

Open Session 3

Board Resolution

The reappointment process for ARB's Board Members is conducted by the Department of Levelling Up, Housing and Communities (DLUHC) and Privy Council in line with Schedule 1 of the Architects Act 1997.

Three Board Members, Mark Bottomley, Tony Crook and Stephen McCusker's terms of office expired on the 28 February 2022 and are being considered for reappointment. Unforeseen administrative delays have been reported to us by DLUHC and the reappointments have not been confirmed by the required date.

This has serious implications for the Board in terms of its quorum, its ability to make time-critical decision and its ability to deliver its statutory functions.

The Board may appoint temporary Board members in the event of any vacancy, under its General Rules. Details on the process for appointment of Temporary Board Members is set out in Rule 11¹ of the ARB General Rules. Those Rules describe the process for appointment and the limitation on terms of office.

Rule 11.3 establishes the outline process for making such appointments and states that 'where a temporary appointment is proposed the Board will form a selection panel consisting of three Board members (including the Chair) to identify candidates, conduct a selection process appropriate in the circumstances and report to the Board with recommendations.'

Further to a write round on 17 February 2022, a selection panel consisting of three Board Members; Alan Kershaw (Chair), Derek Bray (Lay Member, Chair of Remuneration and Appointments Committee) and Teri Okoro (Architect Member) was formed. The panel undertook their consideration and formulated their recommendations via email prior to the Board's meeting on 22 February 2022. The Board discussed the suitability of the three Board members and the Panel's recommendations in the open session at its meeting on 22 February 2022.

Based on the Panel's recommendations and Board's subsequent discussion, and given that the Department has been unable to confirm the reappointments, it was proposed that the Board should consider appointing Mark Bottomley, Tony Crook and Stephen McCusker as temporary Board members with effect from 1 March 2022 for a period of a year in the first

¹ [General-Rules-December-2021.pdf \(arb.org.uk\)](#)

instance. The appointments should be made subject to Rule 11.1, which sets out the conditions under which the appointments would cease.

On 1 March 2022, the Board was therefore asked, via write round, to consider the following recommendation:

- i. To agree the temporary appointment of Mark Bottomley, Tony Crook and Stephen McCusker as ARB Board Members with effect from 1 March 2022 until 28 February 2023, in line with General Rule 11.1.

By the close of business on 1 March 2022, all seven Board members eligible to vote, agreed the recommendation noted above.