

ITEM NUMBER: 13.1

ATTACHMENT 2

CONFIDENTIAL MINUTES – ALWYNDOR MANAGEMENT COMMITTEE – 19 DECEMBER 2017 (Report 10/18)

Pursuant to Section 83(5) of the Local Government Act 1999 the Report attached to this agenda and the accompanying documentation is delivered to the Alwyndor Management Committee Members upon the basis that the Alwyndor Management Committee consider the Report and the documents in confidence under Part 3 of the Act, specifically on the basis that the Alwyndor Management Committee will receive, discuss or consider:

- b. Information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the council is conducting, or proposing to conduct, business, or to prejudice the commercial position of the council; and would, on balance, be contrary to the public interest.

Confidential Minutes of the Alwyndor Management Committee Meeting held in the Boardroom, Alwyndor Aged Care, 52 Dunrobin Road Hove on Tuesday 19 December 2017.

ITEMS IN CONFIDENCE

6.1 Monthly Financial Report – November 2017 (Report No: 65/17)

Exclusion of the Public – Section 90(3)(d) Order

Motion

- 1 That pursuant to Section 90(2) of the *Local Government Act 1999* Alwyndor Management Committee hereby orders that the public be excluded from attendance at this meeting with the exception of the General Manager and Staff in attendance at the meeting in order to consider Report No: 65/17 Monthly Financial Report – November 2017 in confidence.
2. That in accordance with Section 90(3) of the *Local Government Act 1999* Alwyndor Management Committee is satisfied that it is necessary that the public be excluded to consider the information contained in Report No: 65/17 Monthly Financial Report – November 2017 on the following grounds:
 - d. pursuant to section 90(3)(d) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to confer a commercial advantage on a third party of Alwyndor, in addition Alwyndor's financial position is reported as part of Council's regular budget updates.

In addition, the disclosure of this information would, on balance, be contrary to the public interest. The public interest in public access to the meeting has been balanced against the public interest in the continued non-disclosure of the information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information.
3. The Alwyndor Management Committee is satisfied, the principle that the meeting be conducted in a place open to the public, has been outweighed by the need to keep the information or discussion confidential.

Moved Mr Bamford, Seconded Cr Aust

Carried

Financial reports as at 30 November 2017 are provided for review. They comprise of the Scorecard, YTD Budget to Actuals Comparison, and Movement in Funds/Reserve Accounts.

The Chief Financial Officer spoke to the report. The Committee discussed the Scorecard and agreed to a change in format. The Chief Financial Officer advised the Committee of the ambiguity of the legislation wording relating to liquidity statements and will ensure that future liquidity statements provide greater clarity.

Motion

1. That the Scorecard (Attachment 1) be received and noted, and changes to future Scorecards agreed.
2. That the YTD Budget to Actual Comparison (Attachment 2) be received and noted.
3. That the Movement in Fund/Reserve Accounts (Attachment 3) be received and the actions of the General Manager in reinvesting Term Deposits and redemption of investments be endorsed.

RETAIN IN CONFIDENCE - Section 91(7) Order

4. That having considered Agenda Item 6.1 Monthly Financial Report – November 2017 (Report No: 65/17) in confidence under section 90(2) and (3)(d) of the *Local Government Act 1999*, the Alwyndor Management Committee, pursuant to section 91(7) of that Act orders that the Attachments and Minutes be retained in confidence for a period of 12 months and that this order be retained in confidence for a period of 12 months and that this order be reviewed every 12 months.

Moved Mr Peters, Seconded Ms Wills

Carried

8. URGENT BUSINESS – Subject to the leave of the meeting

- 8.1 Communication (verbal)

Exclusion of the Public – Section 90(3)(a) Order

Motion

- 1 That pursuant to Section 90(2) of the *Local Government Act 1999* Alwyndor Management Committee hereby orders that the public be excluded from attendance at this meeting with the exception of the General Manager and Staff in attendance at the meeting in order to consider Urgent Business Item 8.1 Communication (verbal) in confidence.

2. That in accordance with Section 90(3) of the *Local Government Act 1999* Alwyndor Management Committee is satisfied that it is necessary that the public be excluded to consider the information contained in Urgent Business Items 8.1 Communication (verbal) on the following grounds:
 - a. pursuant to section 90(3)(a) of the Act, the information to be received, discussed or considered in relation to Urgent Business Item 8.1 Communication is information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead), being multiple staff members due to various personal assertions made.
3. The Alwyndor Management Committee is satisfied, the principle that the meeting be conducted in a place open to the public, has been outweighed by the need to keep the information or discussion confidential.

Moved Cr Lonie, Seconded Mr Pratt

Carried

The Committee acknowledged an anonymous letter addressed to the Alwyndor Management Committee and Chief Executive Officer. The Committee discussed the content of the letter and factual inaccuracies.

Cr Aust left the meeting at 7.20pm

Motion

1. That the Chairperson, on behalf of the Alwyndor Management Committee write to staff regarding staff survey results and provide an operational review update.
2. That the Chairperson write a letter of thanks to all staff to acknowledge their contribution to Alwyndor in 2017.

RETAIN IN CONFIDENCE – Section 91(7) Order

3. That having considered Urgent Business Item 8.1 Communication (verbal) in confidence under section 90(2) and (3)(a) of the *Local Government Act 1999*, the Alwyndor, pursuant to section 91(7) of that Act orders that the attachment and minutes be retained in confidence for a period of 18 months and that this order be reviewed every 12 months.

Moved Cr Lonie, Seconded Mr Peters

Carried

CONFIRMED

Tuesday 16 January 2018

CHAIRMAN