

MINUTES OF THE PROCEEDINGS OF AN EXTRAORDINARY MEETING OF THE AYLESBURY VALE DISTRICT COUNCIL

28 JUNE 2018

This meeting was webcast. To view the detailed discussions that took place please see the webcast which can be found at:

<http://www.aylesburyvaledc.publici.tv/core/portal/home>

PRESENT: Councillor S Renshell (Chairman); Councillors J Brandis (Vice-Chairman), B Adams, C Adams, M Bateman, A Bond, S Bowles, C Branston, J Chilver, A Christensen, A Cole, S Cole, P Cooper, B Everitt, P Fealey, B Foster, A Harrison, M Hawke, T Hunter-Watts, T Hussain, P Irwin, S Jarvis, S Jenkins, R Khan, R King, A Macpherson, T Mills, L Monger, H Mordue, S Morgan, R Newcombe, C Paternoster, C Poll, G Powell, W Raja, M Rand, S Raven, B Russel, Sir Beville Stanier Bt, A Waite, R Stuchbury, D Town and J Ward.

APOLOGIES: Councillors J Blake, N Blake, J Bloom, B Chapple OBE, S Chapple, M Collins, M Edmonds, N Glover, A Huxley, S Lambert, G Moore, M Smith, M Stamp, P Strachan, W Whyte and M Winn.

WEBCASTING

Prior to the start of the meeting, the Chairman reminded everyone present that the meeting would be broadcast live to the internet and be capable of repeated viewing.

Members of the audience who did not wish to be on camera were invited to move to a marked area at the side of the chamber.

Gerry Shanahan

The Chairman paid tribute, and a minute silence was observed, to Mr Gerry Shanahan who had recently passed away. Mr Shanahan had started work with AVDC in 1995 as a Refuse Loader and then later progressed to a Driver. He had been promoted to Operations Supervisor until 2014 when he moved into the role he held to date as Charge Hand.

1. MINUTES

RESOLVED –

That the Minutes of the Annual and Ordinary meetings of the Council held on 16 May, 2018, be approved as correct records.

2. COUNCIL PROCEDURE RULES: WAIVER

Proposed by Councillor Monger, seconded by Councillor Cooper and

RESOLVED –

That Council Procedure Rules be waived to permit Members to speak twice on the item relating to Aylesbury Vale Broadband Review, subject to a time limit for each speech of 5 minutes.

3. AYLESBURY VALE BROADBAND (AVB) REVIEW

This extraordinary meeting had been convened in accordance with Council Procedure Rules following a request from five Members of the Council (Councillors Christensen,

Cooper, Mrs Harrison, Monger and Stuchbury) for consideration to be given to the following:-

“To debate the report into Aylesbury Vale Broadband (AVB) delivered to the Audit Committee of AVDC by Mr Leeder of BDO LLP and any properly submitted resolutions with regard to said report and its consequences.”

A copy of the report into AVB that had been finalised following the Audit Committee meeting on 12 June 2018 was attached to the agenda. The minutes of that meeting had subsequently been approved as a correct record by the Audit Committee on 26 June 2018.

The Chairman explained the process for dealing with this matter, and invited Councillor Monger to speak first on the issue. Councillor Monger explained briefly the rationale behind the request for the extraordinary meeting, after which he proposed the following:-

- “(1) Council notes that, at its meeting on 12th June 2018, the Audit Committee of AVDC accepted and agreed the twenty two recommendations of the BDO LLP review into AVB. Council endorses the decision and formally adopts the recommendations which are to be applied to all of its current and future commercial ventures.
- (2) In view of concerns about various aspects of financial matters reported in the BDO LLP report on the review of Aylesbury Vale Broadband (AVB) this Council, as 95% shareholder in AVB, calls for a forensic examination of the accounts of AVB to be carried out as a matter of urgency by a properly qualified independent body and a report on this to be delivered to the Audit Committee within 90 days.
- (3) Council notes and accepts that AVB failed to meet the objectives set out in either Business Plan 1 or 2 and that there was a failure of oversight by the board of AVB for which all directors were responsible.

