

Annual Meeting of the Council

Minutes of the Annual Meeting of the Council held in The Chamber, Pelham House, St Andrew's Lane, Lewes on Wednesday, 9 May 2012 at 2.30pm

Present:

Councillor I A Nicholson (Chair)

Councillors S Adeniji, R E Allen, G R Amy, R Blackman, C A Bowers, C J Butler, J L Carr, M P Chartier, M A Cutress, S B Davy, A Dean, D R Edmunds, I Eiloart, P L Franklin, P Gander; P F Gardiner, S J Gauntlett, D M Gray, B W Groves, J V Harris, J M Harrison-Hicks, P A Howson, A T Jones, C S Lambert, J N MacCleary, R Main, R K Maskell, E C Merry, C R O'Keeffe, S J Osborne, J V S Page, R Robertson, E E J Russell, S Saunders, H J F Sheppard, A X Smith, J Stockdale, C Sugarman, B M Warren and I J White.

Minutes

1 Election of the Chair of the Council

The Chair of the Council invited the Corporate Head of Legal and Democratic Services to inform the Council of the nomination which had been received for the office of Chair of the Council.

The Corporate Head of Legal and Democratic Services reported that Councillor Tony Nicholson had been nominated by Councillor Maskell.

Councillor Maskell moved, and Councillor Sheppard seconded, the motion:

"That Councillor Tony Nicholson be elected Chair of the District Council of Lewes until the next Annual Meeting of the Council and his successor is entitled to act as Chair."

The motion was put to the meeting and it was

Action

Resolved:

1.1 That Councillor Tony Nicholson be elected Chair of the District Council of Lewes until the next Annual Meeting of the Council and his successor is entitled to act as Chair.

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The Chair of the Council (Councillor Nicholson) then made and subscribed the Declaration required by law.

Councillor Nicholson in the Chair

Councillor Gardiner moved a vote of thanks for Councillor Russell's work on behalf of the Council during her year of office. Councillor Russell then gave a brief speech in response during which she thanked the officers, especially the Civic Officer, for the level of support that she had received during her year of office.

The motion was put to the meeting, <u>Declared Carried</u>, and it was

Resolved:

1.2 Accordingly.

2 Appointment of the Vice-Chair of the Council

The new Chair of the Council (Councillor Nicholson) invited the Corporate Head of Legal and Democratic Services to inform the Council of the nominations which had been received for the office of Vice-Chair of the Council.

The Corporate Head of Legal and Democratic Services reported that Councillors Ruth O'Keeffe and John Stockdale had been nominated by Councillors Robertson and MacCleary respectively.

Councillor Robertson moved, and Councillor Page seconded, the motion:

"That Councillor Ruth O'Keeffe be appointed Vice-Chair of the District Council of Lewes until immediately after the election of a Chair at the next Annual Meeting of the Council."

Councillor MacCleary moved, and Councillor Bowers seconded, the motion:

"That Councillor John Stockdale be appointed Vice-Chair of the District Council of Lewes until immediately after the election of a Chair at the next Annual Meeting of the Council."

The motions were then put to the meeting and it was

Resolved:

2.1 That Councillor Ruth O'Keeffe be appointed Vice-Chair of the District Council of Lewes until immediately after the election of a Chair at the next Annual Meeting of the Council.

The Vice-Chair of the Council (Councillor O'Keeffe) then made and subscribed the Declaration required by law.

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3 Minutes

The Minutes of the Meeting of the Council held on 20 February 2012 were approved as a correct record and signed by the Chair.

4 To Receive any Announcements From the Chair of the Council, Leader of the Council, Members of the Cabinet or the Chief Executive

(i) <u>Urgent Items</u>

The Chair advised that he had agreed, in accordance with Section 100B(4)(b) of the Local Government Act 1972, that:

(i) Report No 78/12 of the Leader of the Council entitled "Appointments 2012/13";

(ii) Report No 79/12 of the Leader of the Council entitled "Appointments of Representatives to Serve on Outside and Joint Bodies 2012/13"; and

(iii) Report No 80/12 of the Corporate Head – Legal and Democratic Services entitled "Local Standards Framework and Code of Conduct for Councillors",

which had been circulated to all members of the Council on 3 May 2012 under cover of Council Document B, be considered as matters of urgency at the meeting in order that decisions thereon could be taken based on the most up to date information which was available.

(ii) <u>Chair of the Council's Engagements</u>

The Council received the list of the Chair of the Council's engagements carried out since the Meeting of the Council held on 20 February 2012.

