

DECISION MAKER: Leader of the London Borough of Hammersmith & Fulham Council

Date: 22nd July 2022

London Borough of Hammersmith & Fulham

Subject: Director appointment – HFS Development 2 Ltd

Report of: Matt Rumble, Strategic Head of Regeneration & Development

Responsible Director: Jon Pickstone; Strategic Director of Economy

RECOMMENDATIONS

That the Leader of the Council:

1. Approves the appointment of Councillor Ben Coleman as a Director of HFS Development 2 Ltd in place of former Councillor Guy Vincent.
2. Note the resignation of former Councillor Guy Vincent as a Director of HFS Development 2 Ltd.

REASON FOR DECISIONS

3. The change of directors is to maintain appropriate council representation on the board of HFS Development Ltd.

PROPOSALS AND ANALYSIS OF OPTIONS

4. HFS Development 2 Limited is a joint venture incorporated on 19 July 2016 between the Council (50%) and Stanhope Plc (50%).
5. HFS Developments 2 Limited works with the Council (and Peabody) to secure a revised planning permission for ESH following the quashing of a previous planning decision in October 2019.
6. Following the recent elections and the change of elected councillors, a need arises to maintain appropriate council's representation on the board of the JV by replacing a former Councillor who had resigned as a current Councillor.

FINANCIAL IMPACT

7. There are no direct financial implications of this decision.

Implications completed by Bhavesh Thakker, Principal Accountant (Projects) – Strategic Planning & Investment, dated 04th July 2022.
Implications verified by: Andy Lord, Head of Finance, strategic planning & investment, dated 04th July 2022

LEGAL IMPLICATIONS

8. The Leader has authority in the constitution to appoint representatives on appropriate outside bodies, charitable organisations and Council-owned companies and subsidiaries.
9. HFS Development 2 Limited has articles of association dated 19th July 2016 and Article 6 provides that the method for appointment of a Directors to the Company is by Directors resolution and shall be effected by written notice.
10. HF2 Development 2 Limited will need to be satisfied that:
 - i. Councillor Ben Coleman is over the age of 16;
 - ii. Councillor Ben Coleman has consented to act as a director; and
 - iii. That there is no applicable law that would prevent Councillor Ben Coleman's appointment (for example, a director disqualification order).
11. On the 19th July 2022 Councillor Ben Coleman consented to be appointed as a director.

Legal Implications completed by Jane Astbury Chief Solicitor (Planning and Property) 19 July 2022

RISK IMPLICATIONS

12. It is important to maintain proper governance and oversight of bodies that the Council has an interest in. The council maintains a 50% ownership of HFS Development 2 Ltd and so there is a need to maintain, on the board, an active representation, oversight and participation in decision making to represent the Council's interest. In addition, the Council's shareholder responsibility is overseen by the Commercial Revenue Committee.

David Hughes, Director of Audit, Fraud, Risk and Insurance, 5 July 2022.

EQUALITY

13. There are no equality implications for groups with protected characteristics, under the Equality Act 2010, by the approval of this decision.

Mo Goudah, Regeneration Manager, 1 July 2022.