

DECISION NOTICE

Notice is given that the following decision has been taken under the Provisions set out in the Council's Constitution

Decision maker: Cabinet Member for Housing and Planning

Date: 8 August 2017

Decision in the matter of: Plus Dane - Transfer of Engagement

Decision: That the Portfolio Holder:

- 1 endorses the proposed merger to bring together Plus Dane Cheshire and Plus Dane Merseyside on the basis that Cheshire East Council:
 - retains the ability to nominate one representative onto the Board to represent the interests of the Cheshire East area
 - the new entity is taking over all assets and liabilities by way of a Transfer of Engagement
 - there is a clear client management relationship between the Council and the new entity including the development of a clear set of service standards in order to establish an effective monitoring arrangement.
- 2 agrees to a Deed of Variation of the Collateral Warranty in order to enable an assignment to a Security Trustee on terms to be agreed by the Director of Legal Services.

Background: Plus Dane Housing is one of Cheshire East's three Large Scale Voluntary Transfer Organisations. They have just under 4,000 homes in Cheshire East located predominately in Congleton, Sandbach, Alsager, Middlewich, Holmes Chapel, Macclesfield and the surrounding rural areas.

Currently Plus Dane operates a common Board Members structure across Plus Dane Cheshire, Plus Dane Merseyside and Plus Dane Housing Group. Decisions are taken at the Plus Dane Housing Group level unless specifically required to be taken at the individual company level.

Plus Dane has advised that they wish to merge Plus Dane Cheshire Board into Plus Dane Merseyside's and create one single Board. This will be undertaken by a Transfer of Engagement and the proposed new name of the merged entity is to be Plus Dane Housing.

As part of the original Stock Transfer Agreement there is a requirement for Plus Dane to consult with the Council if any mergers are proposed and to give reasonable consideration by the Company's Board of Management any representations which the Council may make in relation to the Company's proposals.

The Council currently has the ability to nominate one representative onto the Plus Dane Cheshire Board and the Council would be seeking to ensure that this is retained under the new Board arrangement.

Plus Dane is seeking Cheshire East's agreement to the merger to enable them to conclude the Transfer of Engagement by 30 September 2017.

Background Documents:

The background documents relating to this report can be inspected by contacting the report author.

Approved:

Councillor Ainsley Arnold, Cabinet Member for Housing and Planning

Date:

8 August 2017

Advising Officer:

Karen Carsberg, Strategic Housing Manager