



Borough of Douglas

Town Hall,

Douglas,

12th December, 2012

At a MEETING of the COUNCIL of the BOROUGH OF DOUGLAS, duly convened and holden at 2.30pm on WEDNESDAY, the 12th day of DECEMBER, 2012, in the COUNCIL CHAMBER within the TOWN HALL, at which Meeting the following Members were present, that is to say: -

The Mayor

MR COUNCILLOR DAVID JOHN ASHFORD, J.P.

Councillor

Mrs S.D.A. Hackman

Mr S.R. Pitts

Mr C.C. Thomas

Mrs R. Chatel

Mr J. Joughin

Mr D.W. Christian, J.P.

Mr E.A. Joyce

Mrs C.E. Malarkey

Mr C.L.H. Cain

Mr G.J. Faragher

Miss D.A.M. Pitts

Mr W.M. Malarkey

Mr R.H. McNicholl, J.P.

Mr J.E. Skinner

Ms K. Angela

Mr A.V. Quirk

The Chief Executive, Borough Treasurer and the Assistant Borough Engineer were in attendance.

Apologies for absence were submitted on behalf of Mr Councillor S.C. Cain.

1. **Minutes – 14th November 2012**

Minutes of the monthly meeting held Wednesday, 14th November, 2012, were approved and signed.

2. **Standing Order No. 39 Question – Mr Councillor C.C. Thomas**

The following question addressed by Mr. Councillor C.C. Thomas to the Leader of the Council, having been circulated together with the Leader's reply, was noted:

Question:

Town Centre Regeneration – Street Lights

- (i) Was Government consent received for the Council's 13th April 2012 petition to borrow in respect of fees for design work for lighting/CCTV scheme which is part of the Town Centre Regeneration and if not, why not; and
- (ii) How has any design work carried out for this scheme been financed?

Reply:

This question relates to further information on a personal submission to the Department of Infrastructure by the Member opposing the Council's petition. The Council's procedures should not be used to seek supporting information for Members', or any individual's, personal actions or views. It is not the Council's practice to withhold information however, and any Member or any ratepayer may ask the Chief Executive to provide it through the proper channels, by making a written request.

3. **Standing Order No. 39 Question – Mr Councillor C.C. Thomas**

The following question addressed by Mr Councillor C.C. Thomas to the Leader of the Council, having been circulated together with the Leader's reply, was noted:

Question:

Town Centre Regeneration – Street Lights

- (i) Has 2012-13 Estimates plan to take out a 15 year loan to finance the £1.7 million Town Centre Regeneration Street Light scheme been changed, and if so, why; and
- (ii) How is it intended that this scheme is financed now?

Reply:

I refer the Member to Clause A13 of the report of meeting of the Executive Committee on 30th November which makes it clear that some capital expenditure is to be incurred, from revenue reserves, in advance of the borrowing petition for the main scheme being submitted.

4. **Standing Order No. 39 Question – Mr Councillor C.C. Thomas**

The following question addressed by Mr Councillor C.C. Thomas to the Leader of the Council, having been circulated together with the Leader's reply, was noted:

Question:

Non-housing rate-borne debt

Always in respect of non-housing rate-borne debt:

- (i) What was the principal outstanding on 1st April 2012;
- (ii) How much is expected to be i) repaid and ii) borrowed during each of 2012-13, 2013-14 and 2014-15;
- (iii) What is the estimated principal outstanding on 1st April 2015;
- (iv) What contribution to the increase is attributable to i) Cambrian Place car park ii) Town Centre Regeneration iii) Public Lighting iv) Other rate-funded schemes; and
- (v) If any, what obligations to guarantee or repay does the Government assume in the Letter of Comfort it has issued in association with debt arranged under the Isle of Man Bank Local Authority Borrowing Scheme?

Reply:

The first four elements of this question reflect almost exactly a question already put by the Member in Council on 13th June, 2012 and I refer him to the answer given at that time, and to the further information given to him by the Borough Treasurer on 12th October, 2012. The final element relates to Government assumptions and obligations and as such should be addressed to the Government.

