

Minutes of the Ordinary Meeting of Council of the City of Holdfast Bay held in the Council Chamber, Glenelg Town Hall, Moseley Square, Glenelg, on Tuesday 12 November 2013 at 7:00pm.

MEMBERS PRESENT

His Worship the Mayor, AK Rollond
Deputy Mayor, RA Clancy
Councillor RM Bouchée
Councillor PW Dixon
Councillor KM Donaldson
Councillor LR Fisk
Councillor JD Huckstepp
Councillor SC Lonie – 7.08pm.
Councillor TD Looker
Councillor S Patterson
Councillor RC Patton
Councillor AP Roe
Councillor LJ Yates

STAFF IN ATTENDANCE

Chief Executive Officer - JP Lynch
Acting General Manager City Assets – K O’Neill
General Manager City Services - RA Cooper
General Manager Corporate Services - IS Walker
Manager Organisational Sustainability – PE Aukett

1. OPENING

His Worship the Mayor declared the meeting open at 7.00pm.

2. KAURNA ACKNOWLEDGEMENT

With the opening of the meeting His Worship the Mayor stated:
We acknowledge Kaurna people as the traditional owners and custodians of this land.

We respect their spiritual relationship with country that has developed over thousands of years, and the cultural heritage and beliefs that remain important to Kaurna People today.

3. PRAYER

His Worship the Mayor requested all present to pray and read the following Prayer:

Heavenly Father, we pray for your presence and guidance at our Council Meeting.

Grant us your wisdom and protect our integrity as we carry out the powers and responsibilities entrusted to us on behalf of the community that we serve.

4. APOLOGIES

- 4.1 Apologies Received - Nil
- 4.2 Absent - Nil

5. ITEMS PRESENTED TO COUNCIL - Nil**6. DECLARATION OF INTEREST**

Members were reminded to declare their interest before each item.

7. CONFIRMATION OF MINUTES**Motion****C121113/1049**

That the minutes of the Ordinary Meeting of Council held on 22 October 2013 be taken as read and confirmed.

Moved by Councillor Clancy, Seconded by Councillor Huckstepp

Carried**8. QUESTIONS BY MEMBERS****8.1 Without Notice****8.1.1 Speed of Bikes along Shared Paths– Councillor Bouchee**

Councillor Bouchee asked a question regarding the allowed speed of cyclists along the shared pathway and the responsibility for enforcement.

The Acting General Manager City Assets, Mr K O'Neill provided a response.

8.1.2 Brighton Caravan Park – Mayor Rollond

His Worship the Mayor asked the following questions:

1. Now that legal action has commenced what is the cost to ratepayers?
2. What amount is required for future legal costs?
3. If Council is unsuccessful in this legal action will Council be responsible for paying the Caravan Park Residents costs?
4. If residents of the Caravan Park have their properties insured and Council demolishes the structure is council responsible for the payment of the insurance value?

The Chief Executive Officer, Mr J Lynch took the questions on notice.

8.1.3 Future Development of the Caravan Park

Councillor Bouchee asked a question regarding the future development plans for the caravan park and if the new cabins did actually cut into the cliff face.

The Chief Executive Officer, Mr J Lynch took the question on notice.

8.2 With Notice - Nil

9. MEMBER'S ACTIVITY REPORTS

9.1 Mayoral Report (Report No: 366/13)

Presented for the information of Members is the Activity Report for the Mayor for May 2013 – July 2013.

9.2 Marino Residents Association Meeting

Councillor Yates reported that she had attended the Marino Residents Association meeting.

9.3 Southern Suburbs Briefing

Councillor Looker reported that he and Councillors Donaldson and Yates attended the Southern Suburbs Briefing.

9.4 Glenelg Cricket Club Sheffield Shield Lunch

Councillor Patterson reported that he, His Worship the Mayor and Councillor Patton attended the Sheffield Shield Match Lunch at Glenelg Oval.