(iii) <u>Councillor Chartier</u>

The Chair, on behalf of the Council, congratulated Councillor Chartier on being the longest serving Councillor on the Council, having been elected thereto 25 years ago on 7 May 1987.

(iv) Long Service Award

The Chair, on behalf of the Council, made a Long Service Award presentation to Trevor Henshaw, Caretaker, De Montfort Estate, Lewes, who had begun working for the Council in 1987 as an Assistant Caretaker, in recognition of him having completed 25 years service.

5 Recommendations from Cabinet

Unreserved Item

The Chair of the Council moved, and Councillor Robertson seconded, the motion that the recommendations of the Cabinet held on 14 March 2012 contained in Minute 145 entitled "Agile Working Project Initiation Document", be received and adopted.

The motion was put to the meeting, <u>Declared Carried</u>, and it was

Resolved:

5.1 Accordingly.

6 Appointments

The Leader of the Council reported that he had appointed the following Councillors to be members of the Cabinet with the following portfolios:

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Individual Areas of Responsibility Councillors

Strategic Overview, Customer Advocacy,	J V S Page (Leader of the Council)
Regeneration and Equalities	(Chair)
Planning	A T Jones
Housing	R K Maskell
District Services	H J F Sheppard
Finance and Cost Control	A X Smith

Business, Economic Development and	R Blackman
Tourism Community Engagement and Health & Environment	R Robertson

Up to 3 members for Special Projects (non-portfolio holders)

The Leader of the Council then moved, and Councillor Jones seconded, the motion that the recommendations contained in Report Nos 78/12 and 79/12 on pages 1 to 6 and 9 to 11 of Council Document B, be approved subject to:

- (a) the substitution of Councillors J M Harrison-Hicks, A X Smith and B M Warren in place of Councillors P L Franklin, R Robertson and I J White on the Devolution Committee;
- (b) the substitution of Councillor J V Harris in place of Councillor I J White on the Planning Applications Committee;
- (c) the substitution of Councillor S B Davy in place of Councillor A X Smith on the Housing Working Party;
- (d) the addition of Councillor J V Harris on the Constitution Working Party;
- (e) the deletion of the Travellers Working Group; and
- (f) the substitution of Councillor S B Davy in place of Councillor B W Groves as one of the Council's representative on the East Sussex Gypsy and Travellers Forum.

The motion was put to the meeting, <u>Declared Carried</u>, and it was

Resolved:

6.2 That it be noted that the following Councillors had been appointed CMT as members of the Cabinet with the following portfolios:

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I White

Individual Areas of Responsibility	Councillors
Strategic Overview, Customer Advocacy, Regeneration and Equalities Planning Housing District Services Finance and Cost Control Business, Economic Development and Tourism Community Engagement and Health & Environment	J V S Page (Leader of the Council) (Chair) A T Jones R K Maskell H J F Sheppard A X Smith R Blackman R Robertson

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Up to 3 members for Special Projects (non-portfolio holders)

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- **6.3** That the membership of the Scrutiny Committee be increased from 9 to 11 members so as to assist the Committee to conduct its business more effectively;
- **6.4** That the Standards Committee and Audit Committee continue to operate as separate Committees with their current memberships for the time being but that, on commencement of the new Standards framework, the two Committees be merged into the Audit and Standards Committee with its new membership as set out in section 24 of Report No 78/12;
- 6.5 That the membership of Committees etc for the municipal year 2012/2013, based on the political structure and the political balance as set out in Appendix B to Report No 78/12 (subject to the adjustments set out in that Report and to those reported at the meeting by the Leader of the Council), be as follows:

Proportionality is shown as Conservative Group – Liberal Democrat Group:

Audit Committee
(up to 1 July 2012 or such later date
as provided for by transitional
regulations)Membership 7 (4-3)J M Harrison-HicksI Eiloart (Chair)C SugarmanM P ChartierB M WarrenJ Stockdale

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J	V	Harris
Ρ	А	Howson
E	Е	J Russell

C S Lambert M P Chartier

Membership 7 (4-3)

(plus 3 Independent Members and up to 5 Town/Parish Council members)

Audit and Standards Committee (from 1 July 2012 or such later date as provided for by transitional regulations)

P L FranklinI Eiloart (Chair)J V HarrisM P ChartierE E J RussellC S LambertC SugarmanC S Lambert

(plus up to 3 co-opted, non-voting Town/Parish Council members – participation restricted to Standards matters)

Complaints Panel

This Panel comprises three councillors who have not had any direct involvement in the complaint.

