

## POLICY AND RESOURCES COMMITTEE – 24 JANUARY 2022

### PART I – DELEGATED

#### 9. APPOINTMENT TO THE HERTFORDSHIRE BUILDING CONTROL BOARD (CED)

##### 1 Summary

##### 1.1 The purpose of the report is to:

Appoint the Head of Finance as the Council's Director of Broste Rivers Ltd (Broste) and its subsidiary companies, including Hertfordshire Building Control Ltd (HBC) but excluding Build Insight Ventures Group (BIVG) companies. .

Appoint the Shared Director of Finance as the Council's Shareholder in Broste.

##### 2 Details

2.1 The Council was one of seven authorities which set up what has become known as HBC and is required to appoint a Director to the Boards of the group companies, but excluding the soon to be acquired BIVG companies. BIVG will have its own directors appointed in accordance with regulatory requirements. Since HBC was set up another authority, Dacorum Borough Council has joined Broste (making a total of 8 authorities now). Each authority holds a 12.5% interest.

2.2 The Director appointed by TRDC should attend Board meetings to represent the Council's interests, consistent with their duties as a Director and the requirements of the Companies Act 2006.

2.3 It is proposed that the Director appointed will change from the Head of Regulatory Services to the Head of Finance and the nominated shareholder representative will change from the Director of Community and Environmental Services to the Shared Director for Finance.

2.4 The DCES will continue to supervise LA1, which carries out the building control functions that, under the Building Act 1984, cannot be delegated by a local authority to HBC. The remaining seven authorities have all delegated those functions to TRDC by use of powers under s101 of the Local Government Act 1972. When carrying out those functions, TRDC is called LA1, but this is not a separate or formal organisation.

2.5 Adam Ralton, Planning Team Leader, will continue to be a member of the Commissioning Panel. This is a grouping of shareholder authority representatives who supervise the Contract Manager (a TRDC employee) and undertake a contract management oversight function.

##### 3 Options and Reasons for Recommendations

3.1 That Hannah Doney, Head of Finance, be appointed as a Director on the Broste Rivers Ltd group (but excluding BIVG) Board to replace the Head of Regulatory Services.

3.2 That Alison Scott, Shared Director of Finance, be nominated as the shareholder representative for Broste.

##### 4 Policy/Budget Reference and Implications

4.1 The recommendations in this report are within the Council's agreed policy and budgets.

**5 Financial, Legal, Equal Opportunities, Staffing, Environmental, Community Safety, Public Health, Customer Services Centre, Communications & Website, Risk Management and Health & Safety Implications**

5.1 None specific.

**6 Legal Implications**

6.1 As set out within the body of the report.

**7 Risk and Health & Safety Implications**

7.1 The Council has agreed its risk management strategy which can be found on the website at <http://www.threerivers.gov.uk>. In addition, the risks of the proposals in the report have also been assessed against the Council's duties under Health and Safety legislation relating to employees, visitors and persons affected by our operations. The risk management implications of this report are detailed below.

7.2 Any risks resulting from this report will be included in the risk register and, if necessary, managed within this/these plan(s).

Nature of Risk	Consequence	Suggested Control Measures	Response <i>(tolerate, treat, terminate, transfer)</i>	Risk Rating <i>(combination of likelihood and impact)</i>
Failure to appoint Council representatives	Could mean that business is difficult to transact in the organisations	The suggested Council representative is appointed	Treat	1 Likelihood and 1 Impact

7.3 The above risks are scored using the matrix below. The Council has determined its aversion to risk and is prepared to tolerate risks where the combination of impact and likelihood scores 6 or less.

<b>Very Likely</b> --▶ Remote Likelihood	<b>Low</b> <b>4</b>	<b>High</b> <b>8</b>	<b>Very High</b> <b>12</b>	<b>Very High</b> <b>16</b>
	<b>Low</b> <b>3</b>	<b>Medium</b> <b>6</b>	<b>High</b> <b>9</b>	<b>Very High</b> <b>12</b>
	<b>Low</b> <b>2</b>	<b>Low</b> <b>4</b>	<b>Medium</b> <b>6</b>	<b>High</b> <b>8</b>

	<b>Low</b> <b>1</b>	<b>Low</b> <b>2</b>	<b>Low</b> <b>3</b>	<b>Low</b> <b>4</b>
	<b>Impact</b>			
	Low -----> Unacceptable			

**Impact Score**

4 (Catastrophic)

3 (Critical)

2 (Significant)

1 (Marginal)

**Likelihood Score**

4 (Very Likely (≥80%))

3 (Likely (21-79%))

2 (Unlikely (6-20%))

1 (Remote (≤5%))

7.4 In the officers' opinion none of the new risks above, were they to come about, would seriously prejudice the achievement of the Strategic Plan and are therefore operational risks. The effectiveness of the management of operational risks is reviewed by the Audit Committee annually.

**8 Recommendation**

8.1 That the appointment at Paragraph 3.1 and 3.2 be agreed and apply the usual indemnity for this appointment.

Report prepared by: Sarah Haythorpe, Principal Committee Manager

**Data Quality**

Data sources: None

Data checked by: James Baldwin, Solicitor to the Council

Data rating:

<b>1</b>	<b>Poor</b>	
<b>2</b>	<b>Sufficient</b>	√
<b>3</b>	<b>High</b>	

**Background Papers**

None

**APPENDICES / ATTACHMENTS**

None