9.5 Sheffield Shield Game at Glenelg Oval

Councillors Bouchee and Donaldson reported that they attended the Sheffield Shield match at Glenelg Oval.

Councillor Lonie joined the meeting at 7.08pm.

10. PUBLIC PRESENTATIONS

10.1 Petitions - Nil

10.2 Presentation

10.2.1 Brighton Primary School

Brighton Primary School made a short presentation for 5 minutes on the projects they have run as a result of funding they have received through Greening Our Community Grants.

10.3 Deputations**10.3.1 Chola South Indian Restaurant**

Puspa Mala made a 5 minute deputation to Council regarding the assignment of lease by Chola South Indian Restaurant.

10.3.2 Buffalo Restaurant

Mr Richard Finlayson made a 5 minute deputation to Council regarding the Buffalo Restaurant.

11. MOTIONS ON NOTICE**11.1 Motion on Notice – Council Boundary Adjustment – Councillor Looker (Report No: 370/13)**

This was been withdrawn at the request of Councillor Looker.

12. ADJOURNED MATTER - Nil**13. REPORTS OF MANAGEMENT COMMITTEES, SUBSIDIARIES AND THE DEVELOPMENT ASSESSMENT PANEL****13.1 Minutes – Jetty Road Mainstreet Management Committee (Report No: 336/13)**

The Minutes of the Jetty Road Mainstreet Management Committee meeting held 2 October 2013 are attached and presented for Council's information.

Motion**C121113/1050**

That the minutes of the Jetty Road Mainstreet Management Committee held 7 August 2013 be received.

Moved Councillor Patton, Seconded Councillor Fisk

Carried**13.2 Minutes – Audit Committee – 16 October 2013 (Report No: 364/13)**

The minutes of the Audit Committee meeting held 16 October 2013 are presented to Council for information and endorsement.

Motion**C121113/1051**

That the minutes of the Audit Committee meeting held 16 October 2013 be received and noted.

Councillor Donaldson left the chamber at 7.42pm.

Councillor Donaldson rejoined the chamber at 7.44pm.

Moved Councillor Looker, Seconded Councillor Roe

Carried

- 13.3 **Minutes – Alwyndor Aged Care Management Committee – 15 October 2013**
(Report No: 368/13)

The Minutes of the Alwyndor Aged Care Management Committee for 15 October 2013 are provided for information.

Motion

C121113/1052

That the Minutes of the Alwyndor Aged Care Management Committee for 15 October 2013 be noted.

Moved Councillor Clancy, Seconded Councillor Lonie

Carried

14. REPORTS BY OFFICERS

- 14.1 **Items in Brief** (Report No: 355/13)

These items are presented for the information of Members.

After noting the report any items of interest can be discussed and, if required, further motions proposed.

Motion

C121113/1053

That the report be noted and items of interest discussed.

Moved Councillor Clancy, Seconded Councillor Yates

Carried

- 14.2 **Glenelg East William Avenue– Lease to St John Ambulance SA Inc** (Report No: 357/13)

The St John Ambulance SA Inc. previously held a lease over the building located at William Street Glenelg East, for a period of one year from 1 July 2011 to 30 June 2012 and there was no option to renew. The lease has been continuing on a holding over basis since 1 July 2012.

St John Ambulance wants to remain in this location for the short term whilst it undertakes a strategic review of its property portfolio, and has therefore requested a lease for 12 months from 1 January 2014.

Motion

C121113/1054

That a new lease for a period of 18 months from 1 July 2012 to 31 December 2014 be granted to St John Ambulance SA Inc. over the premises located at William Avenue Glenelg East, contained in portion of allotment 100, in DP 46662 and contained in Certificate of Title, Volume 5869 Folio 949.

Moved Councillor Bouchee, Seconded Councillor Donaldson

Carried

14.3 **2012-13 Financial Statements** (Report No: 358/13)

The completed financial statements for the year ended 30 June 2013 have been reviewed by the Audit Committee and audited by Council's external auditors, BDO. They are presented to Council to be received, noted and authorised.