Devolution Committee

Membership 7 (4-3)

J M Harrison-Hicks E C Merry A X Smith B M Warren P F Gardiner D Gray C S Lambert

Employment Committee

Membership 5 (3-2)

E E J Russell (Chair) R Blackman A X Smith C J Butler S J Gauntlett

Licensing Committee	Membership 10 (6-4 becomes 5-4-1, see paragraph 13 of Report No 78/12)	
P A Howson (Chair) J M Harrison-Hicks R Robertson C Sugarman B M Warren	G R Amy C Butler S J Gauntlett J Stockdale	C R O'Keeffe
Planning Applications Committee	Membership 11 (6-5)	
J M Harrison-Hicks (Chair) S B Davy (Vice-Chair) S Adeniji B Groves J V Harris A T Jones	R E Allen A Dean I Eiloart P F Gardiner R Main	
Scrutiny Committee	Membership 11 (6-5)	
S Adeniji D R Edmunds J V Harris E C Merry I A Nicholson E E J Russell	S J Osborne (Chair) A Dean P F Gardiner S J Gauntlett J Stockdale	

- **6.6** That the following Sub-Committees be no longer appointed as their business will be considered at Cabinet in future:
 - Lewes House Site Sub-Committee; and
 - Southover Grange Sub-Committee;
- 6.7 That the new Constitution Working Party be tasked with revising the CMT Council's Constitution and reporting back to Cabinet initially;
- **6.8** The following Working Groups be appointed or re-appointed in order CMT to continue the business for which they were originally established:

Housing Working Party	Membership 7 (4-3)
R K Maskell (Chair) S B Davy P Gander E C Merry	M P Chartier S J Osborne S Saunders

Constitution Working Party

Membership 4 (3-1)

I A Nicholson (Chair) J V Harris P A Howson

6.9 That the nominations of the Majority Group for the appointment of Chairs (and of the Minority Group for the appointment of the Chairs of the Audit and Scrutiny Committees) be approved and that the remaining Chairs be appointed at the first meetings of the bodies concerned;

I Eiloart

6.10 That the appointment of representatives to serve on outside and joint bodies be as follows:

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Outside Body (Annual appointment unless term of office/expiry date stated)	Representative(s)
3VA Board (Voluntary Action Lewes)	C R O'Keeffe
Action in Rural Sussex	H J F Sheppard
Age UK East Sussex Governing Body	J V Harris
	E E J Russell (sub)
Asham Literary Endowment Trust (3 years expires 2014)	M P Chartier
Chailey Common Nature Reserve Management	S B Davy
Committee (2 reps)	H J F Sheppard
Citizens' Advice Bureaux, Lewes & Seaford	J V S Page
Community Safety Partnership (2 reps)	A X Smith (Chair)
	S J Osborne
Community Transport for the Lewes Area Limited Management Committee	R Robertson
Court of the University of Sussex	J V S Page
	Chief Executive
East Sussex Flood Risk Panel	A T Jones
East Sussex Gypsy and Travellers Forum	S B Davy
(2 reps)	I Eiloart
East Sussex Health and Well-Being Board	I A Nicholson
East Sussex Rural Partnership	I White

Outside Body (Annual appointment unless term of office/expiry date stated)	Representative(s)
English Heritage – Heritage Champion	R E Allen
Health Overview and Scrutiny Committee	E C Merry
Lewes Conservation Area Advisory Group	M P Chartier
	J Stockdale (sub)
Lewes Joint Parking Board (2 reps)	R Blackman
	I Eiloart
Lewes Town Partnership	J Stockdale
Local Government Association: General Assembly	J V S Page
Rural Commission (2 reps)	P Gander S Osborne
Coastal Issues Special Interest Group	R E Allen
District Councils' Network	C R O'Keeffe
Newhaven Strategic Network	R Robertson
Ouse Estuary Nature Reserve Liaison Group	R Robertson
Seaford Community Partnership	S Adeniji
Seaford Head Nature Reserve Management	I A Nicholson
Committee (2 reps)	P L Franklin
South Downs National Park Authority	A T Jones
(4 years expires 2015)	
South East Employers Local Democracy and	P L Franklin
Accountability Network (2 reps)	E E J Russell
South East Employers & South East Regional	E E J Russell
Council	R Blackman (sub)
South East England Council	E C Merry
Sussex Community Foundation Grants Committee (Lewes and District Flood and Disaster Relief Fund)	J V S Page
(3 years expires 2014)	
Sussex County Playing Fields Association	H J F Sheppard
Sussex Downs and Low Weald LEADER Local Action Group	H J F Sheppard
Sussex Police and Crime Panel	A X Smith
Tourism South East	R Robertson

Wave Trust Leisure Board	R Blackman
(2 years expires 2013)	

