



## Borough of Douglas

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Town Hall,

Douglas,

10<sup>th</sup> April, 2013

At a MEETING of the COUNCIL of the BOROUGH OF DOUGLAS, duly convened and holden at 2.30 p.m. on WEDNESDAY, the 10<sup>th</sup> day of APRIL, 2013, 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

Mr S.C. Cain

Mr A.V. Quirk

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

Apologies for absence were submitted on behalf of Councillor Ms K. Angela.

1. **Minutes – 13<sup>th</sup> March 2013**

Minutes of the monthly meeting held Wednesday, 13<sup>th</sup> March, 2013, were approved and signed.

2. **Minutes – 27<sup>th</sup> March 2013**

Minutes of the special private meeting held Wednesday, 27<sup>th</sup> March, 2013, were approved and signed.

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 and the Leader's reply, were noted:

Question:

Douglas Regeneration

Is there sufficient funding available to Douglas Regeneration Scheme to implement all existing Douglas town centre plans and, if not, which elements are at risk, and how might these elements at risk be taken forward outside the scheme?

Reply:

The Town Centre Regeneration Scheme is funded principally by the Government. There is not, at present, a commitment to fund the whole of the scheme but instead the approach has been taken that it should be phased, and so once detailed approval is given for an element, funding is sought in respect of that element. This process reflects the normal process for funding any capital scheme, whereby approval is required to all the details before funding is committed.

The Council's financial input is into street lighting and signage and set out in the capital programme.

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 and the Leader's reply, were noted:

Question:

Council's use of CCTV

How does the Council deal with Subject Access Requests made in respect of CCTV camera footage?

Reply:

In accordance with the Data Protection Act and the Council's Code of Practice for operation of its CCTV system which is on the Council's Website.

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 and the Leader's reply, were noted:

Question

2013-14 Rents

Will he make a statement about the impact on ratepayers and rentpayers of the DSC's i) decision not to approve across-the-board rent increases ii) allegation that inadequate notice had been given of rent increases?

Reply

This matter is still to be fully considered and it would be premature to make any detailed statement at this time. There was a full debate in private at the last Council meeting when a unanimous decision was reached on the proposed course of action which was to increase housing rents. There has been further correspondence with the Department since, and that needs to be considered thoroughly before a statement is made. However the Council's decision, if carried into effect, will have no impact on ratepayers.

The second part of the question relates to the notice given to tenants, which was shorter than would be desirable. However it could not be issued until both the results of the re-pointing exercise and the water rates were known. Once these were known, notice was issued.

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

The following question addressed by Mr Councillor C.C. Thomas to the Lead Member of the Regeneration and Community Advisory Committee and the Lead Member's reply, were noted;

### Question

Are there lessons to be learned by the Council from the Noble's Park bowling-green kiosk, toilets and club house episode in respect of i) working with clubs and associations ii) estimating the cost of works and iii) maintenance arrangements?

### Reply

The Council continually learns from its experiences and this case is no different. Lessons will be learned, particularly in relation to the scope and scale of works required both in routine maintenance and particular schemes.

#### **7. Executive Committee – 27<sup>th</sup> March 2013 – Clause A6**

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

Resolved unanimously, "That the minutes of proceedings of the Executive Committee, as contained in Clause A6 report of meeting held Wednesday, 27<sup>th</sup> March, 2013, be received, approved and adopted by the Council."

#### **8. Executive Committee – 27<sup>th</sup> March 2013 – Clause B16**

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 Clause B16 of report of meeting held on Wednesday, 27<sup>th</sup> March, 2013, be received, approved and adopted by the Council."

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

As a consequence of the Motion being carried Standing Order 79 was deleted.

#### **9. Executive Committee – 27<sup>th</sup> March 2013 – Clauses A1 to A5 and A7 to A15 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 A5 and A7 to A15 of report of meeting held Wednesday, 27<sup>th</sup> March, 2013, be received, approved and adopted by the Council."

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

#### **10. Pensions Committee – 26<sup>th</sup> March 2013**

*Under the provisions of the Local Government Act 1985, Councillor Mrs R. Chatel declared an interest in this item and retired whilst it was considered.*

Resolved unanimously, "That the minutes of proceedings of the Pensions Committee, as contained in report of meeting held on Tuesday, 26<sup>th</sup> March, 2013, be received, approved and adopted by the Council."

#### **11. Eastern Civic Amenity Site Joint Committee – 11<sup>th</sup> February 2013**

Resolved unanimously, "That the minutes of proceedings of the Eastern Civic Amenity Site Joint Committee, as contained in report of meeting held Monday, 11<sup>th</sup> February, 2013, be received, approved and adopted by the Council."

