

# **CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **ASDV Shareholder Committee**  
held on Monday, 14th October, 2019 at Committee Suite 2/3 - Westfields,  
Middlewich Road, Sandbach, CW11 1HZ

## **PRESENT**

Councillors S Carter, M Goldsmith, S Handley, S Pochin and L Smetham

### **Officers**

Frank Jordan, Executive Director Place

Alex Thompson, Director of Finance and Customer Services

Asif Ibrahim, Head of Legal Services

Paul Mountford, Executive Democratic Services Officer

Vicki Godfrey, Business Delivery Manager

## **1 APPOINTMENT OF CHAIRMAN**

### **RESOLVED**

That Councillor S Carter be appointed Chairman of the Committee for the 2019-20 municipal year.

## **2 APPOINTMENT OF VICE-CHAIRMAN**

### **RESOLVED**

That Councillor M Goldsmith be appointed Vice-Chairman of the Committee for the 2019-20 municipal year.

## **3 DECLARATIONS OF INTEREST**

Councillor S Pochin declared a non-pecuniary interest as a former Director of Engine of the North and the Skills and Growth Company.

Councillor L Smetham declared a non-pecuniary interest as a former Director of Orbitas.

## **4 COMMITTEE INDUCTION FEEDBACK**

Members of the Committee had attended the following training events:

12<sup>th</sup> September 2019 – Overview of ASDVs and the Change Programme /  
Governance Matters (External Solicitors)

18<sup>th</sup> September 2019 – Finance

Members had found both training sessions helpful in providing a broad overview and a foundation for further detail. Members felt future training

needs may arise, determined by their work programme, and it was agreed they would request further topics as necessary.

## **5 ASDV REVIEW AND SHAREHOLDER COMMITTEE OPERATIONS**

The Committee considered a report outlining the Committee's function and operations, and the change programme.

The report sought the Committee's endorsement of:

1. The terms of reference for the Shareholder Committee (Appendix A to the report);
2. The scope and sequencing of the Work Programme of the Committee, in the form of a Forward Plan (Appendix B);
3. The recruitment process for 2 co-opted members to join the Shareholder Committee if required (Appendix C); and
4. The process for appraising ASDV Business Plans and business cases via an Appraisal Tool (Appendix D).

Members of the Committee had each received a copy of the Edge Report, an external and independent review of the Council's ASDVs. The first key requirement detailed in the Edge Report was for a strategic challenge of business plans, the leadership of each company, and growth initiatives (and business cases) outside of the annual approval process.

The development and use of the Appraisal Tool attached at Appendix D to the Committee report was designed to support members in performing their appraisal role independently of officers and provided a means of appraising ASDVs on a consistent basis. The tool could be reviewed in the light of experience.

The role of the Shareholder Committee was to provide strategic oversight of the Council's commissioning arrangements for its ASDVs and to design, implement and oversee the change programme and provide recommendations to decision makers regarding decisions required to implement the required changes. The Shareholder Committee would not be involved in the detail of the day-to-day management of each ASDV.

An officer Change Board had been setup to oversee the work programme. The Board comprised:

The Executive Director Place (Chairman)  
The Monitoring Officer  
The Section 151 Officer  
The Head of Legal Services

The Head of Legal Services clarified that the recruitment of co-opted members was not optional as it was written in the terms of reference. The Committee noted that, at this early stage, they could not identify where their skill sets might need supplementing.

## **RESOLVED**

That

1. the Shareholder Committee endorses:

(a) the Draft Terms of Reference for the Committee, and the meeting requirements in consideration of the Forward Plan of work (Appendices A and B to the report), subject to the following revised timetable and additional dates for future meetings:

1<sup>st</sup> November 2019 at 2.00 pm (to consider the TSS business plan)  
14<sup>th</sup> November 2019 at 2.00 pm (to consider the ANSA business plan)  
28<sup>th</sup> November 2019 at 2.00 pm  
22<sup>nd</sup> January 2020 at 2.00 pm  
19<sup>th</sup> March 2020 at 2.00 pm (moved from 18<sup>th</sup> March)

(b) the proposals relating to the recruitment of 2 co-opted members, including nominations to be on the Recruitment Panel, as outlined in Appendix C; and

(c) the ASDV Business Plan/Case Appraisal Tool (Appendix D); and

2. the terms of reference, the recruitment process for the co-opted members, and the change programme be recommended to the Deputy Leader.

## **6 EXCLUSION OF THE PRESS AND PUBLIC**

### **RESOLVED**

That the press and public be excluded from the meeting during consideration of the following items pursuant to Section 100(A)4 of the Local Government Act 1972 on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 3 and 4 of Part 1 of Schedule 12A to the Local Government Act 1972 and the public interest would not be served in publishing the information.

## **7 ASDV CHANGE PROGRAMME REVIEW**

The Committee received an update on the change programme status and timeline.

The Committee also considered a draft Cabinet report relating to Civicance which was due to be considered by Cabinet on 5<sup>th</sup> November 2019.

## **RESOLVED**

That

1. the update on the change programme status and timeline be noted and the timeline be further updated to reflect the revised arrangements for future meetings as agreed earlier; and
2. consideration of the draft Cabinet report be deferred and the Non-Executive Directors and Managing Director of Civicance be invited to attend a reconvened meeting of the Committee on 23<sup>rd</sup> October at which the matter will be considered further.

## **8 ASDV BUSINESS PLAN REVIEWS**

The Committee considered the business plan of Orbitas.

The following attended the meeting to present the business plan and answer members' questions:

Councillor David Marren – Chairman  
Kevin Melling – Managing Director  
Mark Darbyshire – Chief Operating Officer

At the conclusion of the presentation, the Chairman thanked the Orbitas representatives who then left the meeting. The Committee then considered the matter further.

## **RESOLVED**

That

1. the business plan be noted;
2. further information be sought on the company's future investment and development proposals;
3. the views of the commissioning officer be sought; and
4. the matter be considered further at the Committee's meeting on 28<sup>th</sup> November 2019 when final recommendations will be made.

The meeting commenced at 3.00 pm and concluded at 6.35 pm

Councillor S Carter (Chairman)