5. Standing Order No. 39 Question – Mr Councillor C.C. Thomas

The following question addressed by Mr Councillor C.C. Thomas to the Leader of the Council, having been circulated together with the Leader's reply, was noted:

Question:

Council owned operational and non-operational assets

- (i) What are the addresses and more specific descriptions of the following Council assets held at 31st March 2012:
 - a) 3 commercially valued operational land assets
 - b) 3 other operational assets
 - c) 19 commercial properties
 - d) 7 other commercially let properties
 - e) 6 residential units which are non-operational assets
 - f) 1 other non-operational asset
 - g) 4 surplus assets held for disposal
 - h) 2 commercially valued non-operational land assets?

Reply:

The information is being collated for circulation to all Members as a Briefing Note.

6. Standing Order No. 39 Question – Mr Councillor C.C. Thomas

The following question addressed by Mr Councillor C.C. Thomas to the Leader of the Council, having been circulated together with the Leader's reply, was noted:

Question:

Costs to move library

- (i) What is each of the following expected to cost the ratepayer either inside or outside the Time & Tide contract:
 - (ii) Removal of library from Victoria Street;
 - (iii) Putting 10 Victoria Street back into its format prior to rental as Douglas Library; and
 - (iv) Fitting out the new library at Cambrian Place?

Reply:

Similarly to Question 1 above, this question relates to further information on a personal submission to the Department of Infrastructure by the Member opposing the Council's petition.

7. Standing Order No. 39 Question – Mr Councillor C.C. Thomas

The following question addressed by Mr Councillor C.C. Thomas to the Leader of the Council, having been circulated together with the Leader's reply, was noted:

Question:

Cambrian Place – fees and financing charges

- (i) How much loan interest and finance charges will be paid by ratepayers from the moment of unconditional Cambrian Place contract signature to termination of the associated loan; and
- (ii) What percentage of the total Cambrian Place development costs will professional fees, developer overheads and profits constitute?

Reply

Similarly to Questions 1 and 5 above, this question relates to further information on a personal submission to the Department of Infrastructure by the Member opposing the Council's petition, and my response is the same.

8. Standing Order No. 39 Question – Mr Councillor C.C. Thomas

The following question addressed by Mr Councillor C.C. Thomas to the Leader of the Council, having been circulated together with the Leader's reply, was noted:

Question:

Always in respect of the continental Christmas fair held in November 2012:

- (i) How many stalls were operated by i) visitors ii) Island residents;
- (ii) Did i) Douglas Borough Council ii) Douglas Development Partnership make any payment for any purpose to visiting stallholders or any associated body and if so, how much and for what purpose;
- (iii) What impact on the 2012-13 revenue of i) Douglas Borough Council ii) Douglas Development Partnership was there; and
- (iv) What have the organisers learned from any compliments and complaints received from i) residents ii) stallholders iii) Douglas commercial ratepayers, and how will these lessons be taken into account in future?

Reply:

A Briefing Note has been circulated to Members giving information on the event but the answers to the specific questions are:

- (i) There were 36 stalls each operated by 21 individual visiting traders. Every day there were 10 pitches available to be used by local traders although these were not all fully let. Some local traders were present for the whole event and others changed daily. All local and visiting traders were issued with a street trading licence in accordance with the Pedlars & Street Traders Act 1907 and all visiting traders were issued with a non-resident trader's licence.
- (ii) No
- (iii) The operator paid the Council for additional bins to be provided on site. Douglas Development Partnership engaged Event Management Services to carry out certain functions during the event to ensure its safe and smooth running and to facilitate the presence of local traders alongside the visitors. This included maintaining a presence throughout the event as required by the licensing court and hire of generators to accommodate the split site and local traders totalling £3,360.
- (iv) Feedback from the event is still being gathered in readiness for a full debrief with all main parties on 11th January. Feedback and main conclusions drawn to date can be summarised as follows;

The event undoubtedly achieved its main two main objectives of generating footfall in the town centre and delivering a positive experience for town centre users. Feedback from the public through social media and in person has been extremely positive but also with some useful constructive comments. Collection of feedback from retailers is not yet complete but from the businesses interviewed to date, feedback is as follows;

- 52 reported increased business during the event.
- 32 reported a neutral impact on business although many of these support the event and would like to see it return as they recognise the benefit to the town centre and the potential to generate new customers.
- 8 reported concerns or a loss of business during the event.