Joint Body (Annual appointment unless otherwise stated)	Proportionality (where appropriate) Con-LibDem (see Report No 78/12)	Representative(s)
Housing Consultative Panel	4 (3 – 1)	P Gander E C Merry C Sugarman S Saunders (R K Maskell, Lead Councillor, Housing ex officio)
Landport Bottom	4 (3 – 1 becomes	D R Edmunds
Management Committee	2-1-1, see	P Gander
	paragraph 16 of	M A Cutress
	Report No 78/12)	C R O'Keeffe
Planning User Group	3 (2 – 1)	J M Harrison-Hicks A T Jones P F Gardiner

6.11 That no appointment be made to the Parking and Traffic Regulations Outside London Adjudication Joint Committee, as its work is not sufficiently relevant to the Council.

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7 Recommendations of the Standards Committee

Local Standards Framework and Code of Conduct for Councillors

The Leader of the Council moved, and Councillor Jones seconded, the motion that the recommendations contained in Report No 80/12 relating to the Local Standards Framework and Code of Conduct for Councillors, be received and adopted.

The motion was put to the meeting, <u>Declared Carried</u>, and it was

Resolved:

7.1 Accordingly.

8 Substitute Members

The Leader of the Council moved, and Councillor Warren seconded, the motion that, in accordance with Council Procedure Rule 4, all members of the Council be appointed to the "approved list" of members appointed to act as substitute members.

The motion was put to the meeting, <u>Declared Carried</u>, and it was

Resolved:

8.1 Accordingly.

CMT

9 Notices of Motion

The Chair of the Council reported that a Notice of Motion had been submitted under Council Procedure Rule 13 by Councillor Osborne relating to the introduction of 20mph limits on residential roads in the towns and villages of the District.

In accordance with Council Procedure Rule 13, Councillor Osborne moved, and Councillor Smith seconded, the Notice of Motion as follows:

"Council notes:

The road accident rate in East Sussex is still far too high with the County falling short of the Government's national road safety target of a 40% reduction from the average. In 2009 the number of people killed or seriously injured in the county was 373, including 32 children, with a further 1685 people sustaining slight injuries.

A survey of East Sussex residents in 2009, concluded that road safety was the most important issue for any new transport strategy to address.

The Community Safety Partnership, of which Lewes District Council is a key partner, has as one of its main priorities the reduction in the volume of traffic collisions as well as the reduction in killed and seriously injured on our roads.

In Lewes, the 'Living Streets Lewes' organisations have collected 1,500 signatures on a petition calling for 20mph limits for the whole of the town.

It is worth highlighting a couple of key statistics that support the need for more 20mph zones:

 Excessive speed is one of the biggest contributory factors in KSI crashes. More than half of road deaths and serious injuries occur on roads with 30 mph limits.(Transport Statistics Page 12 of 17 for Great Britain).

• Britain has the highest percentage of pedestrian road fatalities in Europe 22.5%. (EU European Road Safety Observatory)

The Department for Transport estimates that the average cost per seriously injured casualty on the roads is **£178,160** and that the average cost per fatality is **£1,585,510**.

Speed limits on Britain's urban roads are 60% higher than Europe. (30 mph compared to 18.6 mph) Britain has one of the lowest levels of children walking or cycling to school in Europe. British parents consistently cite traffic speed as the main reason why their children are not allowed to cycle or walk to school.

Already 7m residents who live in towns and villages are adopting or have adopted this policy including Portsmouth, Oxford, Lancashire, Brighton & Hove, Bath and North East Somerset.

Wiltshire County Council are piloting 20mph speed limits and reduction in the speed limits on the surrounding rural roads in six of its villages.

New guidelines from the Department for Transport have relaxed requirements for 20 mph limits in residential areas. It is no longer mandatory to impose physical measures such as bumps. This has significantly reduced the cost and complexity of introducing 20mph limits.

In Portsmouth the 20mph limit on all residential roads has reduced casualties by 22% drop in collisions and at a cost of only £333 per street. Oxford spent £300,000 (£2 per head). The "value" of fewer casualties from an area-wide 20mph limit has given a First Year Rate of Return of over 800%.

The introduction of 20mph speed limits is supported by NICE, the National Institute for Health and Clinical Excellence, who recommend 20 mph limits where children and young people are likely to be.

Council resolves that:

The residents of Lewes District have a right to the benefit from 20mph limits in residential areas. These include:

Fewer casualties - Lowering urban and residential speed limits to 20 mph has been found to decrease child pedestrian accidents by up to 70% (Transport Research Laboratory). In Portsmouth, drivers had 23% fewer and passengers 31% fewer after 2 years of wide area 20 mph limits. Elderly drivers had 50% fewer injuries and 40% fewer injured passengers.

