

North Yorkshire County Council

Shareholder Committee

Public Minutes of the meeting held on 29 September 2020 commencing at 9am, at County Hall, Northallerton.

Present:-

Members:

County Councillors Carl Les (Chairman), Gareth Dadd and Don Mackenzie

Officers:

Richard Flinton (Chief Executive); Barry Khan (Assistant Chief Executive (Legal & Democratic Services); Gary Fielding (Corporate Director Strategic Resources); Michael Leah (Assistant Director, Strategic Resources) and Melanie Carr (Principal Democratic Services Officer)

Also in Attendance: County Councillors Derek Bastiman, Richard Musgrave & Annabel Wilkinson

Copies of all documents considered are in the Minute Book

45. Minutes

Resolved -

That the Minutes of the meeting held on 21 January 2020, having been printed and circulated, be taken as read and confirmed and signed by the Chairman as a correct record.

46. Declarations of Interest

In regards to Agenda Item 4, County Councillor Gareth Dadd as a Director of the Veritau, declared a non-pecuniary interest in matters relating to the Company. In addition, County Councillors Carl Les and Don Mackenzie as Directors of NYNet, declared a non-pecuniary interest in matters relating to the Company.

47. Public Questions or Statements

There were no questions or statements from the public.

48. Quarter 4 2019/20 Brierley Group Report & Summary Brierley Group Business Plans for 2020/23

Members considered the report of the Assistant Director for Strategic Resources, providing a Quarter Four financial and performance update for 2019/20 for the companies that make up the Brierley Group.

Item 1

Michael Leah, Assistant Director for Strategic Resources introduced the report, providing an overview of performance and highlighting fourth quarter achievements and challenges for the individual companies. He confirmed the mixed position for the companies at end of the last financial year, a number having performed broadly well but NYES, Yorwaste and SJB having had some disturbance in their performance, in small part due to COVID.

In response, County Councillor Don Mackenzie was pleased to note the progress of NYNet but expressed disappointment at the progress of others, recognising their planned contribution to the County Council's general fund would be subsequently less than expected.

County Councillor Gareth Dadd agreed and suggested that due to the challenges and opportunities going forward, expectations would need to be tempered in the short to medium term.

County Councillor Carl Les confirmed he had received a query from County Councillor Geoff Webber, regarding the performance of Brierley Homes, and in response had directed him to the report for this meeting.

Members agreed to go into private session to consider the confidential summary of the Brierley Group's Business Plans provided.

Having considered all of the information provided, Members thanked officers for the update, and it was

Resolved:

That the Quarter 4 Performance Report and the confidential summary of the Brierley Group Business Plans for 2020-23 be noted.

49. Articles of Association for NY Highways Ltd

Members considered the report of the Assistant Chief Executive (Legal & Democratic Services) seeking shareholder approval for the Articles of Association for North Yorkshire Highways Ltd.

Barry Khan, Assistant Chief Executive (Legal & Democratic Services) introduced the report, which provided the background to the creation of NY Highways Ltd. He also drew attention to some changes to the existing Articles of Association for NY Highways Ltd to ensure compliance with the Teckal arrangements, which enable the Local Authority to give work to its companies without carrying out an external procurement exercise.

It was noted that those changes would ensure Members could exert sufficient control over the Company, and treat it like an internal department of the Council.

County Councillor Don Mackenzie welcomed the start of operations for NY Highways Ltd, recognising it would be an asset to the Brierley Group.

Resolved: That:

- i) The Articles of Association for North Yorkshire Highways Ltd be approved,
- ii) The Written Resolution be signed by the Chief Executive on behalf of the shareholder.

50. Work Programme

Members considered and endorsed the Work Programme for the Committee, for the remainder of 2020/21.

The meeting concluded at 9:35am

MLC