



Borough of Douglas

Town Hall,

Douglas,

9th October, 2013

At a MEETING of the COUNCIL of the BOROUGH OF DOUGLAS, duly convened and holden at 2.30 p.m. on WEDNESDAY, the 9th day of OCTOBER, 2013, in the COUNCIL CHAMBER, within the TOWN HALL, at which Meeting the following Members were present, that is to say: -

The Mayor

COUNCILLOR MRS CAROL ELIZABETH MALARKEY, JP

Councillor

Mrs S.D.A. Hackman

Mr S.R. Pitts

Mr D.J. Ashford, JP

Mrs R. Chatel

Mr D.W. Christian MBE, JP

Mr E.A. Joyce

Mr C.L.H. Cain

Mr G.J. Faragher (from 3.45pm)

Miss D.A.M. Pitts

Mr W.M. Malarkey

Mr R.H. McNicholl

Ms K. Angela

Mr S.C. Cain

Apologies for absence were submitted on behalf of Councillor Mrs C.A. Corlett, Messrs Councillors J. Joughin, G.J. Faragher (for lateness), J.E. Skinner.

The Chief Executive, Borough Engineer and Surveyor and the Assistant Chief Officer (Finance) were in attendance.

1. **Minutes – 14th August, 2013**

The minutes of the monthly Council meeting held Wednesday, 14th August, 2013 were approved and signed.

2. **Standing Order 39 Question – Mr Councillor D.J. Ashford**

The following question addressed by Mr Councillor D.J. Ashford to the Chairman of the Environmental Services Advisory Committee, and the Chairman's reply were noted:-

Question:

Why the Waste Management Review took two years to be presented to the Committee, when the reason given for delay during that time was the need for further information, bearing in mind that the actual reports presented to the Committee contained no further new information and all reports were dated as completed two years ago?

Reply:

The Waste Management Review Report gives clear recommendations on the restructure of the Waste Service and the consequent financial arrangements were approved and adopted by the Council in the 2013/14 budget.

The report was shared when it was first completed with the Chief Officers' Management Team, the Leader of the Council and the Chair of the Public Works Committee and arising from discussion financial provision was made in this year's budget and negotiations continued in relation to a number of staffing issues.

There were also during that period a number of uncertainties related to the Kerbside Recycling Collection Scheme and whether Onchan would join, and to the proposed bulking up facilities at Ballacottier, with its funding and licensing. With these issues all in flux there was no solid basis for consideration by the Committee. It is only comparatively recently that they and the staffing issues have been resolved so that the report can be presented to the Committee within a firm context.

Supplementary Question:

If the uncertainties of Onchan and Ballacottier was what was preventing consideration by Committee, what changes were subsequently made to the reports as a result?

Reply:

The situation with Braddan was left out of the question but also had a bearing. The budget process also made changes and only then could a report be finalised.

If the Member wishes, I would be happy to meet with him and the Borough Engineer to provide any further detail.

3. **Executive Committee – 27th September 2013 – Clause A9**

Resolved unanimously, "That the minutes of proceedings of the Executive Committee, as contained in Clause A9 of report of meeting held on Friday, 27th September, 2013, be received, approved and adopted by the Council."

Under the provisions of the Local Government Act 1985, Mr Councillor E.A. Joyce declared an interest in the item and retired whilst it was considered.

4. **Executive Committee – 27th September 2013 – Clause A10**

Resolved unanimously, "That the minutes of proceedings of the Executive Committee, as contained in Clause A10 of report of meeting held on Friday, 27th September, 2013, be received, approved and adopted by the Council."

Under the provisions of the Local Government Act 1985, Mr Councillor S.R. Pitts declared an interest in the item and retired whilst it was considered.

5. **Executive Committee – 27th September 2013 – Clauses A1 to A8 and A11 to A14 inclusive**

Resolved unanimously, "That the minutes of proceedings of the Executive Committee, as contained in Clauses A1 to A8 and A11 to A14 inclusive of report of meeting held on Friday, 27th September, 2013, be received, approved and adopted by the Council."

6. **Standards Committee – 28th August 2013**

Resolved unanimously, "That the minutes of proceedings of the Standards Committee, as contained in report of meeting held on Wednesday, 28th August, 2013, be received, approved and adopted by the Council."

7. **Eastern Civic Amenity Site Joint Committee – 2nd September 2013**

Resolved unanimously, “That the minutes of proceedings of the Eastern Civic Amenity Site Joint Committee, as contained in report of meeting held on Monday, 2nd September, 2013, be received, approved and adopted by the Council.”

8. **Housing and Property Advisory Committee – 18th September 2013**

Resolved unanimously, “That the minutes of proceedings of the Housing and Property Advisory Committee, as contained in report of meeting held on Wednesday, 18th September, 2013 be received, approved and adopted by the Council.”

9. **Regeneration and Community Advisory Committee – 17th September 2013 – Clause B10**

Resolved unanimously, “That the minutes of proceedings of the Regeneration and Community Advisory Committee as contained in Clause B10 of report of meeting held on Tuesday, 17th September, 2013, be received, approved and adopted by Council.”

Under the provisions of the Local Government Act 1985, Mr Councillor E.A. Joyce declared an interest in the item and retired whilst it was considered.