Council's consolidated operating result, including Alwyndor, is a deficit of \$596,000, compared with a surplus of \$438,000 in the original budget. Although this is a significant variation, the factors driving this have largely been reported to Council during the year and primarily reflect timing issues and a variety of external factors. Notwithstanding the operating deficit, Council has delivered a significant capital works program, including the Alwyndor re-development, and reduced its net financial liabilities. Council remains in a healthy financial position.

Motion

C121113/1055

1. **That the financial statements for the City of Holdfast Bay for the year ended 30 June 2013 as contained in Attachment 1 to Report No: 358/13 be received and noted.**
2. **That the Mayor and the Chief Executive Officer be authorised to sign the following certification of the financial statements;**

In our opinion:

- (a) **the accompanying (2012/13) financial statements comply with the *Local Government Act 1999, Local Government (Financial Management) Regulations 2011* and Australian Accounting Standards.**
- (b) **the financial statements present a true and fair view of the Council's financial position at 30 June 2013 and the results of its operations and cash flows for the financial year.**
- (c) **internal controls implemented by Council provide a reasonable assurance that the Council's financial records are complete, accurate and reliable and were effective throughout the financial year.**
- (d) **the financial statements accurately reflect the Council's accounting and other records.**

Moved Councillor Looker, Seconded Councillor Yates

Carried

14.4 2012-13 Annual Report (Report No: 359/13)

Council's Annual Report is an important document providing legislators and the community with assurance that the City of Holdfast Bay is meeting all its strategic and governance requirements. The 2012-13 Annual Report has been prepared to meet all statutory requirements and will be made available in both hard copy and electronic forms by the end of December 2013.

Motion**C121113/1056**

That Council adopts the 2012-13 Annual Report, subject to minor changes, design and the inclusion of the audited financial statements.

Moved Councillor Bouchee, Seconded Councillor Fisk

Carried**14.5 Appointments of the Development Assessment Panel** (Report No: 360/13)

The current term for Elected Members serving on the City of Holdfast Bay Development Assessment Panel (the Panel) expires on 30 November 2013. This report recommends that Council appoint three Elected Members to the Panel to serve for a period of 11 months, due to the Local Government Election in November 2014.

A ballot was undertaken for the positions on the Development Assessment Panel, the nominated Councillors were; Councillors Clancy, Dixon, Looker, Huckstepp and Yates.

Motion**C121113/1057**

That Councillors Clancy, Huckstepp and Looker be appointed to serve as Council Members of the City of Holdfast Bay Development Assessment Panel in accordance with the Code of Conduct and Terms of Reference for the Panel for the period commencing 1 December 2013 and ending 31 October 2014.

Moved Councillor Looker, Seconded Councillor Bouchee

Carried**14.6 Green Our Community Grants 2013-14** (Report No: 362/13)

The Greening Our Community Grants are being conducted for a third year. Twelve applications were received when the assessment panel met on 1st October 2013. The twelve applications heavily oversubscribed the \$20,000 worth of funding available, with the total amount applied for being \$40,565.00. After careful and thorough assessment of all applications, the panel recommended that ten of the twelve groups receive full or partial funding applied for. Two of the applications were deemed ineligible.

Motion**C121113/1058**

That the Report be received and that Council approves funding for 10 Greening Our Community grant applications for the 2013-2014 financial year.

Moved Councillor Yates, Seconded Councillor Lonie

Carried

14.7 **Buffalo Restaurant - Licence** (Report No: 363/13)

Following several formal deputations to Council by Mr Richard Finlayson on behalf of Buffin Pty Ltd (owner and licensee of the Buffalo Restaurant) Council resolved to:

1. Fund a building condition audit report on the Buffalo building.
2. That subject to the outcomes of the condition report that Buffin Pty Ltd be encouraged to conduct an Expression of Interest process for the purchase of the Buffalo and that the current rental agreement would continue to apply to any new purchasers.