9. **Standing Order No. 39 Question – Mr Councillor C.C. Thomas**

The following question addressed by Mr Councillor C.C. Thomas to the Leader of the Council, having been circulated together with the Leader's reply, was noted:

Question:

Always in respect of the use of the Bottleneck Car Park during TT Festivals 2013-2015.

- (i) What role will i) Full Council ii) Executive Committee iii) Any of the Advisory Committees iv) Officers have in formulating and defining the brief and tender selection criteria for the 'open market' tender; and
- (ii) What liaison with Department of Economic Development in respect of Promenade TT Festival 2013-2015 has taken place, and what impact did this liaison have on Executive Committee's resolution in respect of Bottleneck Car Park use?

Reply

- (i) The Executive Committee and the Council have already approved the invitation of tenders; it is now for the Officers to prepare the brief and seek tenders in accordance with that approval.

- (ii) Council Officers maintain dialogue with their counterparts in the Department of Economic Development over many issues but this matter is a decision for the Council alone as owner of the property.

10. **Standing Order No. 39 Question – Mr Councillor C.C. Thomas**

The following question addressed by Mr Councillor C.C. Thomas to the Leader of the Council, having been circulated together with the Leader's reply, was noted:

Question:

Tender selection criteria for leasing the Bottleneck Car Park during TT Festivals 2013-2015

What technical selection criteria are currently proposed to assess the relative merits of tenders for use of the Bottleneck Car Park during TT Festivals 2013-2015 for "a beer tent/entertainment operation, or alternative style of leisure promotion", and specifically how will demonstrated local TT experience be weighted in the selection?

Reply:

When tenders are received they will be the subject of report by the appropriate Officers which will be brought to the Executive Committee in due course for decision taking into account all the relevant factors.

11. **Executive Committee – 30th November 2012 – Clause B17 – Standing Order 56A**

Motion moved by Mr Councillor D.W. Christian, seconded by Councillor Mrs C.E. Malarkey, "That the amendment to Standing Orders to show the inclusion of the new paragraph, 56A, as set out in Clause B17 of report of meeting held on Friday, 30th November, 2012, be withdrawn for further consideration by the Executive Committee."

Question put on Motion. On division being challenged a vote was taken electronically and there voted **For** the Motion: Councillor Mrs S.D.A. Hackman, Mr Councillor C.C. Thomas, Councillor Mrs R. Chatel, Messrs Councillors J. Joughin, D.W. Christian, E.A. Joyce, Councillor Mrs C.E. Malarkey, Mr Councillor C.L.H. Cain, Councillor Miss D.A.M. Pitts, Messrs Councillors W.M. Malarkey, R.H. McNicholl, J.E. Skinner, A.V. Quirk, Councillor Ms K. Angela, the Mayor: **15**

Against: Messrs Councillors S.R. Pitts, G.J. Faragher: **2**

Motion carried.

12. **Executive Committee – 30th November 2012 – Clause B17 – Standing Order 10**

Resolved unanimously, "That the minutes of proceedings of the Executive Committee, as contained in the amendment of paragraph 10 of Standing Orders as set out in Clause B17 of report of meeting held on Friday, 30th October, 2012, be received, approved and adopted by the Council."

As a consequence of the Motion being carried Standing Order 10 is amended to read:

Notice of Meeting

Three clear days at least before any meeting of the Council, or, where the meeting is convened under Standing Order No. 3 and the business certified by the Mayor and two Lead Members to be of sufficient urgency to warrant an urgent meeting, twenty-four hours before such a meeting, a summons to attend the meeting, specifying the business to be transacted thereat, shall be left or delivered by post at the usual place of abode of every member of the Council. Notice of a public meeting shall be displayed at the Town Hall. Want of service of a summons on any members of the Council shall not affect the validity of the meeting.

Alternatively, such summons may be served electronically by transmitting it to the e-mail address of the Member except where any Member has elected not to accept such means of delivery and notified the Chief Executive in writing accordingly."