10. **Regeneration and Community Advisory Committee – 17th September 2013 – Clauses A1 to A9 and B11 inclusive**

Motion moved by Mr Councillor S.R. Pitts, seconded by Councillor Mrs R. Chatel, “That the minutes of proceedings of the Regeneration and Community Advisory Committee as contained in Clauses A1 to A9 and B11 inclusive of report of meeting held on Tuesday, 17th September, 2013, received, approved and adopted by Council.”

Motion put. On division being challenged, the vote was taken electronically and the Motion was approved unanimously.

11. **Attendance**

Mr Councillor G.J. Faragher joined the meeting at 3.45pm during consideration of the previous item.

12. **Environmental Services Advisory Committee – 16th September, 2013**

Resolved unanimously, “That the minutes of proceedings of the Environmental Services Advisory Committee as contained in report of meeting held on Monday, 16th September, 2013 be received, approved and adopted by the Council.”

13. **Miscellaneous Business**

The Chief Executive reported to Council that a vacancy had arisen in Athol Ward as a result of Mr Councillor A.V. Quirk resigning as a Member of the Council. A Bye-Election to fill the vacancy had been called. Nominations had opened and nomination papers were available from the main Reception desk in the Town Hall. The closing date for nominations was 5pm on the day of the Council meeting, Wednesday, 9th October, 2013. If the election were contested, polling would take place on Thursday, 31st October, 2013.

14. **Adjournment and Resumption of meeting**

The meeting adjourned at 4.45pm and resumed at 5.12pm with the same Members in present.

15. **Appointment of Member to the Environmental Services Advisory Committee**

The Leader of the Council, Mr Councillor D.W. Christian, reported that, during the adjournment the Executive Committee had met and appointed to serve on the Environmental Services Advisory Committee for the remainder of the 2013/2014 municipal year, whichever individual is elected in the forthcoming Bye-Election.

16. **Appointment of Member to Pensions Committee**

Resolved unanimously, “That Councillor Ms K. Angela be appointed to serve on the Pensions Committee for the remainder of the 2013/2014 municipal year.”

17. **Adjournment and Resumption of meeting**

The meeting adjourned at 5.15pm and resumed at 5.25pm with the same Members present.

IN PRIVATE

18. Executive Committee – 27th September 2013 – Clause A4

Resolved unanimously, “That the minutes of proceedings of the Executive Committee, as contained in Clause A4 of private report of meeting held on Friday, 27th September, 2013, be received, approved and adopted by the Council.”

Under the provisions of the Local Government Act 1985, Mr Councillor D.J. Ashford declared an interest in the item and retired whilst it was considered.

19. Executive Committee – 27th September 2013 – Clauses A1 to A3 and A5 inclusive

Motion moved by Mr Councillor D.W. Christian, seconded by Mr Councillor S.R. Pitts, “That the minutes of proceedings of the Executive Committee, as contained in Clauses A1 to A3 and A5 inclusive of private report of meeting held Friday, 27th September, 2013 be received, approved and adopted by the Council.”

Motion put. On division being challenged, the vote was taken electronically and there voted **For** the Motion: Councillor Mrs S.D.A. Hackman, Mr Councillor S.R. Pitts, Mr Councillor D.J. Ashford, Councillor Mrs R. Chatel, Mr Councillor D.W. Christian, Mr Councillor E.A. Joyce, Mr Councillor C.L.H. Cain, Councillor Miss D.A.M. Pitts, Mr Councillor W.M. Malarkey, Councillor Ms K. Angela, Mr Councillor S.C. Cain, the Mayor – **12**

Against: Messrs Councillors G.J. Faragher, R.H. McNicholl – **2**

Motion carried.

20. Housing and Property Advisory Committee – 18th September 2013

Motion moved by Mr Councillor D.J. Ashford, seconded by Mr Councillor S.C. Cain, “That the minutes of proceedings of the Housing and Property Advisory Committee, as contained in private report of meeting held on Wednesday, 18th September, 2013, be received, approved and adopted by the Council.”

Motion put. On division being challenged a vote was taken electronically and there voted **For** the Motion: Councillor Mrs S.D.A. Hackman, Mr Councillor D.J. Ashford, Councillor Mrs R. Chatel, Mr Councillor D.W. Christian, Mr Councillor E.A. Joyce, Mr Councillor C.L.H. Cain, Councillor Miss D.A.M. Pitts, Mr Councillor W.M. Malarkey, Councillor Ms K. Angela, Mr Councillor S.C. Cain, the Mayor – **11**

Against: Messrs Councillors S.R. Pitts, G.J. Faragher, R.H. McNicholl – **3**

21. Standing Order 9 – Duration of Meeting

At 6.29pm the Mayor drew attention to the provisions of Standing Order 9 and directed that a vote be taken as to whether or not the meeting would adjourn at 6.30pm and resume the following day at 10.00am.

Resolved unanimously, “That the Council session continue until consideration of all outstanding business on the Agenda is completed.”

22. Regeneration and Community Advisory Committee – 17th September 2013

Resolved unanimously, “That the minutes of proceedings of the Regeneration and Community Advisory Committee, as contained in private report of meeting held on Tuesday, 17th September 2013, be received, approved and adopted by the Council.”

The Council rose at 6.40pm.

Town Clerk & Chief Executive