

North Tyneside Council
Report to the Chief Executive
Date: 7 December 2023

Officer Delegated Power Report

**Title of Report: Appointment of a
Director of Kier North Tyneside
Limited**

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Report from Service Area:	Commissioning and Asset Management	
Responsible Officer:	Mark Longstaff, Director of Commissioning and Asset Management	Tel: (0191) 643 8089
Wards affected:	None	

PART 1

1.1 Purpose:

The purpose of the report is to seek the Chief Executive's agreement to the nomination of Mr Peter Matthew John Mennell to be appointed a Director of Keir North Tyneside Limited by the company's Board of Directors. The nomination is required at this time as a result of the imminent retirement of Mark Edward Longstaff, the Director of Commissioning and Asset Management, who is currently one of the four Directors of the company, and as such is the Authority's representative on the Board of Directors.

It is proposed that the Chief Executive agrees the above nomination by utilising General Delegation 6 (GD6) included in the Authority's Officer Delegation Scheme.

1.2 Recommendation(s):

It is recommended that:

- (1) the Chief Executive agrees to nominate Mr Peter Matthew John Mennell, the Director of Housing & Property Services, to be a Director of Kier North Tyneside Limited in place of Mr Mark Edward Longstaff.

1.4 Council Plan and Policy Framework:

This report does not directly link to the Council Plan and Policy Framework.

1.5 Information:

1.5.1 Background

Mr Mark Edward Longstaff, the Director of Commissioning and Asset Management, has been the Authority's representative on the Board of Directors of Kier North Tyneside Limited since his appointment as a Director of the company on 20 July 2018. As a minority shareholder of the company, the Authority is permitted to nominate one person to be appointed as a Director of the company.

As a result of Mr Longstaff's imminent retirement, the Authority is now required to nominate a replacement Director to the company's Board of Directors. As stated, it is proposed that Mr Peter Matthew John Mennell, the Director of Housing & Property Services be so nominated. If duly appointed, Mr Mennell will become the Authority's representative on the Board of Directors in place of Mr Longstaff and have voting rights at Board meetings. If appointed, Mr Mennell will hold the office of Director for the foreseeable future.

Following the appointment of Mr Mennell, the necessary 'Change to Particulars for Director' will need to be submitted to Companies House at the appropriate time by the company. This will result in the public register maintained by Companies House being updated to show Mr Mennell as a Director of the company. His full name, correspondence address, day/month of birth, appointment date and nationality all appearing in the register.

1.6 Decision options:

The following decision options are available for consideration:

Option 1

The Chief Executive nominates Mr Peter Matthew John Mennell, the Director of the Authority's Housing & Property Services as a Director of Kier North Tyneside Limited.

Option 2

The Chief Executive does not agree to nominate Mr Peter Matthew John Mennell to be a Director of Kier North Tyneside Limited.

Option 1 is the recommended option.

1.7 Reasons for recommended option:

Option 1 is recommended for the following reasons:

As the Authority's Director of Housing & Property Services Peter Mennell is well qualified to be appointed a Director of Kier North Tyneside Limited and to undertake that role in the best interests of the company.

1.8 Appendices:

There are no appendices to this report.

1.9 Contact officers:

Mark Longstaff, Director Commissioning & Asset Management, Tel: (0191) 643 8089

Stephen Ballantyne, Head of Law and Monitoring Officer, Tel: (0191) 6435329

1.10 Background information:

There are no background papers.

PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING

2.1 Finance and other resources

There are no direct financial implications arising from this report.

2.2 Legal

As stated in Part 1 of the report, the Chief Executive is permitted to use General Delegation GD 6 to nominate Mr Mennell as the Authority's representative on the Company's Board of Directors.

Assuming that the Board of Directors appoints Mr Mennell to the office of Director of the company, he will be fully indemnified by the Authority when acting in that capacity.

2.3 Consultation/community engagement

2.3.1 Internal Consultation

In accordance with the Officer Delegation scheme prior to exercising discretion to settle this matter, the Director of Commissioning and Asset Management consulted with the Head of Law in respect of the formal indemnity arrangements necessary for the appointment.

2.3.2 External Consultation/Engagement

No external consultation or engagement was required in respect of this decision.

2.4 Human rights

There are no human rights issues arising from this report.

2.5 Equalities and diversity

There are no equality and diversity issues arising from this report.

2.6 Risk management

If the nomination of Mr Mennell is not agreed and the existing Director, Mark Edward Longstaff, following his retirement resigns as Director of the company, the Authority will have no representative on the Board of Directors.

2.7 Crime and disorder

There are no crime and disorder issues arising from this report.

2.8 Environment and sustainability

There are no Environment and sustainability issues arising from this report.