Tonkin Consulting were recommended to undertake the Building Condition Audit and the report was provided to members under separate cover.

Refer Attachment 1

In recent times there have been several expressions of interest put forward in relation to the Buffalo.

The Makris Group have expressed a desire to relocate the vessel to a site within the Holdfast Shores Marina.

Over the last two weeks another private company has expressed an interest in looking at developing the site as 'The Glenelg Wine Centre' operating 7 days a week under a General Facilities Licence with a charter to:

1. Offering tastings and sales of South Australian wines.
2. Conducting Wine appreciation courses.
3. Conducting responsible drinking courses particularly focussing on the 18-25 age groups.
4. Creating hospitality training concentrating on older people who want/need to re-enter the workforce.

However it should be acknowledged that Council has no part to play in this process as it has no interest in the building. Council simply owns the land on which the building is sited.

Councillor Huckstepp left the chamber at 8.08pm.

Councillor Huckstepp rejoined the chamber at 8.10pm.

Motion

1. **That Council purchase the Buffalo for \$1.00 as offered by Mr Richard Finlayson as soon as practicable.**

2. That Council follow the recommendations made by Tonkin Consultation report dated October 2013
3. That Council borrows up to \$500,000 to enable the Buffalo to comply with the current Building Code of Australia
4. That Council aims to complete the upgrade of the Buffalo by December 2014
5. That Council develop an Asset Management Plan for the Buffalo including:
 - a. Investigate business options targeting both internal and external tourism
 - b. Opportunities for community group involvement/events
 - c. Targeted action for any availability of grants

Moved Councillor Donaldson, Seconded Councillor Fisk

Point of Order

Councillor Roe called a point of order drawing the Mayor's attention to one of the Member's behaviour of turning their back on another member while speaking.

His Worship the Mayor, Dr AK Rollond did not rule on the matter.

Adjournment

C121113/1059

That this item (Buffalo Restaurant - Licence (Report No: 363/13)) be adjourned until the January 2014 meeting so that further information is sought regarding the pylons expected lifespan and what is the actual estimated cost to get the vessel to comply with the Building Code of Australia.

Moved Councillor Clancy, Seconded Councillor Lonie

Carried

- 14.8 **Alwyndor Aged Care Facility – Redevelopment of Secure Dementia Unit (Report No: 365/13)**

In 2010 and 2011 Council approved major capital redevelopments of the Alwyndor Aged Care facility at a combined cost of \$19.663 million. The three stage project is due for completion on the 13 December 2013. At the time of Council's initial approval, independent financial analysis contained within the LGA Section 48 Prudential Report indicated that Alwyndor would retain a minimum cash investment portfolio of \$4.02 million at the completion of the building program.

The forecast residual capital reserves have been continually revised throughout the ensuing three year period. The residual cash reserve figure is now forecast to be \$7.18 million, based on a further independent five year cash flow analysis by Momentum Business Advisors. This significant additional positive balance sheet variance (\$3.16 million), is due primarily to the building program being delivered both on time and under budget; to realising a higher than original conservative estimate of entry bond levels; and achieving higher interest rate returns on enhanced investment levels particularly during the 2010 and 2011 financial years.

As our newer buildings have become available to residents it has created issues in take up by potential residents of our one remaining aged building (Unit 4 – a 12 bed secure dementia ward constructed in 1976). As such and as part of future strategic planning, the Alwyndor Management Committee (AMC), have determined that the organisation’s immediate priority should be to complete the capital renewal initiative for the entire site. Based on the preferred concept plan, the bed numbers in Unit 4 will decrease from twelve to eleven, however the total number of beds across the whole facility will have increased by six when compared to the accommodation capacity at the commencement of the building project in 2010 (134 to 140).

