

NORTH HERTFORDSHIRE DISTRICT COUNCIL

CABINET SUB-COMMITTEE (LOCAL AUTHORITY TRADING COMPANIES' SHAREHOLDER)

MEETING HELD IN THE COUNCIL CHAMBER, COUNCIL OFFICES, GERON ROAD,
LETCWORTH GARDEN CITY, SG6 3JF
ON FRIDAY, 21ST JULY, 2023 AT 10.00 AM

MINUTES

Present: *Councillors: Ian Albert (Chair), Keith Hoskins and Alistair Willoughby*

In Attendance: *James Lovegrove (Committee, Member and Scrutiny Manager), Ian Fullstone (Service Director - Regulatory) and Jeanette Thompson (Service Director - Legal and Community)*

Also Present: *There were no members of the public present for the duration of the meeting.*

36 APOLOGIES FOR ABSENCE

Audio recording – 1 minute 1 second

No apologies for absence were received from Councillors.

37 MINUTES - 1 MARCH 2023

Audio Recording – 1 minute 5 seconds

Councillor Ian Albert, as Chair, proposed and Councillor Keith Hoskins seconded and it was:

RESOLVED: That the Minutes of the Meeting of the Committee held on 1 March 2023 be approved as a true record of the proceedings and be signed by the Chair.

38 NOTIFICATION OF OTHER BUSINESS

Audio recording – 1 minute 44 seconds

There was no other business notified.

39 CHAIR'S ANNOUNCEMENTS

Audio recording – 1 minute 49 seconds

- (1) The Chair advised that, in accordance with Council Policy, the meeting would be audio recorded.
- (2) The Chair drew attention to the item on the agenda front pages regarding Declarations of Interest and reminded Members that, in line with the Code of Conduct, any Declarations of Interest needed to be declared immediately prior to the item in question.

40 PUBLIC PARTICIPATION

Audio recording – 2 minutes 09 seconds

There was no public participation at this meeting.

41 **HERTFORDSHIRE BUILDING CONTROL - AMENDMENTS TO SHAREHOLDER AGREEMENT**

Audio recording – 2 minutes 13 seconds

The Service Director – Regulatory presented the report entitled 'Hertfordshire Building Control – Amendments to Shareholder Agreement', provided an overview of the background to the Cabinet Sub-Committee, and advised that:

- Whilst the shareholder representatives were reviewing the Inter-Authority Agreement and the Service Agreement, it made sense to also include a review of the Shareholder Agreement, which was completed alongside external legal advisors from Trowers and Hamlins LLP.
- From this review there were several changes proposed to be in line with best practice, and a number of areas which could work better.
- Point 8.3 of the report detailed where a unanimous decision of the shareholders was required, with minimal update to this.
- Point 8.4 of the report detailed where a 75% decision of the shareholders was required.
- In addition, there were two new proposals made; a simple majority shareholder decision which would be applied to the paying of dividends, as well as the dismissal of a director for any reason.
- The other new proposal was for a board decision to be included, which would oversee the appointment of specialist consultant. Currently the decision is with the Sub-Committee with no delegated powers, so this would expedite appointments of consultants.

In response to questions from Councillors, the Service Director – Regulatory advised that it was felt that the £50k was a sensible amount of remuneration for consultants to be approved by the Board.

The Service Director – Legal and Community advised that a decision was required today and questioned what further would be achieved by circulating the amended agreement. In response to a question from Councillor Keith Hoskins, the Service Director confirmed that this had been reviewed by other Legal Officers at partner authorities, although some had different ways of approving the decision.

The Chair moved the item to a vote, and it was:

RESOLVED: That the Cabinet Sub-Committee considered the contents of the report and having done so:

- (1) Agreed to the proposed amendments to the Shareholder Agreement.
- (2) Delegated any action required to complete the proposed amendments to the Shareholder Agreements, to the Service Directors for Regulatory and Legal and Community on behalf of the Council as shareholder.
- (3) Authorised the Service Director – Legal and Community to execute the final amended Shareholder Agreement.

REASON FOR DECISION: To enable the Council to deliver its building control service in an effective and efficient manner.

The meeting closed at 10.13 am

Chair