The proposal was seconded by Councillor Cooper who then spoke. The motion was then opened up to debate.

During debate, it was thereupon proposed by Councillor Mrs Harrison and duly seconded that the proposal be amended as follows:

- Part 1 of the proposal – additional sentence to be added at the end of the paragraph, “Further, a cross party group will be formed to oversee the implementation of the recommendations, the group to be appointed by the Audit Committee.”
- Part 2 of the proposal – on line 3, the word “forensic” to be replaced with the word “detailed”, on line 5 the words “a properly qualified independent body” to be replaced with the words “by AVDC’s internal audit team”, and the words “within 90 days” be deleted.

With the agreement of Council, and following a brief discussion between Group Leaders, the mover and seconder of the original proposal agreed to incorporate the proposed amendment changes into their proposal.

The proposal as updated was then put to the meeting as the substantive proposal. 5 Members present requested a recorded vote on the proposal, with a vote being taken on each part separately. Following the recorded vote, it was declared that Parts (1) and (2) had been CARRIED and that Part (3) had been LOST. Voting was as follows:-

Proposal (1) – CARRIED

FOR: Councillors B Adams, C Adams, Bateman, Bond, Bowles, Mrs Brandis, Branston, Chilver, Christensen, A Cole, S Cole, Cooper, Everitt, Fealey, Foster, Mrs Harrison, Hawkett, Hunter-Watts, Hussain, Irwin, Mrs Jarvis, Mrs Jenkins, Khan, King, Mrs Macpherson, Mills, Monger, Mordue, Mrs Morgan, Newcombe, Mrs Paternoster, Poll, Powell, Raja, Rand, Raven, Mrs Renshell, Mrs Russel, Sir Beville Stanier, Stuchbury, Town, Waite and Mrs Ward.

AGAINST: There were none.

ABSTENTIONS: There were none.

Proposal (2) – CARRIED

FOR: Councillors B Adams, C Adams, Bateman, Bond, Bowles, Mrs Brandis, Branston, Chilver, Christensen, A Cole, S Cole, Cooper, Everitt, Fealey, Foster, Mrs Harrison, Hawkett, Hunter-Watts, Hussain, Irwin, Mrs Jarvis, Mrs Jenkins, Khan, King, Mrs Macpherson, Mills, Monger, Mordue, Mrs Morgan, Newcombe, Mrs Paternoster, Poll, Raja, Rand, Raven, Mrs Renshell, Mrs Russel, Sir Beville Stanier, Stuchbury, Town, Waite and Mrs Ward.

AGAINST: There were none.

ABSTENTION: Councillor Powell.

Proposal (3) – LOST

FOR: Councillors Bateman, Christensen, Cooper, Mrs Harrison, Hunter-Watts, Hussain, Mrs Jarvis, Khan, Monger, Mrs Morgan, Raja, Raven and Stuchbury.

AGAINST: Councillors B Adams, C Adams, Bond, Bowles, Mrs Brandis, Branston, Chilver, A Cole, S Cole, Everitt, Fealey, Foster, Hawkett, Irwin, Mrs Jenkins, King, Mrs Macpherson, Mills, Mordue, Newcombe, Mrs Paternoster, Poll, Powell, Rand, Mrs Renshell, Mrs Russel, Sir Beville Stanier, Town, Waite and Mrs Ward.

ABSTENTIONS: There were none.

RESOLVED –

- (1) That this Council notes that, at its meeting on 12 June 2018, the Audit Committee of AVDC accepted and agreed the twenty two recommendations of the BDO LLP review into AVB. As such, Council endorses the decision and formally adopts the recommendations which are to be applied to all its current and future commercial ventures. Further, a cross party group will be formed to oversee the implementation of the recommendations, the group to be appointed by the Audit Committee.
- (2) That in view of concerns about various financial aspects of financial matters reported in the BDO LLP report on the review of Aylesbury Vale Broadband (AVB), the Council as 95% shareholder in AVB, Council agrees for a detailed examination of the accounts of AVB to be carried out as a matter of urgency by AVDC's internal audit team and a report of this be delivered to the Audit Committee.