

## MINUTES OF SHAREHOLDER COMMITTEE MEETING - FRIDAY, 15 JULY 2022

### **Present:**

Councillor Taylor (in the Chair)

Councillors

L Williams

### **In Attendance:**

Councillor Mark Smith, Chair, Blackpool Operating Company Limited Board  
Mrs Lorraine Hurst, Company Secretary

Mr Alan Cavill, Director of Communications and Regeneration

Mr Steve Thompson, Director of Resources

Ms Kirsten Whyatt, Finance Manager, Subsidiary and Partnership Finance

Mrs Sharon Davis, Scrutiny Manager

### **1 DECLARATIONS OF INTEREST**

There were no declarations of interest on this occasion.

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

The Shareholder Committee agreed that under Section 100A of the Local Government Act 1972, the public be excluded from the meeting during consideration of Item 3 'Minutes of the last meeting held on 17 June 2022' (restricted minutes only), Item 4 'Shareholder Committee Action Tracker', Item 5 'Shareholder Update', Item 6 'Wholly-Owned Company Financial Performance as at Month 2 2022/23' and Item 7 'Sandcastle Waterpark – Managing Agent Appointment' on the grounds that they would involve the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A of the Act.

### **3 MINUTES OF THE LAST MEETING HELD ON 17 JUNE 2022**

The Committee considered the minutes of the last meeting held on the 17 June 2022, noting that there was a public and a restricted version of the minutes.

It was noted that in 'Item 6 Wholly-Owned Company Financial Performance as at Month 1 2022/23' within the Shareholder Committee decision text the word 'fail' required replacing with the word 'fall' as set out in the original report.

The Committee agreed that the minutes of the meeting be signed by the Chair as a true and correct record subject to the amendment outlined.

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### 4 SANDCASTLE WATERPARK - MANAGING AGENT APPOINTMENT #

(The press and public were excluded prior to the consideration of this item as defined in Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972).

Mr Alan Cavill, Director of Communications and Regeneration presented the report to the Committee and Members discussed in detail the options available to the Shareholder, noting that the Blackpool Operating Company Limited Board had approved the recommendation to appoint the preferred bidder as Managing Agent.

Mr Cavill advised that during considerations of the BOCL Board a number of clarification points had been raised and responses had been provided from both himself and the preferred bidder and discussions would continue as part of the due diligence/interim management arrangement phase.

The Shareholder Committee considered the report in detail and considered that the Shareholder would wish to enter into the management arrangement as indicated in the report subject to the agreement of the preferred bidder.

#### **Shareholder Committee decision:**

1. To note the agreement of Blackpool Operating Company Limited (BOCL) in respect of the preferred bidder as Managing Agent for the Company.
2. To appoint the preferred bidder as the Managing Agent following completion of the associated Corporate Procurement exercise.
3. To delegate authority to the Director of Communications and Regeneration in consultation with the BOCL Board to progress the transition and final management and operation arrangements for the Sandcastle Waterpark.
4. To authorise the Head of Legal Services to enter into any such documentation as may be necessary and to consider and deal with such due diligence as may be required to provide for completion of the transitional and final management and operational arrangements for the Sandcastle Waterpark.
5. To delegate authority to the Director of Communications and Regeneration to determine the reporting arrangement from the Managing Agent to the BOCL Board.

#### **Reason for the decision:**

To deliver a refreshed, branded, world class family focused visitor attraction which will further significantly contribute toward attaining the Council vision for Blackpool of being the UK's number one family resort with a thriving economy that supports a happy and healthy community who are proud of this unique town.

#### **Other options considered:**

To retain the existing management and operational arrangements for the Sandcastle Waterpark. This option would result in a lost opportunity to further develop this key visitor attraction, in line with Blackpool Council's aspirations, and would also be a lost opportunity in the enhancement of the wider Blackpool tourism resort offer.

#### **Date of decision:**

15 July 2021.

## **MINUTES OF SHAREHOLDER COMMITTEE MEETING - FRIDAY, 15 JULY 2022**

Councillor Mark Smith, Chair, Blackpool Operating Company Limited Board left the meeting following the conclusion of this item.

### **5 SHAREHOLDER COMMITTEE ACTION TRACKER**

(The press and public were excluded prior to the consideration of this item as defined in Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972).

The Committee considered its action tracker which included details of the progress made in implementing the recommendations of the wholly-owned companies governance review and the previous resolutions of the Committee. Ms Lorraine Hurst, Company Secretary provided an overview of the key progress made in relation to the actions highlighting the work undertaken in relation to the development of the strategic risk registers and adoption of the governance framework by the wholly-owned companies.

The Committee agreed to note the action tracker.

### **6 SHAREHOLDER UPDATE**

(The press and public were excluded prior to the consideration of this item as defined in Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972).

Mr Alan Cavill, Director of Communications and Regeneration and Mr Steve Thompson, Director of Resources were invited to provide an update on the Council Wholly-Owned Companies on behalf of the Shareholder.

The Committee noted the updates.

### **7 WHOLLY-OWNED COMPANY FINANCIAL PERFORMANCE AS AT MONTH 2 2022/23**

(The press and public were excluded prior to the consideration of this item as defined in Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972).

Mr Steve Thompson, Director of Resources provided an overview of the financial performance of the Council's Wholly-Owned Companies as at Month 2 2022/2023.

The Committee noted the update.

### **8 COMPANY GOVERNANCE DOCUMENTS AND POLICIES #**

Ms Lorraine Hurst, Company Secretary presented the report to the Committee and highlighted the documents that had been developed in particular the Non-executive director agreement, the Senior management disciplinary and grievance roles and responsibilities and role descriptions for the Board Chair, Audit Chair and Employment Committee Chair.

The Shareholder Committee considered the report and the suite of documents.

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### Shareholder Committee decision:

1. To approve the governance framework documents and policies for all wholly-owned companies within the Council group.
2. For the Shareholder to request that company Boards adopt the policies and other documents at the next round of Board meetings.
3. That the Company Secretary updates the documents where necessary.

### Reason for the decision:

The Shareholder Committee has a role to ensure that companies within its group have robust governance arrangements based on guidance available and best practice. These documents that accompany the governance framework have been developed on this basis and will provide consistent policies across the group.

### Other options considered:

None, the absence of governance documents would pose a governance risk to the Council.

### Date of decision:

15 July 2021.

## 9 DATE AND TIME OF NEXT MEETING

The Committee noted the date and time of the next meeting as Friday 23 September 2022, commencing at 10am.

### Chairman

(The meeting ended at 11.51 am)

Any queries regarding these minutes, please contact:  
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Please note : Items marked with a # are items subject to call-in as per the Council's Overview and Scrutiny Procedure Rules.