13. **Executive Committee – 30th November 2012 – Clause B17 – Standing Order 26**

Resolved unanimously, "That the minutes of proceedings of the Executive Committee, as contained in the amendment of paragraph 26 of Standing Orders as set out in Clause B17 of report of meeting held on Friday, 30th November, 2012, be received, approved and adopted by the Council."

As a consequence of the Motion being carried Standing Order 26 is amended to read;

Notices of Motion

Notice of every motion, other than a motion which under Standing Order No.30 may be moved without notice, shall be delivered in writing signed by the member or members of the Council giving the notice and delivered not later than noon on the Wednesday next before the meeting of the Council, to the Chief Executive, by whom it shall be dated, numbered in the order in which it is received and entered in a book which shall be open to the inspection of every member of the Council.

Alternatively the motion may be submitted electronically but where a number of members of the Council purport to submit it collectively, each shall transmit a copy to the Chief Executive from their specific e-mail address. The same deadline for receipt of Notices of Motion shall apply to electronic and written forms. The Chief Executive shall acknowledge receipt of any motion received in electronic form, print it and thereafter treat it as though it had been submitted in written form but if any Notice transmitted electronically is not received by the Chief Executive for any reason it shall be void.

Every motion shall be relevant to some matter in relation to which the Council has powers or duties or which affect the Borough and shall not exceed 100 words in length”

14. Executive Committee – 30th November 2012 – Clause B17 – Standing Order 30

Resolved unanimously, “That the minutes of proceedings of the Executive Committee, as contained in the amendment to paragraph 30 of Standing Orders as set out in Clause B17 of report of meeting held on Friday, 30th November, 2012, be received, approved and adopted by the Council.”

As a consequence of the Motion being carried Standing Order 30 is amended to read;

“Reference of Motions to Committee

If the subject matter of any Motion of which notice has been duly given comes within the province of the Executive, Pensions or Standards Committee, or any Advisory Committee, it shall, upon being moved and seconded, stand referred thereto without discussion, for consideration. Any consequent recommendation to Council shall be reported no later than the third Council meeting after the Motion was put and where action is taken on the Motion under delegated authority such action shall similarly be reported no later than the third next Council meeting. Any action taken under delegated authority shall be limited to such case as where the Committee concurs with the Motion or any part of it, and instigates action accordingly.”

15. Executive Committee – 30th November 2012 – Clause B17 – Standing Order 38

Resolved unanimously, “That the minutes of proceedings of the Executive Committee, as contained in the amendment to paragraph 38 of Standing Orders as set out in Clause B17 of report of meeting held on Friday, 30th November, 2012, be received, approved and adopted by the Council.”

As a consequence of the Motion being carried Standing Order 38 is amended to read;

“Private Business

The Council may transfer an item of private business into public by resolution carried by two-thirds of the Members present. The mover of a motion to transfer from private to public may make a statement of the reason and the mover of the item may respond giving the reason for it being in private, but no other Member may speak except to second the motion and the question will be put to the Council without further debate”.

16. Executive Committee – 30th November 2012 – Clause B17 – Standing Order 39

Resolved unanimously, “That the minutes of proceedings of the Executive Committee, as contained in the amendment to paragraph 39 of Standing Orders as set out in Clause B17 of report of meeting held on Friday, 30th November, 2012, be received, approved and adopted by the Council.”

As a consequence of the Motion being carried Standing Order 39 is amended to read;

“Questions – Written

A member of the Council may submit a question in writing to the Chief Executive by noon on the last working day of the week preceding the date fixed for holding any ordinary meeting of the Council asking the Mayor or the Chairman of any Committee or a Lead Member for any portfolio any question on any matter in relation to which the Council has powers or duties, or which affects the Borough.

Alternatively the written question may be submitted electronically from the Member’s specific e-mail address. The same deadline for receipt of Questions shall apply to electronic and written forms. The Chief Executive shall acknowledge receipt of any question received in electronic form, print it and thereafter treat it as though it had been submitted in written form but if any question transmitted electronically is not received by the Chief Executive for any reason it shall be void.

