
Report to Council

Date of Meeting: 31 August 2017

Subject: Appointment of Council Directors to CSBP Clackmannanshire Investments Limited

Report by: Acting Legal Services Manager

1.0 Purpose

- 1.1 The purpose of this report is to enable the Committee to appoint two council Directors to the joint venture company CSBP Clackmannanshire Investments Limited in which the Council is a 50% shareholder, in accordance with the company's memorandum and articles.

2.0 Recommendations

- 2.1 It is recommended that Council:

a) confirms the appointment of Councillor Les Sharp as a Council Director in his capacity as Leader of the Administration; and

b) appoints either the Leader of the Conservative group or the Leader of the Labour group as the other Director.

3.0 Background.

- 3.1 The Council is a 50% shareholder in CSBP Clackmannanshire Investments Limited which is an offshoot of one of several companies originally set up by Central Regional Council to promote and develop business parks in the then Central Region, primarily in Stirling and Clackmannanshire. Re-organisation of the companies took place after local government reorganisation and the developments in Clackmannanshire were transferred to CSBP Clackmannanshire Developments Limited and CSBP Clackmannanshire Investments Limited, the principal purpose of the former being to secure the development of business units on the Clackmannanshire sites with the completed units being transferred to the latter company following occupation and leasing of the units.
- 3.2 Subsequently as a result of a division within the Scarborough Group (the Council's joint venture partner) the joint venture interest was split and the interest in the development company transferred to Valad Group whilst the interest in the investment company remained with the Scarborough Group.

- 3.3 As members will be aware from more recent reports to Council, the remaining undeveloped land at Dumyat Business Park was transferred back to the Council and the Council has secured the development of the remaining land there within the business park. As a result the development company is now in the final stages of being wound up and as liquidators have been appointed there is no requirement to appoint new directors to the development company.
- 3.4 CSBP Clackmannanshire Investments Limited still owns a business unit on Dumyat Business Park currently being marketed for sale by the joint venture company. When the remaining unit is sold, arrangements will be put in place to wind up the investment company in accordance with the previous Council decision to that effect. Until that point is reached it remains a requirement for the Council to appoint two Council Directors to the investment company.

4.0 Considerations

- 4.1 As a result of the recent local government election, it now falls to the Council to confirm whether it wishes to adhere to the previous Council practice of the Council Directors of CSBP Clackmannanshire Investments Limited being the Leader of the Administration and the Leader of the main Opposition party.
- 4.2 If the previous basis is to be followed councillor Les Sharp, as Leader of the Administration will be confirmed as one of the two Council Directors.
- 4.3 As there are now two Opposition parties of equal strength, Council is asked to consider and appoint the second Council Director from either the Leader of the Conservative group or the Leader of the Labour Group. Whilst the Council could consider rotation of the second Director (as has been agreed in respect of the Vice Chair of Scrutiny Committee), given that the intention of the Council is to have the company wound up at the earliest appropriate opportunity such a recommendation would not carry the same merit.

5.0 Sustainability Implications

- 5.1 There are no direct sustainability implications arising from this report.

6.0 Resource Implications

6.1 Financial Details

- 6.2 There are no direct financial implications arising from this report. Finance have been consulted and have agreed the financial implications as set out in the report.

- 6.4 *Staffing* - 6.5 There are no staffing implications arising from this report

7.0 Exempt Reports

- 7.1 Is this report exempt? No

8.0 Declarations

8.1 The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

9.0 Our Priorities (Please double click on the check box)

9.1 The area has a positive image and attracts people and businesses
The Council is effective, efficient and recognised for excellence

10.0 Council Policies (Please detail)

10.1 None

11.0 Equalities Impact

11.1 n/a

12.0 Legality

12.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes

13.0 Appendices

13.1 None

14.0 Background Papers

14.1 None

Author(s)

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Approved by

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