#### **12. Eastern Civic Amenity Site Joint Committee – 18<sup>th</sup> March 2013**

Motion moved by Mr Councillor W.M. Malarkey, seconded by Mr Councillor R.H. McNicholl, "That the minutes of proceedings of the Eastern Civic Amenity Site Joint Committee, as contained in report of meeting held Monday, 18<sup>th</sup> March, 2013, 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, 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, S.C. Cain, A.V. Quirk, the Mayor - **14**

**Against:** Messrs Councillors C.C. Thomas, E.A. Joyce, G.J. Faragher – **3**

Motion carried.

#### **13. Housing and Property Advisory Committee – 20<sup>th</sup> March 2013**

Resolved unanimously, "That the minutes of proceedings of the Housing and Property Advisory Committee, as contained in report of meeting held on Wednesday, 20<sup>th</sup> March, 2013, be received, approved and adopted by the Council."

**14. Regeneration and Community Advisory Committee – 19<sup>th</sup> March 2013 – Clause A8**

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

Motion moved by Mr Councillor G.J. Faragher, seconded by Councillor Mrs R. Chatel, “That the minutes of proceedings of the Regeneration and Community Advisory Committee, as contained in Clause A8 of report of meeting held on Tuesday, 19<sup>th</sup> March, 2013, 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 C.C. Thomas, Councillor Mrs R. Chatel, Messrs Councillors D.W. Christian, E.A. Joyce, Councillor Mrs C.E. Malarkey, Councillor Miss D.A.M. Pitts, Messrs Councillors W.M. Malarkey, J.E. Skinner, S.C. Cain, A.V. Quirk, the Mayor - **12**

**Against:** Messrs Councillors J. Joughin, C.L.H. Cain, G.J. Faragher, R.H. McNicholl – **4**

Motion carried.

**15. Regeneration and Community Advisory Committee – 19<sup>th</sup> March 2013 – Clause B10**

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

Resolved unanimously, “That the minutes of proceedings of the Regeneration and Community Advisory Committee, as contained in Clause B10 of report of meeting held Tuesday, 19<sup>th</sup> March, 2013, be received, approved and adopted by the Council.”

**16. Regeneration and Community Advisory Committee – 19<sup>th</sup> March 2013 – Clauses A1 to A7 and A9**

Motion moved by Mr Councillor G.J. Faragher, seconded by Mr Councillor W.M. Malarkey, “That the minutes of proceedings of the Regeneration and Community Advisory Committee, as contained in Clauses A1 to A7 and A9 of report of meeting held Tuesday, 19<sup>th</sup> March, 2013 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: Messrs Councillors C.C. Thomas, J. Joughin, D.W. Christian, E.A. Joyce, Councillor Mrs C.E. Malarkey, Messrs Councillors C.L.H. Cain, J.E. Skinner – **7**

**Against:** Councillor Mrs S.D.A. Hackman, Mr Councillor S.R. Pitts, Councillor Mrs R. Chatel, Mr Councillor G.J. Faragher, Councillor Miss D.A.M. Pitts, Messrs Councillors W.M. Malarkey, R.H. McNicholl, A.V. Quirk, S.C. Cain, the Mayor - **10**

Motion fell.

**17. Environmental Services Advisory Committee – 18<sup>th</sup> March 2013 – Clause A17**

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

Resolved unanimously, “That the minutes of proceedings of the Environmental Services Advisory Committee, as contained in Clause A17 of report of meeting held Monday, 18<sup>th</sup> March, 2013, be received, approved and adopted by the Council.”

**18. Environmental Services Advisory Committee – 18<sup>th</sup> March 2013 – Clauses A1 to A16 and A18 to B20**

Resolved unanimously, “That the minutes of proceedings of the Environmental Services Advisory Committee, as contained in Clauses A1 to A16 and A18 to B20 of report of meeting held Monday, 18<sup>th</sup> March, 2013, be received, approved and adopted by the Council.”

**IN PRIVATE**

**19. Adjournment and resumption**

The meeting adjourned at 5.04pm and resumed in private at 5.24pm. Mr Councillor G.J. Faragher submitted apologies for the remainder of the meeting.

**20. Executive Committee – 27<sup>th</sup> March 2013**

Resolved unanimously, “That the minutes of proceedings of the Executive Committee as contained in private report of meeting held Wednesday, 27<sup>th</sup> March, 2013, be received, approved and adopted by the Council.”

21. **Joint Meeting of the Executive Committee and Regeneration and Community Advisory Committee – 27<sup>th</sup> March 2013**

Resolved unanimously, “That the minutes of proceedings of the joint Executive Committee and Regeneration and Community Advisory Committee, as contained in private report of meeting held Wednesday, 27<sup>th</sup> March, 2013, be received, approved and adopted by the Council.”

22. **Regeneration and Community Advisory Committee – 19<sup>th</sup> March 2013**

Motion moved by Mr Councillor W.M. Malarkey, seconded by Councillor Mrs R. Chatel, “That the minutes of proceedings of the Regeneration and Community Advisory Committee, as contained in private report of meeting held Tuesday, 19<sup>th</sup> March, 2013, be received, approved and adopted by the Council.”

The Council rose at 5.49pm.

Town Clerk & Chief Executive