

NORTH YORKSHIRE COUNTY COUNCIL

DECISION RECORD

Sale of Toddpak Limited

This record is produced in accordance with the Local Authorities (Executive Arrangements)(Meetings and Access to Information)(England) Regulations 2012

This form should be used to record:

- **EXECUTIVE decisions (key or otherwise) taken by an individual Executive MEMBER; and**
- **EXECUTIVE decisions (key or otherwise) taken by an OFFICER (either alone or in consultation with an Executive Member)**
- **A non-Executive decision taken by an OFFICER which falls into one of the following descriptions:-**
 - (i) **under a specific express authorisation; or**
 - (ii) **under a general authorisation to officers to take such decisions and, the effect of the decision is to**
 - **grant a permission or licence;**
 - **affect the rights of an individual; or**
 - **award a contract or incur expenditure which, in either case, materially affects that relevant local government body's financial position.**

(One form per decision)

The following decision has been taken: -

Agreement to sale of Toddpak Limited.

By whom:

Richard Flinton, Chief Executive Officer
Shareholder Representative (on behalf of the Shareholder Committee)

On:

14 February 2020

Was this an executive decision?

YES

If an executive decision, was it also a key decision?

NO – **as a non-key**

decision by an officer this decision is not open to call in.

Reasons for decision: -

As part of the acquisition of Todd Waste Management in 2016-17, Yorwaste also acquired the subsidiary business Toddpak Limited. Toddpak functions by trading the value of Packaging Recycling Notes (PRNs). Simply the business takes a position based on an expected future value of these notes, it is akin to trading stocks.

Yorwaste have received a firm offer from an external party for Toddpak which is considered to be good value to North Yorkshire County Council (as majority shareholder of Yorwaste).

Details of any alternative options considered and rejected: -

Given the offer put forward for Toddpak, the only other option available was to retain the business, however that option was ruled out as the sale is considered to be more beneficial.

Conflicts of Interest

Please record below details of any conflict of interest declared by a Member or Officer regarding the decision and any dispensation granted by the Standards Committee or Monitoring Officer in respect of that conflict.

| Conflict | Dispensation? |
|----------|---------------|
| | |

Background Papers

Please attach to this decision notice, for publication, the background papers that disclose any facts or matters on which this decision, or an important part of the decision, was based and which were relied on to a material extent in making the decision, but this does not include published works or those which disclose exempt or confidential information (as defined in Rule 10).

Signed
RICHARD FLINTON

Publication Date: 24 February 2020

Chief Executive Officer
Shareholder Representative (on behalf of the
Shareholder Committee)

Central Services
Directorate

***Note 1 regarding Executive decisions only:
This decision will come into force, and may then be implemented, on the expiry of 5 clear working days after publication, unless any 6 members of the Council object to it and call it in by notice in writing (including e-mail) to The Assistant Chief Executive (Legal and Democratic Services).***

Note 2: non-executive and non-key executive decisions by Officers are not subject to call in.

Contact for further information: michael.leah@northyorks.gov.uk

**Contact for copy of report considered
michael.leah@northyorks.gov.uk**

To: The PA to the Assistant Chief Executive (Legal and Democratic Services) - for onward circulation to:

All Members of the Council; All Management Board; All Management Board Secretaries; All Senior Managers; All Democratic Services Officers; All Corporate Development Officers; Senior Press Officer; Communications Officer