

North Yorkshire County Council

Shareholder Committee

Minutes of the meeting held on Tuesday, 14th February, 2023 commencing at 1.00 pm.

County Councillor Carl Les in the Chair plus County Councillors Gareth Dadd and Derek Bastiman.

In attendance: County Councillors George Jabbour.

Officers present: Richard Flinton, Barry Khan, Vicki Dixon and Will Baines.

Apologies: Gary Fielding.

Copies of all documents considered are in the Minute Book

12 Minutes of the meeting held on 18 October 2022

Resolved –

That the Minutes of the meeting held on 18 October 2022, having been printed and circulated, be confirmed as read and signed by the Chairman as a correct record.

13 Declarations of interest

There were no declarations of interest.

14 Public Questions & Statements

There were no questions or statements from the public.

15 Transferral of shares in District and Borough Companies to North Yorkshire Council

Considered – The report of the Assistant Chief Executive (Legal & Democratic Services) updating Members as to the transfer of NYCC owned companies to the new authority.

There are a number of companies owned by the District and Borough Councils. As part of Local Government Reorganisation (LGR), the District and Borough Councils will automatically transfer to the new authority, North Yorkshire Council. However, the ownership of the companies (including ownership of shares and membership rights) requires steps to be taken to transfer to the new authority. Shares and members interests will need to be transferred in accordance with company law procedure to ensure they can continue to operate.

As North Yorkshire County Council (NYCC) is the “Continuing Authority”, the legal entity for ownership of NYCC shares or company limited by guarantee (CLG) membership interest remains the same. Therefore, the shares in these companies will automatically transfer to the new authority. The company registers shall be updated and any required confirmation statements will be filed at Companies House.

It is necessary for North Yorkshire County Council to approve the acquisition of the shares

and/or interests prior to the new authority coming into existence. This will include all necessary agreements to facilitate the transfers, such as transfer agreements and Deeds of Adherence.

A discussion was held about the appointing the membership of the Companies that will transfer over to North Yorkshire Council and it was agreed to delegate this to the Chief Executive, in consultation with the Leader.

Resolved:

That the Shareholder Committee:

- i. Approve the acquisition of shares and/or interests in the Companies as set out in Appendix 1
- ii. Delegate the approval of the Council entering into the documents required to transfer the Companies to the new authority to the Assistant Chief Executive (Legal & Democratic Services)
- iii. Delegate any decisions relating to the financial implications of acquiring the shares and/or membership of the Companies to the Corporate Director (Strategic Resources) and
- iv. Authorise the Assistant Chief Executive (Legal & Democratic Services) to take all other necessary steps to facilitate the transfer of the companies or to take any other appropriate action to ensure the smooth transition to North Yorkshire Council.
- v. Delegate to the Chief Executive, in consultation with the Leader, to:
 - i. Take whatever steps are necessary with regard to the transfer and cessation of Veritau North Yorkshire.
 - ii. Make appointments to all of the companies, listed in Appendix 1, that will transfer to North Yorkshire Council from the District and Borough councils.

16 Work Programme

Members considered and endorsed the work programme for the Committee for the remainder of 2022/23.

The meeting concluded at 1.30 pm.