

ASDV Shareholder Committee

Agenda

Date: Tuesday 6th April 2021
Time: 1.30 pm
Venue: Virtual Meeting

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The agenda is divided into 2 parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and in the report.

It should be noted that Part 1 items of Cheshire East Council meetings are recorded and the recordings uploaded on to the Council's website.

PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT

1. **Apologies for Absence**
2. **Declarations of Interest**

To provide an opportunity for Members and Officers to declare any disclosable pecuniary and non-pecuniary interests in any item on the agenda.

Please contact Paul Mountford, Executive Democratic Services Officer
Tel: 01270 686472
E-Mail: paul.mountford@cheshireeast.gov.uk

3. **Minutes of Previous meeting** (Pages 3 - 6)

To approve the minutes of the meeting held on 9th February 2021.

4. **Exclusion of the Press and Public**

The report relating to the remaining item on the agenda has been withheld from public circulation and deposit pursuant to Section 100(B)(2) of the Local Government Act 1972 on the grounds that the matter may be determined with the press and public excluded.

The Committee may decide that the press and public be excluded from the meeting during consideration of the following item pursuant to Section 100(A)4 of the Local Government Act 1972 on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 and public interest would not be served in publishing the information.

PART 2 - MATTERS TO BE CONSIDERED WITHOUT THE PUBLIC AND PRESS PRESENT

5. **ASDV Change Programme** (Pages 7 - 84)

To consider a draft Cabinet report on a stage of the ASDV Change Programme.

Membership: Councillors D Brown, S Carter (Chairman), M Goldsmith (Vice-Chairman), S Handley and L Smetham

Co-opted members: Mr J Kalnins and Mr J Newton

CHESHIRE EAST COUNCIL

Minutes of a virtual meeting of the **ASDV Shareholder Committee**
held on Tuesday, 9th February, 2021

PRESENT

Councillor S Carter (Chairman)
Councillor M Goldsmith (Vice-Chairman)

Councillors D Brown, S Handley and L Smetham

Co-opted Member: Mr J Newton

Officers

Frank Jordan, Executive Director Place
Alex Thompson, Director of Finance and Customer Services
Julie Gregory, Legal Services
Vicki Godfrey, Business Delivery Manager
Paul Mountford, Executive Democratic Services Officer

Apologies

Mr J Kalnins

22 DECLARATIONS OF INTEREST

Councillor D Brown declared a non-pecuniary interest as a former Chairman of CERF.

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

23 MINUTES OF PREVIOUS MEETINGS**RESOLVED**

That the minutes of the meetings of 13th, 17th and 24th November 2020 be approved as a correct record.

24 CLOSURE OF THE GROUP OF COMPANIES TRADING RESERVE

The Director of Finance and Customer Services reminded the Committee that in February 2020, the Deputy Leader, having considered the advice of the Committee, had agreed that the balance of the Group of Companies Trading Reserve be transferred to the Council's General Fund. Each company would be requested to establish a risk-assessed minimum level of retained reserve and would be encouraged to utilise its own retained reserves in respect of funding initiatives that were aimed at growing and developing its business. In the event that development finance was required from the Council, the company would be required to make a bid to the Shareholder to consider, via the Shareholder Committee.

The Council's finance officers had been working with each company to establish a risk-assessed minimum level of retained reserve which was informed by the company's activities, risks and responsibilities. The aim was to replace the existing profit and loss sharing arrangements with an approach that facilitated dividend payments being made when the risk-assessed minimum level of reserves was exceeded. The proposed arrangements for each company would be reported to the Committee before the Executive Director Place exercised the powers delegated to him by the Deputy Leader to implement the arrangements.

In response to a question by the Chairman, the Director of Finance and Customer Services clarified that all of the Council's money held in the trading reserve had been transferred to the General Fund.

RESOLVED

That the report be noted.

25 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 Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 and the public interest would not be served in publishing the information.

26 ASDV BUSINESS PLANS 21/22 REVIEW

The Committee considered its draft report and recommendations to the Deputy Leader on the ASDV Business Plan Review.

The purpose of the report was to provide assurance to the Deputy Leader, as the Cabinet Member with responsibility for shareholder matters relating to the Council's wholly-owned companies, that due consideration and scrutiny had been given to the new company business plans in terms of their operations, performance and meeting the required outcomes of the Council as owner and shareholder.

RESOLVED

That the report and the recommendations contained therein be approved for submission to the Deputy Leader.

27 ASDV CHANGE PROGRAMME

The Committee received an update on the review of Transport Service Solutions as part of the ASDV Change Programme.

The Executive Director Place gave a presentation which outlined the purpose of the review, its key considerations, progress to date, next steps

and preliminary findings. Following the presentation, the Executive Director answered members' questions.

The Executive Director advised that the Committee would need to meet in early April to consider the outcome of the review with a view to a report being submitted to Cabinet in May.

RESOLVED

That

1. the update be noted; and
2. a meeting of the Committee be held on 6th April 2021 at 1.30 pm (with a pre-meeting at 1.00 pm) to consider the outcome of the review of Transport Service Solutions.

28 COMPANY DIRECTORS' BRIEFING

The Committee was briefed on the performance framework and risk registers for Ansa, Orbitas and Transport Service Solutions, and on progress with their growth plans.

Mr Kevin Melling, Managing Director of all three companies, attended for this item and gave a presentation on each company, following which he answered members' questions.

At the conclusion of the presentation, the Chairman thanked Mr Melling and conveyed the Committee's thanks and appreciation to the companies' staff for their work during the pandemic.

Mr Melling then left the meeting and the Committee discussed the matter further.

RESOLVED

That

1. the briefing on the three companies be noted; and
2. the Committee review company governance at its meeting on 6th April.

The meeting commenced at 2.00 pm and concluded at 3.44 pm

Councillor S Carter (Chairman)

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