In the absence of the Mayor or a Chairman or Lead member, a question may be directed to the Deputy Mayor, or a Vice-Chairman or Deputy Lead Member for the Portfolio the remit which include the subject matter of the question. A question may be in a number of parts, but the total of all words included in the question shall not exceed 200.

The Chief Executive, in consultation with the person to whom the question has been directed, may deem that the question is of a nature such that the matter should be presented to the Council in private. However, by a simple majority of members present, the Council may allow the matter to be presented in public.

One hour before the scheduled commencement of the Council meeting at which questions are to be presented, the Chief Executive shall distribute a copy of each question and the answer thereto, on the desks of each member together with copies for the press and public, save when the matter is considered private the questions and answers will be in sealed envelopes marked "Private and Confidential" and copies only given to press and public if Council subsequently decides that the matter be made public. All answers shall be written, and the minutes of the Council shall record details of each question and answer, provided that only those matters presented in public shall be printed on the public minutes. There shall be no discussion on a question, but a person to whom the question or supplementary question, as described hereunder, has been put can:

(i) decline to give an answer;

(ii) give such answer as is thought appropriate;

(iii) where the desired information is contained in a publication of the Council, make a reference to that publication;

(iv) where the reply to the question cannot conveniently be given at the time of Council, undertake to provide a written answer to be circulated to members of the Council in due course;

(v) indicate that a written private and confidential answer will be given to circulate to all members in due course.

A member who has submitted a written question may submit a further written question as a supplementary to the Mayor at least fifteen minutes before the scheduled start of the meeting. A supplementary question must be directed to the person who answered the original question, and must arise directly from the answer given to the original question. The Mayor will consult with the person to whom the question has been directed, informing him of the nature of the question, and then decide if the supplementary question is to be presented in the public or private. If the supplementary question and/or answer is deemed to be private, it will be considered at the commencement of private business, provided that if the Council at that time decide by a simple majority that the matter should be public, copies of the questions and answers will be forwarded to the press by the Chief Executive as soon as is convenient after the Council meeting. At the appropriate time, the Mayor will call upon the person who is to put the supplementary question, and for the reply to be given. The answer may be in one of the forms set out above, except that it will be given verbally and not written. Only one supplementary question may be asked. But it may be in a number of parts, but the total of words in the question shall not exceed 25."

17. Executive Committee – 30th November 2012 – Clause B17 – Standing Order 76

Resolved unanimously, "That the minutes of proceedings of the Executive Committee, as contained in the amendment to paragraph 76 of Standing Orders as set out in Clause B17 of report of meeting held on Friday, 30th November, 2012, be received, approved and adopted by the Council."

As a consequence of the Motion being carried Standing Order 76 is amended to read;

"Mayor's ex officio Membership of Committees

The Mayor shall be ex-officio a member of every Committee appointed by the Council with the exception of the Standards Committee, but shall not be counted in constituting a quorum for the purpose of Standing Order 84 (Quorum of Committee). Although entitled to speak as any other Member, the Mayor shall not vote in Committee nor propose or second any motion or amendment, but when presiding over the appointment of Chairmen of any Committee shall have a casting vote in the event of an equality of votes.

The Mayor's ex-officio membership of Committees shall be in addition to the numbers of members of the respective Committees set out in Standing Order No. 81 (Election of Leader, Lead Members and Members of Committees)."

18. Executive Committee – 30th November 2012 – Clause B17 – Standing Order 77

Resolved unanimously, "That the minutes of proceedings of the Executive Committee, as contained in the amendment to paragraph 77 of Standing Orders as set out in Clause B17 of report of meeting held on Friday, 30th November, 2012, be received, approved and adopted by the Council."

As a consequence of the Motion being carried Standing Order 77 is amended to read;

"Appointment of Committees

In the year of every general election of Councillors, and every two years thereafter, the Council shall at the special private Council meeting to be held in accordance with Standing Order No. 8 (Special Council Meeting – Election of Leader, Lead Members and Members of Committees) between 1st May and the annual meeting to be held in May in each year appoint such Committees as they are required to appoint by and under any statute or under Standing Order No. 81 (Election of Leader, Lead Members and Members of Committees) and may at any time appoint such other Committees as are necessary to carry out the work of

the Council, but, subject to any statutory provision in that regard shall not appoint any member of a Committee so as to hold office for longer than two municipal years.

