

EXECUTIVE DECISION

made by a Cabinet Member



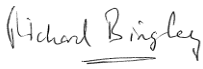
REPORT OF ACTION TAKEN UNDER DELEGATED AUTHORITY BY AN INDIVIDUAL CABINET MEMBER

Executive Decision Reference Number – L17 22/23

Decision				
1	Title of decision: Appointment of shareholder representative and replacement Directors for CATERed Limited			
2	Decision maker (Cabinet member name and portfolio title): Councillor Richard Bingley (Leader)			
3	Report author and contact details: Jamie Sheldon (Senior Governance Advisor)			
4	Decision to be taken: <ol style="list-style-type: none"> 1. Tina Brinkworth (Head of Skills and Post 16) to resign as a director for Catered Limited and be replaced with Mark Trewin as a director for Catered Limited. 2. To appoint Tina Brinkworth, (Head of Skills and Post 16) to act as Shareholder Representative to exercise all voting rights on behalf of the Council subject to Key Decisions (as defined by the Council's Constitution) being reserved to the Leader/ Cabinet and take any necessary action to protect, safeguard and effectively manage the Council's interest in Catered Limited including making decisions relating to the appointment and resignation of directors. 			
5	Reasons for decision: <p>Following the retirement of Alison Botham (former Director of Children's Services) The Shareholder representative is needed so that the representative can make decisions and vote on behalf of the council in general meetings.</p> <p>There is also a need to appoint replacement directors to fill the vacant positions. The council may appoint two directors the Board according to the Catered's Articles of Association. As such, it is recommended that the officer named in the above section are appointed as director of Catered.</p>			
6	Alternative options considered and rejected: <p>The alternative option would be to not appoint replacement director. This option is rejected as it will remove a line of sight at Catered's Board level decisions; and will lead to lack of oversight of the company's management and financial health.</p>			
7	Financial implications and risks: <p>None</p>			
8	Is the decision a Key Decision? (please contact Democratic Support for further advice)	Yes	No	Per the Constitution, a key decision is one which: <p>in the case of capital projects and contract awards, results in a new commitment to spend and/or save in excess of £3million in total</p>
			x	

			x	in the case of revenue projects when the decision involves entering into new commitments and/or making new savings in excess of £1 million
			x	is significant in terms of its effect on communities living or working in an area comprising two or more wards in the area of the local authority.
	If yes, date of publication of the notice in the Forward Plan of Key Decisions			
9	Please specify how this decision is linked to the Council's corporate plan/Plymouth Plan and/or the policy framework and/or the revenue/capital budget:	CaterEd is a ground breaking and co-operative way of working with our partners to deliver healthy locally sourced school meals in partnership with schools. Supporting Covid-19 emergency food supplies and meeting the urgent food needs of both adults and children's.		
10	Please specify any direct environmental implications of the decision (carbon impact)	None.		
Urgent decisions				
11	Is the decision urgent and to be implemented immediately in the interests of the Council or the public?	Yes		(If yes, please contact Democratic Support (democraticsupport@plymouth.gov.uk) for advice)
		No	x	(If no, go to section 13a)
12a	Reason for urgency:			
12b	Scrutiny Chair Signature:		Date	
	Scrutiny Committee name:			
	Print Name:			
Consultation				
13a	Are any other Cabinet members' portfolios affected by the decision?	Yes		
		No	x	(If no go to section 14)
13b	Which other Cabinet member's portfolio is affected by the decision?			

I3c	Date Cabinet member consulted							
I4	Has any Cabinet member declared a conflict of interest in relation to the decision?	Yes		If yes, please discuss with the Monitoring Officer				
		No	x					
I5	Which Corporate Management Team member has been consulted?	Name	Sharon Muldoon					
		Job title	Director of Children's Services					
		Date consulted	15 November 2022					
Sign-off								
I6	Sign off codes from the relevant departments consulted:	Democratic Support (mandatory)	DS70 22/23					
		Finance (mandatory)	DJN22.23.253					
		Legal (mandatory)	MS/39403 & EJ/38851/16.11.2 2(1)					
		Human Resources (if applicable)	N/A					
		Corporate property (if applicable)	N/A					
		Procurement (if applicable)	N/A					
Appendices								
I7	Ref.	Title of appendix						
Confidential/exempt information								
I8a	Do you need to include any confidential/exempt information?	Yes		If yes, prepare a second, confidential ('Part II') briefing report and indicate why it is not for publication by virtue of Part I of Schedule 12A of the Local Government Act 1972 by ticking the relevant box in I8b below. (Keep as much information as possible in the briefing report that will be in the public domain)				
		No	x					
		Exemption Paragraph Number						
		1	2	3	4	5	6	7
I8b	Confidential/exempt briefing report title:							

Background Papers							
19	<p>Please list all unpublished, background papers relevant to the decision in the table below.</p> <p>Background papers are <u>unpublished</u> works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based. If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.</p>						
Title of background paper(s)		Exemption Paragraph Number					
		1	2	3	4	5	6
Cabinet Member Signature							
20	<p>I agree the decision and confirm that it is not contrary to the Council's policy and budget framework, Corporate Plan or Budget. In taking this decision I have given due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act and those who do not. For further details please see the EIA attached.</p>						
Signature			Date of decision	16 November 2022			
Print Name	Councillor Richard Bingley						