

## Agenda

**Meeting: Shareholder Committee**

**Venue: The Oak Room, County Hall,  
Northallerton DL7 8AD**

**Date: Tuesday, 24 April 2018 at 1.00 p.m.**

Recording is allowed at County Council, committee and sub-committee meetings which are open to the public, please give due regard to the Council's protocol on audio/visual recording and photography at public meetings, a copy of which is available to download below. Anyone wishing to record is asked to contact, prior to the start of the meeting, the Officer whose details are at the foot of the first page of the Agenda. We ask that any recording is clearly visible to anyone at the meeting and that it is non-disruptive. <http://democracy.northyorks.gov.uk>

### **Business**

1. **Confirm appointment of Chair**
2. **Confirm appointment of Vice-Chair**
3. **Any Declarations of Interest**
4. **Terms of Reference**

As a shareholder, the Council's role is not to manage the business on a day to day level. The Company's Board will be responsible for running the business and should be given sufficient freedom to deliver the strategic and operational priorities of the Company. The Board should have Directors with the right skill to be able to manage the business of the company.

In order to strengthen the Council's governance arrangements over the ownership rights of the companies, the Shareholder's Committee which carries out the vast majority of formal decision making on behalf of the Council regarding the Companies will be made by the Shareholder's Committee. Please see the Shareholder's Committee Report dated 17<sup>th</sup> October 2017 for full functions and powers.

<http://democracy.northyorks.gov.uk/Committees.aspx?commid=18&meetid=3595>

5. **Exclusion of the public from the meeting during consideration of each of the items of business listed in Column 1 of the following table on the grounds that they each involve the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 as amended by the Local Government (Access to information) (Variation) Order 2006:-**

Item number on the agenda	Paragraph Number
7 (Appendix)	3
8	3

6. **Public Questions or Statements.**

Members of the public may ask questions or make statements at this meeting if they have given notice to Patrick Duffy of Democratic and Scrutiny Services and supplied the text (*contact details below*) by midday on Thursday 19 April 2018, three working days before the day of the meeting. Each speaker should limit themselves to 3 minutes on any item. Members of the public who have given notice will be invited to speak:-

- at this point in the meeting if their questions/statements relate to matters which are not otherwise on the Agenda (subject to an overall time limit of 30 minutes);
- when the relevant Agenda item is being considered if they wish to speak on a matter which is on the Agenda for this meeting.

If you are exercising your right to speak at this meeting, but do not wish to be recorded, please inform the Chairman who will instruct anyone who may be taking a recording to cease while you speak.

7. **Review and note performance of Brierley Group** – Report of the Assistant Director – Strategic Resources

**(Pages 5 to 6)**

8. **Review and decision on Brierley Group Business Plans** - Report of the Assistant Director – Strategic Resources

**(Pages 7 to 129)**

- a) NYNet
- b) Veritau
- c) Brierley Homes
- d) First North Law
- e) Yorwaste
- f) Align Property Partners
- g) North Yorkshire Education Services

9. **Other business which the Chair agrees should be considered as a matter of urgency because of special circumstances**

Barry Khan  
Assistant Chief Executive  
(Legal and Democratic Services)  
County Hall, Northallerton  
Date: 16 April 2018

Notes:

## **Emergency Procedures for Meetings**

### **Fire**

The fire evacuation alarm is a continuous Klaxon. On hearing this you should leave the building by the nearest safe fire exit. If the main stairway is unsafe use either of the staircases at the end of the corridor. Once outside the building please proceed to the fire assembly point outside the main entrance.

Persons should not re-enter the building until authorised to do so by the Fire and Rescue Service or the Emergency Co-ordinator.

An intermittent alarm indicates an emergency in nearby building. It is not necessary to evacuate the building but you should be ready for instructions from the Fire Warden.

### **Accident or Illness**

First Aid treatment can be obtained by telephoning Extension 7575.

## Shareholder Committee

### Membership

<b>County Councillors (3)</b>		
	<i>Councillors Names</i>	<i>Political Party</i>
<b>1</b>	LES, Carl	Conservative
<b>2</b>	DADD, Gareth	Conservative
<b>3</b>	MACKENZIE, Don	Conservative

**North Yorkshire County Council****Shareholder Committee****24 April 2018****Review and Note Performance of Brierley Group****Report of the Assistant Director – Strategic Resources**

The Appendix to this report contains information of the type defined in paragraph 3 of Part 1 of Schedule 12A Local Government Act 1972 as amended by the Local Government (Access to information) (Variation) Order 2006.

This is a report to item 7 of the Shareholder Committee which shows the financial performance of Brierley Group companies through the financial year of 2017/18.

Brierley Group as an overall proposition is in an early phase of development with each individual company at a different stage of maturity. This is borne out in the financial report shown below which has the following key points to note:

- Overall the financial performance of Brierley Group is strong with an expected 2017/18 out turn position of just below target. This is no small feat considering the issues and aspirations of each company.
- There have been significant successes through the year including but not limited to:
  - Award of the Local Full Fibre Network (LFFN) bid to NYnet which will improve the quality of broadband connections across North Yorkshire.
  - Successful tender on Cumbria's property design framework, giving Align Property Partners a platform to grow the business into that region.
  - Completion of the Todd's acquisition by Yorwaste and successful integration and no noteworthy disruptions to either business.
  - Yorwaste's mobilisation of York Council's & North Yorkshire County Council's HWRCs having taken over operations from Kier.
  - Appointment of Commercial Director for NYES with renewed focus on developing the business outside of North Yorkshire.
  - Planning consent and appointment of building contractor at Thorpe Willoughby marking a milestone in the company's pilot scheme.
  - Completion of Solicitors Regulation Authority by First North Law and opening for business.
  - Veritau winning key work with a number of other Local Authorities: Sheffield City Council, Gloucestershire County Council, Leicestershire County Council and Cheshire East Council during the year.

As we look to the coming financial year, Brierley Group has the potential to take big steps forward in a number of areas with opportunities across the group and working with the shareholder emerging. The Shareholder Committee plays an important role in helping ensure each company has the framework to operate in which maximises the chance of success, this plays out in not only the approval and oversight of business plans but also the challenge and support to the companies. The key focus for the Group over the coming months is aligning the financial forecast of the Group to the shareholder's MTFs and budget.