

Meeting	Shareholder Committee
Date	23 October 2023
Present	Councillors Lomas (Chair) and Kent
In Attendance	Councillor Ayre
Officers in Attendance	Helen Whiting – Head of HR Patrick Looker – Head of Service Finance Dan Moynihan – Senior Lawyer

10. Declarations of Interest (6:04 pm)

Members were asked to declare at this point in the meeting any disclosable pecuniary interests or other registerable interests they might have in respect of business on the agenda, if they had not already done so in advance on the Register of Interests. None were declared.

11. Minutes (6:04 pm)

Resolved: That the minutes of the last meeting held on 19 June 2023 be approved and then signed by the Chair as a correct record.

12. Exclusion of Press and Public (6:04 pm)

Resolved: That the public and press be excluded from the meeting during consideration of Appendices 2, 3, 4, and 5 of Agenda Item 6, Annex A of Agenda Item 7 and Appendix 1 of Agenda Item 8 on the grounds that they contained information relating to the financial or business affairs of any particular person (including the authority holding that information). This information was classed as exempt under Paragraphs 3 of Schedule 12A to Section 100A of the Local Government Act 1972, as amended by the Local Government (Access to information) (Variation) Order 2006.

13. Public Participation (6:05 pm)

It was reported that there had been no registrations to speak at the meeting under the Council's Public Participation Scheme.

14. Yorwaste Ltd Update (6:05 pm)

Members considered a report from Yorwaste that provided year end accounts for the 2022/23 financial year, as well as, an update of trading for the financial year 2023/24.

The Managing Director of Yorwaste provided a financial overview noting the end of year net profits along with the current mid-year profit which was helped predominately by the continued strength in landfill gas revenues and retaining specific third party processing contracts.

Whilst presenting his report, the Managing Director noted that:

- The government had just released guidance on how they intended the simplified waste strategy to proceed. Officers would digest the wider impact and any immediate actions would be implemented.
- A planning application for the large scale solar array at Harewood had been submitted, however, even if granted, there was still the challenge of connection to the National Grid.
- A recent review of the Company's mobile plant fleet found over 50% were either Stage 4B or Stage 5 compliant with a further 28% being Stage 4A compliant. Whilst the Company still had around a fifth of its mobile plant in Stage 3, these were very low usage assets at lower volume sites and would be phased out as and when newer vehicles could replace them. By 2030, it was projected that at least 95% of the fleet would be at Stage 5 or above with the remainder at Stage 4B.

During discussion of the item and in answer to questions raised, the Managing Director confirmed that the company reported its Scope 1 and Scope 2 emissions within their annual accounts and were considering solutions to measure Scope 3. The 2030 net zero ambition for York was discussed and the committee encouraged the Managing Director to implement their own climate action plan that would support their climate auditing and the council's timeframes in reaching net zero.

Members thanked the Managing Director for his report.

Resolved: That the reports from Yorwaste Ltd, attached at Annex 1 to the report, and the audited financial accounts for 2022/23, attached at Annex 2 of the report, be noted.

Reason: To ensure the council was updated on the financial performance of Yorwaste Ltd

15. Make it York Finance Update (6:17 pm)

Members considered a report that highlighted Make It York's (MIY) financial performance since the last report in March 2023. Also included within the MIY report was a copy of the audited annual accounts for 2022/23, an update of financial and non-financial performance for the trading period April to September 2023 and a financial forecast for 2024/25 and 2025/26.

The Managing Director of MIY provided a financial overview and addressed the end of year net profits. She confirmed that the Service Level Agreement between MIY and City of York Council had been updated and required Members approval, and then she highlighted the governance arrangements where the committee were informed that the Membership Advisory Board had met on three occasions and the Board would provide challenge, new ideas and an increased ambassadorial voice for the city. The Managing Director also noted that a new Head of Finance had been appointed and the financial management accounts were shared with the local authority on a monthly basis.

[Between 6:21 pm and 6:30 pm the press and public were excluded from the meeting during consideration of Appendices 2, 3, 4, and 5.]

The Managing Director was thanked for her report and it was

Resolved:

- (i) That the Make It York Shareholder Report at Annex A to the report, and the supporting documents from Appendix 1 to Appendix 7, supplied by MIY, be noted.
- (ii) That the updated Service Specification (SLA), noted at paragraph 14 to 15, and as shown in Annex B to the report, be approved.

Reason: To ensure the council was updated on the financial performance of Make It York and approve the revised Service Specification.

16. City of York Trading Ltd Update (6:31 pm)

Members considered a report that highlighted City of York Trading Ltd's statutory accounts for 2022/23, provided within Annex A to the report and City of York Trading Ltd Performance Update to October 2023, provided within confidential Annex B to the report.

The Managing Director provided an operational overview and addressed the challenges faced with City of York Council (CYC) demands and income reducing substantially during 2023/24 in line with cost saving measures implemented. She confirmed that the Company's current service contract with CYC had been renewed and would run to 30th September 2028, and that she was currently in the process of recruiting a replacement Non-Executive Director, which when finalised, would require approval by this committee.

[Between 6:35 pm and 6:45 pm the press and public were excluded from the meeting during consideration of Annex B to the report].

The Managing Director was thanked for her report and it was

Resolved:

- (i) That the statutory accounts for City of York Trading Ltd for the financial year 2022/23, attached at Annex A to the report, be noted.

Reason: To ensure the council was updated on the financial status of City of York Trading Ltd.

- (ii) That the confidential performance update from City of York's Trading Ltd, attached at Annex B to the report, be noted.

Reason: To ensure the council was updated on the performance of City of York Trading Ltd.

17. Veritau Limited Business Update (6:47 pm)

Members considered a report that provided an update on Veritau Limited's finance and performance to date.

The Chief Executive of Veritau provided an overview, noting that the Company had:

- gained a number of new clients since the last update, particularly in the education sector.
- become a living wage accredited employer.
- renewed their Good Business Charter accreditation.

The Chief Executive also drew Members attention to paragraph 6 of the report which confirmed that internal audit practices had been subject to

external review by the Chartered Institute of Internal Auditors and they had confirmed Veritau's working practices were at the appropriate standards.

Members noted the Company's financial position and it was also acknowledged that the shareholder agreement, as currently written, restricted the ability of the Group to operate on a commercial basis, for example, when submitting tenders for multi-year contracts. Subject to shareholder approval, the Group were proposing to increase the limit for key financial decisions to £1m.

[Between 6:49 pm and 7:04 pm the press and public were excluded from the meeting during consideration of Appendix 1.]

The Chief Executive was thanked for his report and it was

Resolved:

- (i) That the Group's performance since the last business update report in June 2023, be noted.

Reason: To ensure that the council was updated on the performance of Vertiau Limited.

18. Shareholder Committee Work Plan 2023/24 (7:06 pm)

Members considered the committee's work plan.

Resolved: That the work plan be noted.

Reason: To ensure the committee received regular reports in accordance with the functions of an effective Shareholder Committee.

Cllr Lomas, Chair

[The meeting started at 6.01 pm and finished at 7.07 pm].