure the Assistant Director Community and Wellbeing in the Adults and Communities Delivery Unit has responsibility for the Registration and Nationality Service and the role as Proper Officer Birth, Deaths and Marriage. The role of Proper Officer Births, Deaths and Marriages is a Statutory Proper Officer, which is appointed by Council.

RECOMMEND–

- 1) That Council is asked to confirm the Assistant Director Community and Wellbeing as statutory proper officer births, marriages and deaths.
- 2) Council is asked to delegate its functions in relation to approving premises for marriages and the formation of civil partnerships under the Marriage Act 1949 and the Marriages and Civil Partnerships (Approved Premises) Regulations 2005 to the statutory proper officer births, marriages and deaths.

6. CHANGES TO THE CALENDAR OF MEETINGS

| Committee | Date of Meeting | New date of Meeting |
|-------------------------------|------------------------|----------------------------|
| Children's Trust Board | 13/06/2013 | 24/10/2013 |
| | 05/12/2013 | 30/01/2014 |
| | N/A | 24/04/2014 |
| Cabinet and Cabinet Resources | N/A | 18/07/2013 |

RECOMMEND – That Council note the changes to the calendar of meeting. contained in the table above.