

ASSEMBLY

10 October 2012

Title: Amendment to the Governance Arrangements for the Elevate East London LLP Board	
Report of: Chief Executive	
Open	For Decision
Wards Affected: None	Key Decision: Yes
Report Author: Graham Farrant	Contact Details: Tel: 020 227 2137 E-mail: graham.farrant@lbbd.gov.uk
Accountable Divisional Director: N/A	
Accountable Director: Chief Executive	
Summary: <p>The governance arrangements for the Elevate Joint Venture with Agilisys were approved by the Assembly on 8 December 2010, and included the appointment of the Portfolio Holder for Customer Services and the Corporate Director of Finance and Resources as the two Council representatives on the Elevate Board.</p> <p>In order to improve resilience on the Elevate Board, and as a result of changes within the Corporate Management Team, this report proposes an amendment to these arrangements.</p>	
Recommendations <p>The Assembly is recommended to agree:</p> <ul style="list-style-type: none">(i) The appointment of the Chief Executive and the Corporate Director of Adult and Community Services, in addition to the Portfolio Holder for Customer Services as the three Council Board Representatives on the Elevate East London LLP Board, and(ii) That the Council Board Representatives be authorised to appoint alternate representatives as and when required, to ensure full Council representation at Board meetings, in accordance with the Elevate Partnership deed	
Reason(s) <p>Under the Council's Constitution, appointments to outside bodies is a function reserved to the Assembly. The Assembly is requested to agree the recommendations to ensure the continued effective governance of the Elevate Joint Venture.</p>	

1. Introduction and Background

- 1.1 The Assembly at its meeting on 8 December 2010 considered a report on the governance arrangements for Elevate East London LLP (“Elevate”), the new joint venture between the Council and the Council’s strategic partner, Agilisys Limited. The Assembly agreed to a number of appointments to the Elevate Board structures as well as necessary amendments to the Council Constitution, both of which are matters for the Assembly.
- 1.2 The appointments to the Elevate Board were the Portfolio Member for Customer Services and the Corporate Director of Finance and Resources.
- 1.3 The Assembly also agreed to appoint a Member as the nominated alternate for the Portfolio Holder for Customer Services and endorsed the appointment of the Divisional Director of Assets and Commercial Services and the Divisional Director of Corporate Finance as the nominated alternates for the Corporate Director of Finance and Resources.
- 1.4 Recent changes to the management structure of the Council have necessitated a review of these governance arrangements to ensure that the Council is adequately represented at meetings of the Elevate Board.
- 1.5 The Elevate Partnership Deed allows for Board members to nominate alternates as and when appropriate to sit in their place to ensure that meetings are quorate and that decisions can still be made. However, by specifying who these should be in advance increases the risk of Board meetings becoming inquorate.
- 1.6 At the Elevate Board meeting on 5 September 2012 it was agreed that increasing the appointed membership of the Board to three members from the Council and three members from Agilisys would be appropriate in order to provide more resiliency around attendance.

2. Proposal and Issues

- 2.1 This proposal increases the Council Board Representation on the Elevate Board to three; namely the Portfolio Member for Customer Services, the Chief Executive, and the Corporate Director of Adult and Community Services.
- 2.2 To ensure that there is full attendance at all Elevate Board meetings, in the event that a Council representative is unable to attend, it is proposed they be permitted to nominate an alternate member, in accordance with the Elevate Partnership deed. This would increase the likelihood that all Elevate Board meetings are quorate and that decisions can still be made.

3. Options Appraisal

- 3.1 The proposals in this document are designed to ensure continued best governance of the Joint Venture with Agilisys.

4. Consultation

- 4.1 Consultation has taken place with the Elevate CEO, the Agilisys Board and the Portfolio Holder for Customer Services.

5. Financial Implications

Implications completed by: Jo Moore, Group Finance Manager, Housing & Environment, Resources & Chief Executive

- 5.1 There are no specific financial implications arising from this report. However, any appointments made need to give assurance that adequate scrutiny of Elevate's financial position will take place

6. Legal Implications

Implications completed by: Eldred Taylor-Camara, Legal Group Manager

- 6.1 The Council entered into a strategic partnership with Agilisys Limited and established Elevate East London LLP as a joint venture vehicle to deliver the strategic services contracted to Agilisys.
- 6.2 The Partnership Deed setting out the terms of the partnership provides for each member of the partnership to nominate up to three Board members each. To date each party has nominated only two members each to the Board.
- 6.3 The Elevate Board has resolved that each Member should make appointments to all three of their respective Board member entitlements. This report recommends that the Council appoint the named postholders to the Elevate Board as Council Board Representatives.
- 6.4 As stated in the report each Board member has power to appoint an Alternate Board member to attend and vote on their behalf. An alternate member can also act as alternate and therefore attend and vote on behalf of more than one Board member.

- 7. Other Implications:** None

Background Papers Used in the Preparation of the Report:

Report of the Cabinet to Assembly, 8 December 2010;
Report of the Cabinet Member for Customer Services and Human Resources to
Cabinet 23 November 2010

- List of appendices:** None