The refurbishment can be completed with minimal disruption to residents, with a six month temporarily relocation to be achieved on-site (within the Stage 2 complex). The forecast construction cost of the preferred Unit 4 refurbishment (as distinct from rebuild) is \$1.36m. When this additional cost is taken into account, the positive additional cash flow balance in comparison to the 2010 estimate will be approximately \$1.80 million and the cash investment balance of the organisation \$5.82 million.

Motion

C121113/1060

The Alwyndor Management Committee seeks Council’s “in-principle” approval:

- 1. to commit up to an additional \$1.36 million from the financial reserves of Alwyndor Aged Care to upgrade the facilities secure dementia unit (Unit 4);**
- 2. to formally engage the Brown Falconer Group to develop detailed architectural and construction plans and to coordinate the competitive tender process for the awarding of a resultant construction contract;**
- 3. with Councils final approval subject to the further tabling and endorsement of the Construction Contract (including confirmed costs), arising from the competitive tender process.**

Moved Councillor Lonie, Seconded Councillor Clancy

Carried

14.9 Review of Elected Member Benefits and Entitlements Policy (Report No: 372/13)

The Elected Member Benefits and Entitlements Policy has been reviewed to incorporate the requirements of the new mandatory Code of Conduct for Elected Members.

Motion

C121113/1061

- 1. That the Elected Member Benefits and Entitlements Policy as reviewed and attached to this report is adopted by Council.**

2. **That financial support for legal costs provided in accordance with this policy is limited to \$500 per any one matter.**

Moved Councillor Huckstepp, Seconded Councillor Looker

Carried

14.10 **Elected Member Code of Conduct Complaints and Investigation Policy** (Report No: 367/13)

The Council is committed to acting in the best interest of the community and to upholding the principles of honesty, integrity and transparency which are all key components of good governance.

The control of fraud, corruption and maladministration is an important feature within the systems and procedures of a responsible council. Critical to maintaining these standards are clear investigation policies and procedures which reflect legislative requirements and ensure consistent and fair application.

The Elected Member Code of Conduct Complaints and Investigations Policy establishes the responsibilities of the Mayor, Elected Members, the Chief Executive Officer and employees in relation to the reporting, investigation and resolution of complaints made in relation to the Elected Member Code of Conduct.

Motion

C121113/1062

1. **That the Elected Member Code of Conduct Complaints and Investigation Policy attached to this report is adopted with the addition of (f) to clause 4.1 stating “ Provide evidence of earlier attempts to resolve the issue, if any.**
2. **That the Elected Member Code of Conduct Complaints and Investigations Policy is reviewed prior to the establishment of the new Council in November 2014.**

Moved Councillor Looker, Seconded Councillor Patterson

Carried

Division called

A division was called:

Those voting for: Councillors Patton, Dixon, Patterson, Looker, Clancy, Donaldson, Lonie, Roe, Huckstepp and Yates (10)

Those voting against: Councillors Fisk and Bouchee (2).

His Worship the Mayor declared the motion

Carried

15. RESOLUTIONS SUBJECT TO FORMAL MOTIONS - Nil

16. URGENT BUSINESS – SUBJECT TO THE LEAVE OF THE MEETING**16.1 Personal Explanation by Councillor Fisk**

Councillor Fisk sought leave of the meeting to make a personal explanation.

Leave was granted by the chamber by a show of hands.

Councillor Fisk read to the chamber and tabled the following emails.

Bob Fisk

Actions

To:

M

ombudsman@ombudsman.sa.gov.au

Cc:

M

Ken Rolland; Justin Lynch

Friday, 27 September 2013 10:52 AM

You forwarded this message on 9/10/2013 11:21 AM.

Dear Mr Bingham,

I have received your final report into the allegations levelled against me, and although being disappointed with the findings, I do accept your interpretations of the Local Government Act.

I will therefore declare an interest in any discussions to do with the Marina complex in the future.

