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## APPOINTMENT OF DIRECTORS TO THE COUNCIL'S LOCAL AUTHORITY TRADING COMPANIES

### 1 PURPOSE OF REPORT

- 1.1 To appoint Directors to the Council's Local Authority Trading Companies (LATCOs).

### 2 INTRODUCTION

- 2.1 The Council is the shareholder in the Green Gateway Group of companies which are all LATCOs.
- 2.2 Due to vacancies arising, the Council is required to appoint Directors to the LATCOs.

### 3 GREEN GATEWAY TRADING LTD – company number 10352215

- 3.1 Green Gateway Trading Ltd is the Holding Company of the Green Gateway Group. It presently has one Director, Angela Hutchings.
- 3.2 Angela Hutchings will resign as a Director with immediate effect from 31 July 2022 and so it is necessary to appoint a replacement.
- 3.3 The company is required to have a minimum of one Director at any one time and it is proposed that the Council will appoint Marcus Hotten.

### 4 GREEN GATEWAY TRADING (GM) LTD – company number 10354624

- 4.1 Green Gateway (GM) Ltd is a subsidiary company of Green Gateway Trading Ltd. It presently has three Directors: Matt Harwood-White, Dawn Tribe and Adam Aldridge. It was the delivery vehicle for the Council's grounds maintenance works but since 1 December 2021 when the service was brought back in house, the company has not traded.
- 4.2 Matt Harwood-White and Dawn Tribe will resign as Directors with effect from 31 July 2022. The company is required to have a minimum of one Director at any one time. Therefore, Adam Aldridge will be the remaining Director.

### 5 GREEN GATEWAY TRADING (DEVELOPMENT) LTD – company number 10908884

- 5.1 Green Gateway Trading (Development) Ltd is a subsidiary company of Green Gateway Trading Ltd. It presently has two Directors, Angela Hutchings and Marcus Hotten.
- 5.2 Angela Hutchings will resign as a Director with effect from 31 July 2022.
- 5.3 The company is required to have a minimum of one Director at any one time. Therefore, Marcus Hotten will be the remaining Director.

**6 ROCHFORD NORSE LIMITED – company number 13874063**

6.1 Rochford Norse Limited is a joint venture LATCO with Norse Commercial Services Limited. The LATCo Board will comprise a total of five Directors; two appointed by the Council, two appointed by Norse Commercial Services Ltd and the jointly appointed LATCo's Operations Director.

6.2 The Council is required to appoint two Directors to the company and it is proposed that the Council will appoint the following Directors:-

- (1) Cllr David Sperring
- (2) Steve Summers

6.3 The Articles of Association of the LATCo will specify that no resolution of the Board can be passed unless it is agreed by at least one Council-appointed Director. This ensures that the Council retains a very high level of control over the operational decisions relating to the delivery of the New Contract.

**7 RISK IMPLICATIONS**

7.1 Failure to have the correct number of named Directors of each LATCo is a breach of company law.

**8 RESOURCE IMPLICATIONS**

8.1 Directors will perform their duties as part of their substantive roles and therefore no additional allowances will be payable.

**9 ENVIRONMENTAL IMPLICATIONS**

9.1 None.

**10 LEGAL IMPLICATIONS**

10.1 The provisions governing the appointment and removal of directors will primarily be set out in the LATCo's articles of association, reinforced by the shareholders' agreement.

10.2 Following the resignations and appointment of the Directors, the change will be lodged at Companies House.

**11 EQUALITY AND DIVERSITY IMPLICATIONS**

11.1 An Equality Impact Assessment has not been completed as no relevant decision is being taken.

**12 RECOMMENDATION**

12.1 It is proposed that Council **RESOLVES**

- (1) To appoint Marcus Hotten as Director of Green Gateway Trading Ltd.

- (2) To appoint Marcus Hotten as Director of Green Gateway Trading (Development) Ltd.
- (3) To appoint Cllr David Sperring and Steve Summers as Directors of Rochford Norse Limited.



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**Background Papers:-**

None.

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