



Cabinet 24 April 2024

Report Title	Parkside Regeneration LLP Management Board – Change of Appointment
Cabinet Portfolio	Economy, Business & Skills
Cabinet Member	Councillor Kate Groucutt
Exempt Report	No
Reason for Exemption	N/A
Key Decision	No
Public Notice issued	N/A
Wards Affected	All
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Borough Priorities	Ensure children and young people have a positive start in life.	
	Promote good health, independence, and care across our communities.	
	Create safe and strong communities and neighbourhoods for all.	
	Support a strong, thriving, inclusive and well-connected local economy.	
	Create green and vibrant places that reflect our heritage and culture.	
	Be a responsible Council.	X

1. Summary

- 1.1 In 2013 the Council entered into a 50/50 joint venture with Langtree Land and Property PLC. Parkside Regeneration LLP was established as the vehicle through which the former Parkside Colliery site would be acquired and developed.
- 1.2 Parkside Regeneration LLP is controlled by a six-member Management Board; comprising three members from Langtree and three members from the Council. The three Council appointees are the Cabinet Member for Economy, Business and Skills, the Executive Director of Place Services and the Chief Executive.

2. Recommendation for Decision

- i) **Cabinet is recommended to confirm the appointment of the Executive Director of Corporate Services to the Parkside Regeneration LLP Management Board with immediate effect to replace the Chief Executive.**

3. Purpose of this report

- 3.1 To approve a change in the appointment of the Council's representative members of the Parkside Regeneration LLP Management Board.

4. Background / Reason for the recommendations

- 4.1 On 23 December 2013, the Council entered an arrangement with Langtree Land and Property PLC ("Langtree") to acquire and regenerate the former Parkside Colliery site as a future employment site. A Limited Liability Partnership (Parkside Regeneration LLP) was established as the vehicle through which the site would be acquired, developed and the necessary planning permissions obtained to allow the site to be used for business, thus achieving the Council's aim of economic development and job creation.
- 4.2 The Council and Langtree are the Designated Members of the Parkside Regeneration LLP and have duties to the Parkside Regeneration LLP, as directors would to a limited company. These duties include acting in the best interests of the members and creditors, general compliance with laws, etc. Designated Members are legally accountable if they fail to carry out their statutory responsibilities.
- 4.3 It is the Council itself as the Designated Member which has these duties and not the individual members of the Parkside Regeneration LLP Management Board. This is subject to certain caveats, for example personal liability can be placed on a Management Board member who knowingly or negligently allows illegal activity to be undertaken.

- 4.4 The duties and responsibilities of the Council members of the Parkside Regeneration LLP Management Board are primarily owed to the Council as the Parkside Regeneration LLP Designated Member which appointed them and to whom they are responsible for ensuring the Council's interests are protected.
- 4.5 The Parkside Regeneration LLP is controlled by a six-member Management Board; three members from Langtree and three members from the council. The three Council appointees are the Cabinet Member for Economy, Business and Skills, the Executive Director of Place Services and the Chief Executive. It is proposed the Executive Director of Corporate Services replaces the Chief Executive with immediate effect. The Executive Director of Corporate Services has previously served as a Board Member on the Parkside Regeneration LLP Management Board.
- 4.6 The appointment of the Executive Director of Corporate Services proposed in this report is considered the most appropriate to represent the Council on the Parkside Regeneration LLP Management Board. This allows other key officers, including the Council's Director of Finance (as the Section 151 Officer); the Chief Executive (as the Head of Paid Service) and the Director of Legal & Governance (as the Monitoring Officer), together with the Director of Strategic Growth, to continue to advise the Council whilst not being members of the Parkside Regeneration LLP Management Board and avoiding any conflict of interest.
- 4.7 The Management Board has responsibility for the supervision of Parkside Regeneration LLP and its business. The Council's appointed LLP Management Board members should disclose their membership of the Parkside Regeneration LLP Management Board at council meetings where the Parkside Regeneration LLP or the development is discussed.

5. Consideration of Alternatives

- 5.1 None.

6. Conclusions

- 6.1 The proposed appointment to the LLP Management Board has been identified in the business interests and supervision of the Parkside Regeneration LLP.

7. Legal Implications

- 7.1 There are no adverse legal implications with regards to the proposed appointment. The proposed appointment best serves the interests of the Council's shareholding in Parkside Regeneration LLP.

8. Financial Implications

- 8.1 There are no direct implications.

9. Equality Impact Assessment

9.1 There are no direct implications.

10. Social Value

10.1 There are no direct implications.

11. Net Zero and Environment

11.1 There are no direct implications.

12. Health and Wellbeing

12.1 There are no direct implications.

13. Customer and Resident

13.1 There are no direct implications.

14. Asset and Property

14.1 There are no direct implications.

15. Staffing and People Management

15.1 There are no direct implications.

16. Risks

16.1 There are no significant risks to the Council in regard to the proposal.

17. Policy Framework Implications

17.1 The proposed action fully aligns with Priority Six 'Be A Responsible Council' of Our Borough Strategy, providing value for money and ensuring that we are financially resilient and sustainable.

18. Impact and Opportunities on Localities

18.1 There is no direct impact on localities with regard to the proposed appointment.

19. Background Documents

19.1 Cabinet Report: Proposed Joint Venture Development Opportunity (Exempt) – 13 September 2013.

20. Appendices

20.1 None.