The Council shall at the same time appoint an Independent Member to each of the Standards and Pensions Committees and such Independent members shall be treated in similar manner to Councillors except that they may not take part in meetings of the Council. Their attendance shall count towards the quorum of the Committee and they will be required to vote in similar manner to Councillors.”

19. Executive Committee – 30th November 2012 – Clause B17 – Standing Order 80

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 the amendment to paragraph 80 of Standing Orders as set out in Clause B17 of report of meeting held on Friday, 30th November, 2012, be received, approved and adopted by the Council.”

Question put on Motion. On division being challenged a vote was taken electronically and there voted **For** the Motion: Councillor Mrs S.D.A. Hackman, Mr Councillor S.R. Pitts, Councillor Mrs R. Chatel, Messrs Councillors J. Joughin, D.W. Christian, E.A. Joyce, Councillor Mrs C.E. Malarkey, Messrs Councillors C.L.H. Cain, G.J. Faragher, Councillor Miss D.A.M. Pitts, Messrs Councillors W.M. Malarkey, R.H. McNicholl, J.E. Skinner, A.V. Quirk, Councillor Ms K. Angela, the Mayor: **16**

Against: Mr Councillor C.C. Thomas: **1**

As a consequence of the Motion being carried Standing Order 80 is amended to read;

“Portfolios

The Executive Committee of the Council shall be appointed at the special Council meeting convened biennially in accordance with Standing Order No. 81 and shall consist of five Members, being the Leader of the Council and the Chair of the Standards Committee, together with three Lead Members each representing one of the following portfolios of responsibility:

Housing and Property;

Regeneration and Community;

Environmental Services.

In every year of the general election of Councillors, and each two years thereafter, the Council will also appoint four further Members in respect of each portfolio, and they together with the Lead member, shall constitute an advisory Committee for that portfolio. Such advisory Committee shall be chaired by the Lead Member appointed by the Council.”

20. Executive Committee – 30th November 2012 – Clause B17 – Standing Order 84

Resolved unanimously, “That the minutes of proceedings of the Executive Committee, as contained in the amendment to paragraph 84 of Standing Orders as set out in Clause B17 of report of meeting held on Friday, 30th November, 2012, be received, approved and adopted by the Council.”

As a consequence of the Motion being carried Standing Order 84 is amended to read;

“Quorum of Committee

In all cases where it is not specially provided, three members shall form a quorum of any Committee appointed by the Council. An Independent Member appointed by the Council shall count towards the quorum. In accordance with Standing Order No. 76 (Mayor’s ex officio Membership of Committees), the presence of the Mayor shall not be counted as part of the quorum.”

21. Executive Committee – 30th November 2012 – Clause B17 – Standing Order 93

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 the amendment to paragraph 93 of Standing Orders as set out in Clause B17 of report of meeting held on Friday, 30th November, 2012, be received, approved and adopted by the Council.”

Question put on Motion. On division being challenged a vote was taken electronically and there voted **For** the Motion: Councillor Mrs S.D.A. Hackman, Mr Councillor S.R. Pitts, Councillor Mrs R. Chatel, Messrs Councillor J. Joughin, D.W. Christian, E.A. Joyce, Councillor Mrs C.E. Malarkey, Messrs Councillors C.L.H. Cain, G.J. Faragher, Councillor Miss D.A.M. Pitts, Messrs Councillors W.M. Malarkey, R.H. McNicholl, J.E. Skinner, A.V. Quirk, Councillor Ms K. Angela, the Mayor: **16**

Against: Mr Councillor C.C. Thomas: **1**

As a consequence of the Motion being carried Standing Order 93 is amended to read;

“Notice of Meetings

In summoning meetings of Committees both scheduled and special, the Chief Executive shall wherever possible give Members at least five working days’ notice of such meeting and the business to be transacted thereat.

Notice shall be given by delivery of a summons, specifying the business to be transacted, and which shall be left or delivered by post at the usual place of abode of every member of the Committee. Want of service of a summons on any members of the Committee shall not affect the validity of the meeting.

