




Report to:	Council	Date:	28 September 2015
Report title:	Requisition Report		
Report from:	Jessica Crowe, Monitoring Officer		
Ward/Areas affected:	Borough wide		
Chair of Committee/Lead Member:	The Mayor, Cllr Muhammad Sadiq		
Author(s)/Contact Number(s):	Alexa Coates, Committee and Management Services Support Manager, 020 8770 5094		
Corporate Plan Priorities:	<ul style="list-style-type: none"> • An Open Council • A Fair Council 		
Open/Exempt:	Open		
Signed:		Date:	18 September 2015

1. Summary

- 1.1 In accordance with committee procedure rule 23.4 Requisitions, Full Council is asked to consider two requisitions relating to decisions made by the Opportunity Sutton Ltd Sub Committee held on 4 August 2015.

2. Recommendations

- 2.1 To consider the requisition request relating to Item 5a recommendation 2.3 considered by the Opportunity Sutton Ltd Sub Committee held on 4 August 2015.
- 2.2 To consider the requisition request relating to Item 5b recommendations 2.1-2.4 considered by the Opportunity Sutton Ltd Sub Committee held on 4 August 2015.

3. Background

Item 5a recommendation 2.3

- 3.1 This requisition relates to the appointment of Sutton Living Ltd Company Directors. The text of the requisition is set out below:

“We the undersigned wish to requisition of the next full meeting of Sutton Council the Sutton Living Company Documents as agreed at the Opportunity Sutton Limited sub-committee on the 4 August 2015. These are specifically recommendation 2.3

The reasons for this are that two of the directors also have senior positions within LBS and have operational commitments to the Council. This could lead to conflicts of interests occurring between the running of the Ltd company and their decisions made within LBS.



There is also the matter of what arrangements are in place to remove them as directors if they leave the employ of LBS. With regards to the other Director, Mark Baigent members of the council have been given no opportunity to vet this individual who would be responsible for running a company with an investment from the council of a quarter of its annual expenditure.

The outcome we are seeking is the removal of the two LBS employees as directors until their joint roles are fully ascertained and explained to members, and setting up of a senior appts sub committee to appoint to Sutton Living Ltd.”

5b recommendations 2.1-2.4

- 3.2 This requisition relates to the Sutton Ltd business plan and loan agreements. The text of the requisition is set out below:

“We the undersigned wish to requisition to the next full meeting of Sutton Council the Sutton Living Business and loan agreement recommendations as put to and agreed at the Opportunity Sutton Limited Sub Committee on 4 August 2015. These are specifically recommendations 2.1-2.4

The reasons for this are that the business plan does not contain enough information to make an effective assessment of the organisation and the financial impact on the council. Moreover recommendations 2.3 and 2.4 specifically give detailed authority to the Director of Finance to provide additional funding to the company in contradiction to the previous discussions at the S&R committee. This could create clear conflict of interest for the LBS Section 151 Officer.

The outcomes desired are a clearer idea of the business model and the removal of the 151 officer from a position which may be open to political pressure to resolve operational issues.”

4. Issues

- 4.1 The process for considering requisitions is for the relevant chair to move the adoption of the minute of the decisions that have been requisitioned, which all members thus have an opportunity to debate and vote upon. The resolutions members are considering are: item 5a resolution 3 and item 5b resolution 1-4 as set out at Appendices A and B of this report.

5. Options Considered

- 5.1 Full Council can agree the resolutions made by the Opportunity Sutton Ltd Sub Committee or take the action requested by the Councillors requisitioning the decision. The action requested to establish a Senior Officer Appointments Committee to appoint Sutton Living Directors is out of the constitutional scope of the Senior Officer Appointments Committee. The responsibility of the Senior Officer Appointments Committee is to recommend the appointment of the Head of Paid Service and to appoint Chief Officers and Deputy Chief Officers. The appointment and removal of company directors is a reserved matter to the Opportunity Sutton Ltd Sub Committee, as the shareholder board for Opportunity Sutton Ltd, which was considered and agreed by Strategy and Resources Committee in June 2015.



6. Impacts and Implications

Financial

- 6.1 The financial implications of this decision are set out in the original reports which are attached at appendices C and D.

Legal

- 6.2 The legal implications of this decision are set out in the original reports which are attached at appendices C and D.

7. Appendices and Background Documents

Appendix letter	Title
A	Draft resolution Item 5a recommendation 2.3 considered by the Opportunity Sutton Ltd Sub Committee held on 4 August 2015.
B	Draft resolution Item 5b recommendations 2.1-2.4 considered by the Opportunity Sutton Ltd Sub Committee held on 4 August 2015
C	Item 5a report considered by the Opportunity Sutton Ltd Sub Committee held on 4 August 2015.
D	Item 5b report considered by the Opportunity Sutton Ltd Sub Committee held on 4 August 2015.

Background documents
None

Audit Trail		
Version	Final	Date: 18/09/15
Consultation with other officers		
Finance	No	
Legal	No	

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