

PORTFOLIO HOLDER DECISION POST ENGAGEMENT FINAL DECISION



Report subject	Approval of the signing of the Bournemouth Development Company LLP statutory accounts for the year ended 31 December 2020
Decision makers	Councillor Drew Mellor, Leader and Portfolio Holder for Finance & Transformation Councillor Philip Broadhead, Deputy Leader and Portfolio Holder for Regeneration, Economy and Strategic Planning.
Proposed decision	To approve the Bournemouth Development Company LLP (BDC) statutory accounts for the year ended 31 December 2020 and authorise Council Representatives on the BDC partnership board to sign the statutory accounts on behalf of the Council (as a member of BDC) for the year ended 31 December 2020 in accordance with the scheme of delegation.
Proposed decision publication date	22 July 2021
Engagement period	Following the publication of the proposed decision, interested parties were invited to comment on the proposal for a period of five-clear days from 22 July 2021 to 29 July 2021 inclusive.
Comments received	No comments or representations were received during the engagement period.
Decision taken	The Portfolio Holders for Finance & Transformation and Regeneration, Economy and Strategic Planning have considered any representations received and determined to confirm the decision outlined above without modification.
Date of final decision	4 August 2021
Call-in and urgency:	Subject to any urgency provisions which shall be identified, this decision will not come into force, and may not be implemented, until the expiry of 5 clear working days after the decision was made, recorded and published.

PORTFOLIO HOLDER DECISION RECORD



Report subject	Approval of the signing of the Bournemouth Development Company LLP statutory accounts for the year ended 31 December 2020
Decision maker	Councillor Drew Mellor, Leader and Portfolio Holder for Finance & Transformation Councillor Philip Broadhead, Deputy Leader and Portfolio Holder for Regeneration, Economy and Strategic Planning.
Decision date	Not before 30 July 2021
Decision taken	To approve the Bournemouth Development Company LLP (BDC) statutory accounts for the year ended 31 December 2020 and authorise Council Representatives on the BDC partnership board to sign the statutory accounts on behalf of the Council (as a member of BDC) for the year ended 31 December 2020 in accordance with the scheme of delegation.
Reasons for the decision	The BDC schedule of delegation states that the approval of statutory accounts must be approved by its members. This decision record provides the necessary approval and authorises the Council board representatives to sign the statutory accounts on behalf of the Council (as a member of BDC) for the year ended 31 December 2020.
Call-in and urgency:	Subject to any urgency provisions which shall be identified, this decision will not come into force, and may not be implemented, until the expiry of 5 clear working days after the decision was made, recorded and published.
Corporate Director	Corporate Director of Resources
Responsible officer	Paul Whittles
Wards	Council-wide
Status	Open
Background	The Bournemouth Development Company LLP (BDC) is a joint venture between the Council and a wholly owned subsidiary Muse Ltd, in the form of a limited liability partnership (LLP).

	<p>The Bournemouth Development Company LLP produces annual statutory accounts for submission to Companies House. The financial statements have been prepared under United Kingdom Generally Accepted Accounting Practice (United Kingdom Accounting Standards and Applicable law) and have been subject to an independent audit.</p> <p>The auditor's opinion of the financial statements confirms that they:</p> <ul style="list-style-type: none"> • give a true and fair view of the state of the Limited Liability Partnership's affairs as at 31 December 2020, and of its profit for the year then ended; • have been properly prepared in accordance with United Kingdom Generally Accepted Accounting Practice; and • have been prepared in accordance with the requirements of the Companies Act 2006 as applied to Limited Liability Partnerships by the Limited Liability Partnerships (Accounts and Audit) (Application of Companies Act 2006) Regulations 2008.
Options appraisal	The Council could choose not to sign the statutory accounts but this would not enable the required submission of the annual accounts to Companies House leading to financial penalties.
Consultation undertaken	Finance officers within the Council have consulted with Muse finance representatives and reviewed the statutory accounts.
Financial/Resource implications	There are no direct financial consequences regarding the decision to the Council. BDC may incur financial penalties if the accounts are not submitted in a timely manner which would indirectly affect the Council due to its equal member status.
Summary of legal implications	The Members' Agreement between the Council and Muse (the joint venture partner in BDC LLP) contains a scheme of delegation pursuant to which approval of statutory accounts is a decision reserved to each of the members.
Summary of sustainability impact	None – this is a technical report relating to statutory and financial processes.
Summary of public health implications	None – this is a technical report relating to statutory and financial processes.
Summary of equality implications	None – this is a technical report relating to statutory and financial processes.
Summary of risk assessment	Failure to sign the statutory accounts and submit to Companies House in the required timeframe could result in financial penalties being incurred by BDC. Any concerns prohibiting the council from

	signing the accounts should be raised with BDC and their auditors so that a solution can be found to ensure the Companies House submission deadline is met.
Conflicts of interest declared by Cabinet member consulted on this decision	'Not applicable'
Background papers	None

Equality Impact Assessment: conversation screening tool

[Use this form to prompt an EIA conversation and capture the output between officers, stakeholders and interested groups. This completed form or a full EIA report will be published as part of the decision-making process]

Policy/Service under development/review:	Portfolio Holder Decision to approve the Bournemouth Development Company LLP (BDC) statutory accounts for the year ended 31 December 2020 and authorise Council Representatives on the BDC partnership board to sign the statutory accounts on behalf of the Council (as a member of BDC) for the year ended 31 December 2020 in accordance with the scheme of delegation
What changes are being made to the policy/service?	No changes, decision is to enable representatives to carry out necessary statutory and financial duties on behalf of BCP Council
Service Unit:	Accountancy
Persons present in the conversation and their role/experience in the service:	Paul Whittles, Finance Manager - Regeneration
Conversation dates:	01/07/2021
Do you know your current or potential client base? Who are the key stakeholders?	Muse and BCP Council as members of BDC.
Do different groups have different needs or experiences in relation to the policy/service?	No, this is a technical decision relating to statutory and financial processes in order for the financial statements of BDC to be signed and submitted to Companies House.
Will the policy or service change affect any of these service users?	No, this is a technical decision relating to statutory and financial processes in order for the financial statements of BDC to be signed and submitted to Companies House.
[If the answer to the three questions above is 'don't know' then you need to gather more evidence and do a full EIA. The best way to do this is to use the Capturing Evidence form]	
What are the benefits or positive impacts of the policy/service change on current or potential service users?	None, this is a technical decision relating to statutory and financial processes in order for the financial statements of BDC to be signed and submitted to Companies House.
What are the negative impacts of the policy/service change on current or potential service users?	None, this is a technical decision relating to statutory and financial processes in order for the financial statements of BDC to be signed and submitted to Companies House.
Will the policy or service change affect employees?	No, this is a technical decision relating to statutory and financial processes in order for the financial statements of BDC to be signed and submitted to Companies House.
Will the policy or service change affect the wider community?	No, this is a technical decision relating to statutory and financial processes in order for the financial statements of BDC to be signed and submitted to Companies House.
What mitigating actions are planned or already in place for those negatively affected by the policy/service change?	None needed

Summary of Equality Implications:	This is a technical decision relating to statutory and financial processes in order for the financial statements of BDC to be signed and submitted to Companies House, consequently there are not any wider implications to individuals or stakeholders regarding equality.
--	---

For any questions on this, please contact the Policy and Performance Team by emailing performance@bcpcouncil.gov.uk