Alternatively, such summons may be served electronically by transmitting it to the e-mail address of the Member except where any Member has elected not to accept such means of delivery and notified the Chief Executive in writing accordingly.”

22. Executive Committee – 30th November 2012 – Clause B17 – Standing Order 103

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 the amendment to paragraph 103 of Standing Orders as set out in Clause B17 of report of meeting held on Friday, 30th November, 2012, be received, approved and adopted by the Council.”

Question put on Motion. On division being challenged a vote was taken electronically and there voted **For** the Motion: Councillor Mrs S.D.A. Hackman, Mr Councillor S.R. Pitts, Councillor Mrs R. Chatel, Messrs Councillors J. Joughin, D.W. Christian, E.A. Joyce, Councillor Mrs C.E. Malarkey, Mr Councillor C.L.H. Cain, Councillor Miss D.A.M. Pitts, Messrs Councillors W.M. Malarkey, R.H. McNicholl, J.E. Skinner, A.V. Quirk, Councillor Ms K. Angela, the Mayor: **15**

Against: Messrs Councillors C.C. Thomas, G.J. Faragher: **2**

As a consequence of the Motion being carried Standing Order 103 is amended to read;

“Privilege

Any member feeling personally aggrieved by anything which may have transpired between the termination of one meeting of the Council and the commencement of another may, with the consent of the Mayor, raise the question involved by pleading privilege. Such matters shall be limited to matters within the Councils’ jurisdiction affecting the member individually, where no recourse is open to the member concerned.”

23. Executive Committee – 30th November 2012 – Clause B17 – Standing Order 104

Resolved unanimously, “That the minutes of proceedings of the Executive Committee, as contained in the amendment to paragraph 104 of Standing Orders as set out in Clause B17 of report of meeting held on Friday, 30th November, 2012, be received, approved and adopted by the Council.”

As a consequence of the Motion being carried Standing Order 104 is amended to read;

“Procedure of Privilege

In the event of privilege being raised, it shall take precedence over all other business, and be immediately raised after the confirmation of the minutes of the previous meeting.”

24. Executive Committee – 30th November 2012 – Clauses A1 – A16 and B18 inclusive

Resolved unanimously, “That the minutes of proceedings of the Executive Committee, as contained in Clauses A1 to A16 and B18 inclusive of report of the meeting held Friday, 30th November, 2012, be received, approved and adopted by the Council.”

25. Pensions Committee – 28th November 2012

Motion moved by Mr Councillor C.L.H. Cain, seconded by Mr Councillor R.H. McNicholl, “That the minutes of proceedings of the Pensions Committee, as contained in report of meeting held on Wednesday, 28th November, 2012, be received, approved and adopted by the Council.”

Question put on Motion. On division being challenged a vote was taken electronically and there voted **For** the Motion: Councillor Mrs S.D.A. Hackman, Messrs Councillors S.R. Pitts, J. Joughin, D.W. Christian, E.A. Joyce, Councillor Mrs C.E. Malarkey, Messrs Councillors C.L.H. Cain, G.J. Faragher, Councillor Miss D.A.M. Pitts, Messrs Councillors W.M. Malarkey, R.H. McNicholl, J.E. Skinner, A.V. Quirk, Councillor Ms K. Angela, the Mayor: **15**

Against: Mr Councillor C.C. Thomas: **1**

Motion Carried.

Councillor Mrs R Chatel declared an interest in this item and retired whilst it was considered.

26. Eastern District Civic Amenity Site Joint Committee – 18th June 2012

Resolved unanimously, “That the minutes of proceedings of the Eastern District Civic Amenity Site Joint Committee, as contained in report of meeting held Monday, 18th June, 2012, be received, approved and adopted by the Council.

27. Eastern District Civic Amenity Site Joint Committee – 8th October 2012

Motion moved by Mr Councillor W.M. Malarkey, seconded by Mr Councillor G.J. Faragher, “That the minutes of proceedings of the Eastern District Civic Amenity Site Joint Committee, as contained in report of meeting held Monday, 8th October, 2012, be received, approved and adopted by the Council.

