

REAPPOINTMENT OF INDEPENDENT BOARD MEMBERS

Report of the Director & Company Secretary

1. SUMMARY OF REPORT

The purpose of this report is to confirm the reappointment of Independent Board Members.

2. RECOMMENDATION

2.1 To confirm the reappointment of Iain MacDonald and Bob Osler beyond the Maximum Period of Office.

2.2 To confirm the reappointment of Iain MacDonald and Bob Osler as Independent Board Members from 28 October 2010 until 31 October 2013*.

* If the Services Agreement is not renewed then all Board Member positions may conclude on 31 March 2012.

3. MATTER FOR CONSIDERATION

3.1 In accordance with Article 16(1), Independent Board Members Iain MacDonald and Bob Osler are due to stand down at the AGM on 28 October 2010

3.2 Iain and Bob's original appointment to the Board was in February 2002. In 2012 they will have reached the maximum period of office.

The Articles state that the Maximum Period of Office is "a period of more than 10 consecutive years or 4 consecutive terms of office, whichever is the lesser".

Article 13(12) states "On application to the Board by a person for permission to be allowed to be reappointed as a Board Member beyond the Maximum Period of Office, the Board may allow such a person to serve as a Board Member beyond the Maximum Period of Office, on such terms as it deems fit".

3.3 Article 16(3) states that if there are no other candidates to fill the post the retiring Board member shall, if willing to act, be deemed to have been reappointed unless a resolution not to reappoint the Board member is passed at the AGM.

3.4 Iain and Bob have confirmed they wish to be re-appointed to the Board.

- 3.5 The other 13 Board Members were contacted requesting that they advise the Governance Services Manager by Monday 3 October 2010 if they wished to pass a resolution not to re-appoint Iain and Bob at the AGM. Of these, 9 Board Members responded, supporting the proposal to reappoint Iain and Bob beyond the maximum period of office and for a further term of office.
- 3.6 In accordance with Article 16(3), I propose the reappointment of both Iain and Bob to serve on the Board until 31 October 2013*.
- 3.7 Details of retirement dates for Independent, Tenant and Leaseholder Board Members is attached at Appendix 1. Council Board Members are nominated annually by the Council.

4. CONSULTATION IMPLICATIONS

Board Members were consulted on the proposal to reappoint Iain MacDonald and Bob Osler, as outlined in paragraph 3.4.

5. LEGAL AND CONFIDENTIALITY IMPLICATIONS

Article 16(6) obliges Derby Homes to give notification to Derby City Council of between 7–28 days before the AGM of the people who will be recommended for appointment or reappointment, other than a Board Member retiring by rotation. As a courtesy, we have given Derby City Council notice of the proposal to reappoint Iain and Bob.

The areas listed below have no implications directly arising from this report

- Financial and Business Plan
- Personnel
- Environmental
- Equalities Impact Assessment
- Health & Safety
- Risk
- Policy Review

If Board members or others would like to discuss this report ahead of the meeting please contact the author, or the Chief Executive, phil.davies@derbyhomes.org - Tel 01332 711010

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Background Information: None

Supporting Information: None

DERBY HOMES BOARD MEMBER RETIREMENT DATES – OCTOBER 2010

Tenant/Leaseholder

| Name | Retires |
|---------------|----------------|
| Ken Whitehead | October 2011 |
| Anthony Holme | October 2012 |
| Dennis Rees | October 2012 |
| Brian Perry | October 2013 |
| Vacant | October 2013 |

Independent

| Name | Retires |
|----------------|----------------|
| John Bloxsom | October 2011 |
| Alison Brown | October 2012 |
| Tabani Ndlovu | October 2012 |
| Iain MacDonald | October 2013 |
| Bob Osler | October 2013 |

Council

| Name | Retires |
|------------------|---|
| Mick Barker | Council Board Members are nominated annually by the City Council. |
| Paul Bayliss | |
| Margaret Redfern | |
| Bob Troup | |
| Roy Webb | |