As a result of your findings I would be grateful if some clarifications of certain areas could be provided to guide me in other areas that could be perceived I may have a conflict.

55. As outlined above, given that there are approximately 6,000 rateable properties in the ward which Cr Fisk represents, including the 170 marina berths, I do not consider that such benefit would be shared with all or a substantial proportion of ratepayers, electors, residents or some other substantial class of persons. As such, I consider that Cr Fisk had an interest in the matter under section 73(1) of the Act that he was required to disclose under section 74(1) of the Act. He was then required to adhere to section 74(4) of the Act, which he did not do. Consequently, my final view is that Cr Fisk acted contrary to law within the meaning of section 25(1)(a) of the Ombudsman Act.

As indicated in item 55 of your final report your interpretation of the Act means that I have a conflict.

Can you please give me a definitive number and percentage proportion of rateable properties in my ward and also a percentage of rateable properties in the whole City of Holdfast Bay that would constitute a substantial proportion of ratepayers, electors, residents or some other substantial class of person.

I am also a member of a number of sporting clubs and resident associations that hold meetings on council owned premises, and also the sporting clubs lease playing fields and courts from the City of Holdfast Bay Council. I am now unsure if I must declare an interest when discussing any lease arrangements, upgrade budget items for courts and playing fields and any lease fees to be charged for hiring Partridge House for resident meetings.

I was relying on my interpretation of the Local Government Act in my decisions to date not to declare an interest.

A couple of the clubs that I am a member of have less than 20 local residents in the club with the overwhelming number club members coming from other Council areas.

I would very much appreciate your qualifying some numbers and percentages so as not to get into a like situation again.

Thank you in advance

Regards

Bob Fisk
Councillor Glenelg Ward
City of Holdfast Bay
CC Mayor Dr K Rollond CEO Mr J Lynch

Wishart, Sarah (OMB) [Wishart.Sarah@ombudsman.sa.gov.au]

Actions

To:

M

Bob Fisk

Friday, 27 September 2013 11:56 AM

You forwarded this message on 11/10/2013 7:42 AM.

Dear Cr Fisk,

I write in response to your email to the Ombudsman dated 27 September 2013.

You have asked the Ombudsman to give you 'a definitive number and percentage proportion of rateable properties in your ward and also a percentage of rateable properties in the whole of City of Holdfast Bay that would constitute a substantial proportion of ratepayers, residents or some other substation class of person.'

I am unable to do this. As stated in paragraph 28 of the Final Report, there is no 'definitive number' or percentage. It is always a question of fact depending on the circumstances.

Yours sincerely,

Sarah Wishart

Investigating Officer

Ombudsman SA

16.2 **Memorial for Mr Russell Glenn – Environmental Volunteer**

Councillor Yates informed Members of the passing of Mr Russell Glenn a long serving member of the Council's Environmental Volunteer Program. His dedication to the improvement of the environment of Holdfast Bay should be marked in an appropriate way.

Motion

C121113/1063

That Council place an appropriate memorial in a suitable location in recognition of the dedication and commitment of Mr Russell Glenn in improving the environment of City of Holdfast Bay in conjunction with interested community groups.

Councillor Dixon left the chamber at 8.55pm.

Councillor Looker left the chamber at 8.56pm.

Councillor Dixon rejoined the chamber at 8.57pm.

Councillor Looker rejoined the chamber at 8.58pm.

Councillor Patterson left the chamber at 8.59pm.

Councillor Patterson rejoined the chamber at 9.01pm.

Moved Councillor Yates, Seconded Councillor Bouchee

Carried

Councillor Patton left the chamber at 9.01pm.

16.3 **Future of the Buffalo**

Motion

That Council consider uncoupling the future of the Buffalo from Mr Finlayson's involvement and financial interest and a detailed report of the implications to be provided at the next meeting.

Moved Councillor Roe, Seconded Councillor Huckstepp

The mover and seconder withdrew the motion.

