

**FORM 2**

**NOTICE OF DECISION OF CABINET MEMBER**

Pursuant to Section 15(4) of the Local Government Act 2000, as amended by section 63 of the Local Government and Public Involvement in Health Act 2007, the senior executive member may discharge any of the functions that are the responsibility of the Cabinet or may arrange for them to be discharged by another member of the Cabinet or Officer. On 1<sup>st</sup> December 2010, the Council adopted the Strong Leader Model for Corporate Governance 2011 as required under Part 3 of The Local Government and Public Involvement in Health Act 2007 (The 2007 Act).

In accordance with the authority delegated to me, I have made the following decision:

Subject	Decision	Reason for decision	Date for Decision to be taken
Amendments to articles of association of Greater Birmingham and Solihull Local Enterprise Partnership (GBS LEP).	That the Council supports the resolution on amendments to the articles of association to allow the creation of a Non-Executive Director post to be filled by a young person.	To strengthen the voice of young people in the work of GBS LEP.	1 December 2016

I confirm that the appropriate statutory officer consultation has taken place with regard to this decision.

01.12.16,

  
.....

Councillor: Marcus J Hart  
Leader of the Council

To: Councillor Marcus Hart, Leader of the Council

From: Ian Miller, Chief Executive

Ext. 2700

ian.miller@wyreforestdc.gov.uk

Date: 1 December 2016

## **AMENDMENTS TO ARTICLES OF ASSOCIATION OF GREATER BIRMINGHAM AND SOLIHULL LOCAL ENTERPRISE PARTNERSHIP**

### **1 PURPOSE OF REPORT**

1.1 To consider proposals to amend the articles of association.

### **2 RECOMMENDATION**

2.1 That the Leader **AGREES** that the Council should support the resolution on amendments to the articles of association of the Greater Birmingham and Solihull Local Enterprise Partnership (GBS LEP).

### **3 BACKGROUND**

3.1 The Council has been a member of GBS LEP since its creation in 2011. At the last meeting of the GBS LEP Board, the Directors agreed to appoint a new Non-Executive Director to enable greater involvement of young people in the development and delivery of the LEP's Strategic Economic Plan. This will be filled by a young person aged between 18 and 30, who will be responsible for representing young people in the GBS LEP area and communicating their views to colleagues on the LEP Board. Recruitment is under way. To accommodate this additional director in the board, the size of the LEP Board needs to be increased by one director so that the maximum number of directors for the LEP would be 20.

3.2 The decision to amend the number of directors requires an amendment to the articles of association and as such, requires a resolution of the members of the LEP to agree to this change. The proposed resolution is in appendix 1 and a tracked changes version of the articles of association is in appendix 2. In summary the main changes set out in the resolution are as follows: -

**Article 1:** – creation of the concept of a “D Director” to be appointed under the new **Article 44A;**

**Article 40:** - to amend the total number of directors for the LEP from 19 to 20 directors.

3.3 The change does not affect the way in which Wyre Forest District Council is represented on the board. There will continue to be one member appointed by the three district councils in North Worcestershire. In 2016/17, the representative has been the relevant portfolio holder from Redditch Borough Council.

3.4 The GBS LEP has asked for notification by 2 December that each of the members of the LEP is content with the change to the company articles. At least 75% of the members have to vote in favour of the proposed amendments by that date if they are to be adopted, otherwise the proposals will fall. The agreement has to be given by each council rather than the directors who sit on the board.

#### **4. KEY ISSUES**

4.1 The minor changes to the company articles reflect the proposal to strengthen engagement with young people in the LEP's area by the creation of a Non-Executive Director post to be filled by a young person. The recommendation is that the Leader, on behalf of the Council, should signify the Council's support for the amendments to the articles of association.

#### **5. FINANCIAL IMPLICATIONS**

5 There are no additional financial implications.

#### **6. LEGAL AND POLICY IMPLICATIONS**

6.1 Approval of the resolution by the members of the company is necessary in accordance with company law.

#### **7. EQUALITY IMPACT NEEDS ASSESSMENT**

7.1 The recommendation in this report has been screened for its impact on the various equality strands. There is none.

#### **8. RISK MANAGEMENT**

8.1 No relevant issues identified.

#### **9. CONSULTEES**

9.1 Corporate Leadership Team.

#### **10. BACKGROUND PAPERS**

10.1 Proposed resolution in appendix 1 and a tracked changes version of the articles of association in appendix 2.