

Public Document Pack



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6 November 2018

Dear Councillor

**NOTICE OF DECISION TAKEN BY THE LEADER OF THE COUNCIL – (LD02 18)
DISSOLUTION OF LOCAL GOVERNMENT ASSOCIATION AS AN UNINCORPORATED
BODY**

Please find attached details of a decision taken by Councillor Keith Morris, Leader of the Council, pursuant to Section 9(E) of the Local Government Act 2000, to agree to the dissolution of the Local Government Association as an unincorporated body.

The deadline for call-in of this decision is **10.00am on Monday, 12 November.**

If call-in is not activated, the implementation date for this decision will be noon on 12 November.

Members of the public who require further information are asked to contact Kate Batty-Smith on 01304 872303 or by e-mail at democraticservices@dover.gov.uk.

Yours sincerely

A handwritten signature in purple ink that reads "Kate Batty-Smith". Below the signature is a short horizontal line.

Democratic Services Officer

ENCL

1 **NOTICE OF DECISION TAKEN BY THE LEADER OF THE COUNCIL - (LD02 18)
DISSOLUTION OF LOCAL GOVERNMENT ASSOCIATION AS
UNINCORPORATED BODY** (Pages 2-5)

Decision Notice

Decision No:	LD02
Subject:	DISSOLUTION OF LOCAL GOVERNMENT ASSOCIATION UNINCORPORATED BODY
Notification Date:	6 November 2018
Implementation Date:	12 November 2018
Decision taken by:	Councillor Keith Morris, Leader of the Council
Authority:	By virtue of Section 9(E) of the Local Government Act 2000
Decision Type:	Executive Non-Key Decision
Call-In to Apply?	Yes (<i>the deadline for call-in will expire at 10.00am on 12 November 2018</i>)
Classification:	Unrestricted
Reason for the Decision:	The Local Government Association is in the process of restructuring. It is changing its status from an unincorporated body to that of a new incorporated company. The Association is seeking the agreement of its members (of which Dover District Council is one) to dissolve the 'old' unincorporated body.
Decision:	To agree to the dissolution of the unincorporated Local Government Association.

1. **Consideration and Alternatives (*if applicable*)**
 - 1.1 None considered.
2. **Any Conflicts of Interest Declared?**
 - 2.1 None.
3. **Supporting Information (*as applicable*)**
 - 3.1 See attached letter from the Local Government Association dated September 2018.
 - 3.2 The Companies House registration for the incorporated Local Government Association can be viewed [Here](#)

From the Chief Executive
Mark Lloyd

Nadeem Aziz
Chief Executive
Dover District Council
Council Offices
White Cliffs Business Park
Dover
CT16 3PJ

September 2018

Dear Nadeem

NEW LGA COMPANY – AGREEMENT TO DISSOLVE THE UNINCORPORATED LGA

You may recall that the LGA is going through the process of incorporation as part of our work to ensure we're in great shape to continuing supporting member councils. I would like to take this opportunity to thank you for your council's support as we go through the various legal steps. All councils in membership of the LGA, bar one, have now agreed to become members of the new company.

On 3 July this year, the LGA's General Assembly resolved:

"to initiate the process of transferring the staff, contracts, assets and liabilities of the unincorporated LGA to the new incorporated company with a view to the new LGA Company becoming the membership body for the LGA from 1 April 2019 and the unincorporated LGA being dissolved at such point thereafter as the LGA Leadership Board shall determine."

As I made clear at the General Assembly, our Constitution requires at least two-thirds of full member authorities to agree a dissolution.

To help us achieve the final transition, I would ask one further action of you. On behalf of your council could the relevant signatory confirm, either by email to andrea.gillian@local.gov.uk or by returning the completed pro forma attached by post, your council's agreement to dissolve the current LGA.

If two-thirds of members agree to the dissolution, the Leadership Board will, as directed by the General Assembly, proceed to dissolve the unincorporated LGA once it is satisfied the transfer to the incorporated LGA has been completed.

A response **by Friday 23 November 2018** would be much appreciated, to allow us to report to the December meeting of our Leadership Board. If you need any further information please do not hesitate to contact Andrea in my office.

I look forward to continuing to work with you over the coming year.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Mark', with a horizontal line underneath the name.

Mark Lloyd
Chief Executive

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To the Leadership Board of the Local Government Association

[] Council hereby **agree to the dissolution of the unincorporated LGA**, following the resolution of the General Assembly: *“to initiate the process of transferring the staff, contracts, assets and liabilities of the unincorporated LGA to the new incorporated company with a view to the new LGA Company becoming the membership body for the LGA from 1 April 2019 and the unincorporated LGA being dissolved at such point thereafter as the LGA Leadership Board shall determine.”*

Signed:	
Name (printed):	
Position:	
Date:	

Please return this form **by Friday 23 November** to Andrea Gillian, Executive Office, LGA, either by email to andrea.gillian@local.gov.uk or by post.