



<p><b>REPORT TO:</b> <b>COUNCILLOR</b> <b>CLLR PAT HACKETT</b> <b>LEADER OF THE COUNCIL</b></p>	<p><b>CABINET MEMBER REPORT</b> <b>9 JANUARY 2020</b> <b>DIRECTORSHIP OF WIRRAL GROWTH COMPANY LLP</b></p>
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## **REPORT SUMMARY**

This report seeks approval for the Deputy Leader of the Council (presently Councillor Anita Leech) to be removed as a Director of the Wirral Growth Company LLP and be replaced by the Cabinet portfolio holder for Children, Families and Education (presently Councillor Tom Usher).

This decision is not subject to Call-In by reason of urgency. A decision will be urgent if any delay likely to be caused by the Call-In process would seriously prejudice the Council's or the public's interest.

## **RECOMMENDATION/S**

That the Deputy Leader of the Council (presently Councillor Anita Leech) be removed as a Director of the Wirral Growth Company LLP and be replaced by the Cabinet portfolio holder for Children, Families and Education (presently Councillor Tom Usher).

## **SUPPORTING INFORMATION**

### **1.0 REASON/S FOR RECOMMENDATION/S**

As part of the Local Plan process advice has been sought from Queen's Counsel which has confirmed that it is no longer legally appropriate for the Deputy Leader to also fulfil a position as one of the Council's Directors on the Wirral Growth Company LLP due to a technical conflict between the respective roles. As a result, it is required that there is a change in the Council's representative as a Director of Wirral Growth Company LLP as a matter of urgency.

### **2.0 OTHER OPTIONS CONSIDERED**

2.1 Not removing the Deputy Leader as a Director of the Wirral Growth Company LLP. This would not be in accordance with the Council's duty to follow good governance processes.

### **3.0 BACKGROUND INFORMATION**

3.1 In March 2019 the then Leader of the Council made a decision appointing the holders of the role of Deputy Leader of the Council and the Cabinet Portfolio holder for Jobs and Growth as Directors of the Wirral Growth Company LLP.

3.2 The current Deputy Leader of the Council was appointed as a Director of Wirral Growth Company LLP in May 2019 and has also subsequently become the Cabinet Member with portfolio for the Local Plan. As part of the Local Plan process advice has been sought from Queen's Counsel which has confirmed that it is no longer legally appropriate for the Deputy Leader to also fulfil a position as one of the Council's Directors on the Wirral Growth Company LLP due to a technical conflict between the respective roles. As a result, it is required that there is a change in the Council's representative as a Director of Wirral Growth Company LLP as a matter of urgency. This will ensure the business of the LLP and its relationship with the Council is conducted in accordance with good governance and enable the business of the LLP to be dispatched expeditiously.

### **4.0 FINANCIAL IMPLICATIONS**

4.1 There are no specific financial implications arising out of this report.

### **5.0 LEGAL IMPLICATIONS**

5.1 Advice has been received from Counsel, a copy of which is attached as an exempt appendix to this report.

### **6.0 RESOURCE IMPLICATIONS: ICT, STAFFING AND ASSETS**

6.1 There are no specific resource implications arising out of this report.

### **7.0 RELEVANT RISKS**

7.1 There is a risk that the Council will fail to comply with its duty to follow good governance processes if this issue is not addressed.

## **8.0 ENGAGEMENT/CONSULTATION**

8.1 Consultation has taken place with the relevant Cabinet Portfolio holders.

## **9.0 EQUALITY IMPLICATIONS**

9.1 There are no specific equality implications arising out of this report.

## **10.0 ENVIRONMENT & CLIMATE IMPLICATIONS**

10.1 There are no specific environmental or climate implications arising out of this report.

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## **APPENDICES**

Appendix 1 – Counsel's advice - exempt

## **BACKGROUND PAPERS**

None.

## **SUBJECT HISTORY (last 3 years)**

<b>Council Meeting</b>	<b>Date</b>