Councillor Patton rejoined the chamber at 9.04pm.

Councillor Roe left the chamber at 9.24pm.

Councillor Lonie left the chamber at 9.25pm.

17. ITEMS IN CONFIDENCE

17.1 **Glenelg Town Hall – Chola South Indian Restaurant Pty Ltd – Assignment of Lease (Report No: 356/13)**

Motion

C121113/1064

1. **That under provisions of Section 90(2) of the Local Government Act 1999 an order be made that the public be excluded from attendance at this meeting with the exception of the Chief Executive Officer, General Managers and administrative staff in attendance in order to consider in confidence this item.**
2. **That the Chief Executive Officer is satisfied that it is necessary that the public be excluded to enable the Council to discuss and to consider the matter at the meeting on the following grounds:**
 - a. **information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of a person or persons (living or dead) in the matter of/in regards to Glenelg Town Hall – Chola South Indian Restaurant Pty Ltd – Assignment of Lease (Report No: 356/13).**

Moved Councillor Clancy, Seconded Councillor Yates

Carried

**Glenelg Town Hall – Chola South Indian Restaurant Pty Ltd – Assignment of Lease
(Report No: 356/13)**

Councillor Roe rejoined the chamber at 9.28pm.

Councillor Lonie rejoined the chamber at 9.28pm.

Order to Retain Documents in Confidence

Motion

C121113/1066

1. That an order be made under the provisions of Section 91(7) and (9) of the Local Government Act 1999 that the documents relating to Report No: 356/13 including:

- Minutes
- Report
- Attachments

Relating to discussion of the subject matter of that document, having been dealt with on a confidential basis under Section 90 of the Act, should be kept confidential on the grounds of information contained in 90(3)(a).

2. That the Minutes, Report and Attachments are released from confidence once all of the parties involved have been formally informed of Council's decisions and that the Chief Executive Officer be authorised to release the documents.

Moved Councillor Lonie, Seconded Councillor Fisk

Carried

17.2 Update on Brighton Caravan Park Legal Proceedings

Motion

C121113/1067

1. That under provisions of Section 90(2) of the Local Government Act 1999 an order be made that the public be excluded from attendance at this meeting with the exception of the Chief Executive Officer, General Managers and administrative staff in attendance in order to consider in confidence this item.
2. That the Chief Executive Officer is satisfied that it is necessary that the public be excluded to enable the Council to discuss and to consider the matter at the meeting on the following grounds:
 - h. legal advice.
 - i. information relating to actual litigation, or litigation that the council or council committee believes on reasonable grounds will take place, involving the council or an employee of the council.

Moved Councillor Bouchee, Seconded Councillor Lonie

Carried

Conflict of Interest:

His Worship the Mayor declared an interest in the matter due to his ongoing support for the Brighton Caravan Park Residents and left the meeting at 9.38 pm.

The Deputy Mayor, Councillor Clancy assumed the chair.

Update on Brighton Caravan Park Legal Proceedings

Order to Retain Documents in Confidence

Councillor Donaldson left the chamber at 9.43pm.

Councillor Donaldson rejoined the chamber at 9.46pm.

Councillor Fisk left the chamber at 9.48pm.

Councillor Fisk rejoined the chamber at 9.50pm.

Motion

C121113/1068

1. That an order be made under the provisions of Section 91(7) and (9) of the Local Government Act 1999 that the documents relating to Update on Brighton Caravan Park Legal Proceedings relating to discussion of the subject matter of that document, having been dealt with on a confidential basis under Section 90 of the Act, should be kept confidential on the grounds of information contained in 90(3)(h and i).
2. This resolution will be reviewed within 12 months by the Council.

Moved Councillor Lonie, Seconded Councillor Huckstepp

Carried

CLOSURE

The Meeting closed at 9.53pm.

CONFIRMED Tuesday 10 December 2013

MAYOR