Question put on Motion. On division being challenged a vote was taken electronically and there voted **For** the Motion: Councillor Mrs S.D.A. Hackman, Messrs Councillors S.R. Pitts, C.C. Thomas, Councillor Mrs R. Chatel, Messrs Councillors J. Joughin, D.W. Christian, E.A. Joyce, Councillor Mrs C.E. Malarkey, Mr Councillor C.L.H. Cain, Councillor Miss D.A.M. Pitts, Messrs Councillors W.M. Malarkey, R.H. McNicholl, J.E. Skinner, A.V. Quirk, Councillor Ms K. Angela, the Mayor: **16**

Against: Mr Councillor G.J. Faragher: **1**

Motion Carried.

28. Housing and Property Advisory Committee – 21st November 2012

Motion moved by Councillor Mrs C.E. Malarkey, seconded by Mr Councillor J.E. Skinner, “That the minutes of proceedings of the Housing and Property Committee, as contained in report of meeting held on Wednesday, 21st November, 2012 be received, approved and adopted by Council.”

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

29. Regeneration and Community Advisory Committee – 20th November 2012

Resolved unanimously, “That the minutes of proceedings of the Regeneration and Community Advisory Committee, as contained in report of meeting held Tuesday, 20th November, 2012, be received, approved and adopted by the Council.”

30. Environmental Services Advisory Committee – 19th November 2012

Resolved unanimously, “That the minutes of proceedings of the Environmental Services Advisory Committee, as contained in report of meeting held Monday, 19th November, 2012, be received, approved and adopted by the Council.”

IN PRIVATE

31. Adjournment and Resumption

The meeting adjourned at 5.07pm and resumed in private at 5.28pm with the following Members present; Councillor Mrs S.D.A. Hackman, Messrs Councillors S.R. Pitts, C.C. Thomas, Councillor Mrs R. Chatel, Messrs Councillors J. Joughin, D.W. Christian, E.A. Joyce, Councillor Mrs C.E. Malarkey, Mr Councillor C.L.H. Cain, Councillor Miss D.A.M. Pitts, Messrs Councillors W.M. Malarkey, R.H. McNicholl, J.E. Skinner, A.V. Quirk, Councillor Ms K. Angela, the Mayor.

Mr Councillor G.J. Faragher gave his apologies for the remainder of the meeting.

32. Standing Order No. 39 Question – Mr Councillor C.C. Thomas

A written question addressed by Mr Councillor C.C. Thomas to the Leader of the Council, having been circulated together with the Leader’s reply, was noted.

33. Executive Committee – 30th November 2012

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 private report of meeting held on Friday, 30th November, 2012, be received, approved and adopted by the Council.”

Question put on Motion. On division being challenged a vote was taken electronically and there voted **For** the Motion; Councillor Mrs S.D.A. Hackman, Mr Councillor S.R. Pitts, Councillor Mrs R. Chatel, Messrs Councillors J. Joughin, D.W. Christian, E.A. Joyce, Councillor Mrs C.E. Malarkey, Mr Councillor C.L.H. Cain, Councillor Miss D.A.M. Pitts, Messrs Councillors W.M. Malarkey, R.H. McNicholl, J.E. Skinner, A.V. Quirk, Councillor Ms K. Angela, the Mayor: **15**

Against: Mr Councillor C.C. Thomas – **1**

Motion carried.

34. **Eastern District Civic Amenity Site Joint Committee – 8th October 2012**

Resolved unanimously, “That the minutes of proceedings of the Eastern District Civic Amenity Site Joint Committee, as contained in private report of meeting held on Monday, 8th October, 2012, be received, approved and adopted by the Council.”

35. **Regeneration and Community Advisory Committee – 20th November 2012**

Resolved unanimously, “That the minutes of proceedings of the Regeneration and Community Advisory Committee, as contained in private report of meeting held on Tuesday, 20th November, 2012, be received, approved and adopted by the Council.”

36. **Environmental Services Advisory Committee – 19th November 2012**

Resolved unanimously, “That the minutes of proceedings of the Environmental Services Advisory Committee, as contained in private report of meeting held on Monday, 19th November, 2012, be received, approved and adopted by Council.”

The Council rose at 5.55pm.

Town Clerk & Chief Executive