

# Public Document Pack

## NORTH HERTFORDSHIRE DISTRICT COUNCIL

### CABINET SUB-COMMITTEE (LOCAL AUTHORITY TRADING COMPANIES' SHAREHOLDER)

MEETING HELD IN THE COUNCIL CHAMBER, COUNCIL OFFICES, GERON ROAD,  
LETCWORTH GARDEN CITY, SG6 3JF  
ON TUESDAY, 19TH MARCH, 2024 AT 5.30 PM

#### MINUTES

**Present:** *Councillors: Ian Albert (Chair), Keith Hoskins and Alistair Willoughby.*

**In Attendance:** *Isabelle Alajooz (Legal Manager and Deputy Monitoring Officer), Ian Couper (Service Director - Resources), Steve Crowley (Service Director - Enterprise), Susan Le Dain (Committee, Member and Scrutiny Officer), Jo Dufficy (Service Director - Customers), Chloe Gray (Enterprise Manager), Sarah Kingsley (Service Director - Place) and James Lovegrove (Committee, Member and Scrutiny Manager).*

**Also Present:** *There were no members of public present.*

#### 42 APOLOGIES FOR ABSENCE

*Audio recording – 3 minutes 59 seconds*

No apologies for absence were received.

#### 43 MINUTES - 21 JULY 2023

*Audio Recording – 4 minutes 4 seconds*

Councillor Ian Albert proposed and Councillor Keith Hoskins seconded and, following a vote, it was:

**RESOLVED:** That the Minutes of the Meeting of the Committee held on 21 July 2023 be approved as a true record of the proceedings and be signed by the Chair.

#### 44 NOTIFICATION OF OTHER BUSINESS

*Audio recording – 4 minutes 41 seconds*

There was no other business notified.

#### 45 CHAIR'S ANNOUNCEMENTS

*Audio recording – 4 minutes 47 seconds*

- (1) The Chair advised that, in accordance with Council Policy, the meeting would be recorded.
- (2) The Chair drew attention to the item on the agenda front pages regarding Declarations of Interest and reminded Members that, in line with the Code of Conduct, any Declarations of Interest needed to be declared immediately prior to the item in question.

#### 46 PUBLIC PARTICIPATION

*Audio recording – 5 minutes 7 seconds*

There was no public participation.

#### 47 APPOINTMENT OF DIRECTORS TO BROADWATER HUNDRED LIMITED

*Audio recording – 5 minutes 50 seconds*

The Service Director – Enterprise presented the report entitled 'Appointment of Directors to Broadwater Hundred Limited' and advised that:

- The Service Director – Enterprise was currently the only director of Broadwater Hundred Limited.
- This report was seeking approval to appoint the Service Director – Housing and Environmental Health as a second director.
- The signed notice of willingness of appointment as a director could be found in Appendix A, included within the supplementary pack.
- The aim was to eventually have three directors of the company to enable meetings to be held and to provide better resilience within the role of the holding company.
- There was an error in Appendix A and 'Officers' should read 'Officer'.

In response to questions from Councillor Ian Albert, the Service Director – Enterprise advised that:

- Training for the new director had taken place at the same time as the training for the directors of the property management company which had already been arranged.
- The Council were still looking to appoint an Officer from NHC as a third company director.

Councillor Alistair Willoughby proposed and Councillor Keith Hoskins seconded and, following a vote, it was:

**RESOLVED:** That the Sub-Committee approved the appointment of the named officers provided in appendix A as a company director for Broadwater Hundred Ltd.

**REASON FOR DECISION:** To ensure that the Councils company is complying with the company's Articles of Association.

#### 48 EXCLUSION OF PRESS AND PUBLIC

*Audio recording – 11 minutes 7 seconds*

Councillor Ian Albert proposed and Councillor Keith Hoskins seconded and, following a vote, it was:

**RESOLVED:** That under Section 100A(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A of the said Act (as amended).

#### 49 TRADING COMPANY UPDATE - PART 2

*N.B. This item was considered in restricted session and therefore no recordings were available.*

The Service Director – Enterprise presented the report entitled ‘Trading Company Update – Part 2’.

Councillor Alistair Willoughby proposed and Councillor Keith Hoskins seconded and, following a vote, it was:

**RESOLVED:** That the Cabinet Sub-Committee (Local Authority Trading Companies Shareholder) noted the content of the part 2 report before consideration of the part 1 recommendations.

**REASON FOR DECISION:** To enable the Council companies to trade and provide more commercial opportunities which will benefit the Council.

#### 50 TRADING COMPANY UPDATE - PART 1

*Audio recording – 28 minutes 52 seconds*

The Service Director – Enterprise presented the report entitled ‘Trading Company Update – Part 1’ and advised that:

- This report was to update Members of the current position with the business case of Broadwater Hundred Ltd and Broadwater Hundred Property Management Ltd which had originally been approved in November 2021, but due to delays in completing Harkness Court the companies had not commenced trading.
- The Council would lease Harkness Court to Broadwater Hundred Limited as the holding company who would then lease the property to Broadwater Hundred Property Management Limited to lease the flats to tenants.
- As this business case had taken longer than anticipated, a new business case and updated financial projections had been required and these were detailed in Part 2 of the report.
- Key legal documents and the Articles of Association needed to put in place before the company would be ready to trade.
- The financial implications and details of responsibility for leasing the flats in Harkness Court was outlined in Section 10 of the report.
- Broadwater Hundred Property Management Limited required a loan to enable them to have enough funds in place to commence leasing the flats.

In response to a question from Councillor Ian Albert, the Service Director – Enterprise advised that the timeline of approximately eight weeks from now would enable enough time for everything to be in place for the company to commence trading.

Councillor Keith Hoskins proposed and Councillor Alistair Willoughby seconded and, following a vote, it was:

**RESOLVED:** That the Cabinet Sub-Committee (Local Authority Trading Companies Shareholder):

- (1) Approved the updated financial projections of the business case and commence trading of Broadwater Hundred Property Management Limited and Broadwater Hundred Limited.

**Tuesday, 19th March, 2024**

(2) Delegated authority to the Service Director – Resources (as Client Lead Officer for the Company), in consultation with the Chair of this Committee to:

- Agree a loan and a loan amount that will be loaned to either Broadwater Hundred Ltd or Broadwater Hundred Property Management Limited by the Council.
- If required, agree an onward loan to Broadwater Hundred Property Management Limited.
- Agree that the loans will be governed through a loan agreement, which may give flexibility to each Company to draw-down funds as they are required.

**REASON FOR DECISIONS:** To enable the Council companies to trade and provide more commercial opportunities which will benefit the Council.

The meeting closed at 6.09 pm

Chair