



Notice of Non-key Officer Executive Decision

Subject Heading:	Changes to Local Government Association
Cabinet Member:	Leader of the Council
SLT Lead:	Chief Executive
Report Author and contact details:	Kathryn Robinson, Monitoring Officer and Deputy Director of Law
Policy context:	Participation in local government activities
Financial summary:	No financial implications
Relevant OSC:	Overview and Scrutiny Board
Is this decision exempt from being called-in?	Yes – non key officer ED

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The subject matter of this report deals with the following Council Objectives

Communities making Havering

Places making Havering

Opportunities making Havering

Connections making Havering

Part A – Report seeking decision

DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

1.1 The London Borough of Havering is currently a member of the Local Government Association (LGA), which is a member subscription organisation. It has been constituted as an unincorporated association since its inception in 1997. On 4 July 2017, the LGA General Assembly, passed a resolution to create a new incorporated LGA, set up as an unlimited company, in place of the unincorporated association. The new company came into effect on 1 April 2018 and this Council applied for admission to the company as invited by the LGA, in March 2018.

1.2 In a follow up report at its 2018 meeting on 3 July this year, the General Assembly resolved to initiate the envisaged process of transferring staff, contracts, assets and liabilities to the new LGA Company. It is planned for the incorporated LGA to become fully operational as the membership body for the Local Government Association from 1 April 2019.

1.3 Member councils are therefore being asked to provide formal written agreement to authorise the LGA Leadership Board to determine the date upon which the current unincorporated association is formally closed down, once it is satisfied that the transition is complete. Agreement is formally needed from two thirds of the LGA's members.

2. Recommendations

2. 1 That the Chief Executive provide formal written agreement to the Local Government Association (LGA) to the dissolution of the unincorporated Local Government Association at such date as the LGA Leadership Board shall determine in accordance with the attached request.

AUTHORITY UNDER WHICH DECISION IS MADE

This decision is largely a formality, the Council having already agreed to become a member of the new LGA company.

Part 3 , para 3.1 (h) Constitution; The Chief Executive or any other SLT member is authorised to discharge the relevant functions of the Council where:

(i) the matter is of minor importance, whether urgent or not

STATEMENT OF THE REASONS FOR THE DECISION

3.1 The LGA is a politically led, cross party organisation which works on behalf of councils providing a range of services from training, leadership programmes,

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peer challenge, support to councillors and ensuring that local government has a voice within central government. The LGA General Assembly meets once a year, and at its meeting on 4 July 2017, agreed to set up a new incorporated LGA to take on the activities, assets and liabilities of the existing LGA. It was also resolved that the existing unincorporated LGA would remain in place until member councils had formally agreed to join as founding members of the new incorporated entity.

3.2 The new company came into effect on 1 April 2018, with the current unincorporated structure also still in existence . This council agreed to join the new company in March 2018.

3.3 In a follow up report at its 2018 meeting on 3 July this year, the General Assembly resolved to initiate the envisaged process of transferring staff, contracts, assets and liabilities to the new LGA Company. It is planned for the incorporated LGA to become fully operational as the membership body for the Local Government Association from 1 April 2019. Member councils are therefore being asked to provide formal written agreement to authorise the LGA Leadership Board to determine the date upon which the current unincorporated association is formally closed down, once it is satisfied that the transition is complete. Agreement is formally needed from two thirds of the LGA's members.

3.4 Attached is the letter from the LGA with the agreement requested

OTHER OPTIONS CONSIDERED AND REJECTED

The alternative is to decline to agree to the dissolution, however, the council has already agreed to membership of the new unincorporated limited company. A 2/3 LGA membership agreement will result in the action taking place; this is the likely outcome since there is wide-ranging support for the move.

PRE-DECISION CONSULTATION

Not applicable

NAME AND JOB TITLE OF STAFF MEMBER ADVISING THE DECISION-MAKER

Name: Kathryn Robinson
Designation: Deputy Director of Law

Signature:



Date: 22/11/18

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Part B - Assessment of Implications and risks

LEGAL IMPLICATIONS AND RISKS

None other than described above

FINANCIAL IMPLICATIONS AND RISKS

None

**HUMAN RESOURCES IMPLICATIONS AND RISKS
(AND ACCOMMODATION IMPLICATIONS WHERE RELEVANT)**

None

EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS

None

BACKGROUND PAPERS

None

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Part C – Record of decision

I have made this executive decision in accordance with authority delegated to me by the Leader of the Council and in compliance with the requirements of the Constitution.

Decision

Proposal agreed

~~Proposal NOT agreed because~~

Details of decision maker

Signed



Name:

Andrew Blake Herbert
Chief Executive

Date: 23/11/18.

Lodging this notice

The signed decision notice must be delivered to the proper officer, Debra Marlow, Principal Democratic Services Officer in Democratic Services, in the Town Hall.

For use by Committee Administration

This notice was lodged with me on 23/11/18

Signed A-H. Linn