Popularity - 71% of drivers support 20 mph speed limits on residential

streets. (British Social Attitudes Survey 2011)

Pollution, Climate Change and Air Quality - When 30 km/h (18.5 mph) zones were introduced in Germany, car drivers on average changed gear 12% less often, braked 14% less often and required 12% less fuel.

Health Improvements - Reduced local emissions, improved air quality and increased likelihood of a shift to active modes of transport like walking or cycling. Slowing speeds from 30mph to 20 mph has been shown to increase levels of cycling by 12%

Better Quality of Life and Reduced Inequalities - Slower speeds benefit large numbers of non-car users, reducing noise and allowing better urban design standards for quality places. Those currently suffering the greatest inequalities tend to live nearer to busy roads and therefore benefit more from 20mph limits. 20 mph reduces health inequalities by extending the life expectancy of disadvantaged people.

Less Congestion - At 20 mph more cars occupy the same road space due to shorter gaps between them relative to 30 mph, easing traffic 'flow'. Junctions are more efficient as drivers can merge into shorter gaps. Less risk encourages sustainable travel and public transport.

Easier parking – As people feel safer, more will walk or cycle in towns and villages and there will be fewer car trips, freeing up road space and parking for those that have to drive.

Cleaner air quality - especially benefits motorists. They breathe in-car air, which is three times more polluted than at the pavement. Standing traffic, which produces unnecessary fumes, reduces as traffic flow becomes smoother. Less fuel is burnt due to less acceleration and the transfer of some trips away from cars towards walking, cycling and public transport.

Motoring costs drop. As crashes fall in severity and frequency, so do legal and repair bills. This will be reflected in motor insurance premiums dropping in 20 mph limit postcodes.

Repair bills fall. Vehicles maintain value from fewer crashes, less brake and tyre wear.

Stress reduces as drivers have more time to see and react to hazards. Fewer road rage incidents occur due to more considerate driving styles, including less dangerous overtaking and it is easier to pull out. With casualties down by 22% some drivers will suffer less emotional trauma and anxiety from their part in liability for crashes. Noise also reduces.

Less parents' taxi duty. Road danger reduction brings safer independent child travel, improves their life skills, and frees up parents for more productive activities than driving.

14

Society benefits. Fewer road victims frees up facilities for other health needs. Fewer workdays are lost. Widow, disability benefit and care savings. Active travel cuts obesity and heart disease. Inequalities reduce as fewer children die. Quality of life rises. Fewer potholes.

Council calls for:

Lewes District Council requests that East Sussex County Council urgently assesses the feasibility of introducing 20mph limits on residential roads in the towns and villages of Lewes District. The Council understands that some roads are not appropriate for 20mph limits, in particular major trunk roads and arterial routes. However, the Council is convinced of the immediate need to introduce 20mph limits where feasible to yield the substantial benefits to local residents outlined above".

The motion was put to the meeting, <u>Declared Carried</u>, and it was

Resolved:

9.1 Accordingly.

10 The Draft Council Plan 2012/13

The Leader of the Council moved, and Councillor Robertson seconded, the motion that the recommendation contained in Report No 81/12 relating to The Draft Council Plan 2012/13, be received and adopted.

Councillor Osborne moved, and Councillor MacCleary seconded, an amendment as follows:

"That Councillors be invited to send details of any further comments that they had in respect of The Draft Council Plan 2012/13 to the Chief Executive or the Corporate Head – Legal and Democratic Services in order that they can be taken into account by the Leader of the Council in the production of the final version of that Plan."

The amendment was put to the meeting and Declared Carried.

The substantive motion was put to the meeting, <u>Declared Carried</u>, and it was

Page 15 of 17

Resolved:

10.1 Accordingly.

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11 Structure of Full Council Meetings at Lewes District Council

The Leader of the Council moved, and Councillor MacCleary seconded, the motion that the options set out in section 3 of Report No 82/12 relating to the Structure of Full Council Meetings at Lewes District Council, be trialled at future full Council meetings and that consideration be given to trialling a "Questions and Answers to the Leader of the Council" session at a future full Council meeting.

The motion was put to the meeting, <u>Declared Carried</u>, and it was

Resolved:

11.1 Accordingly.

12 Updates to Constitution: Key Decisions, Chair of the Council and Financial Procedure Rules

The Leader of the Council moved, and Councillor Gander seconded, the motion that the recommendations contained in Report No 83/12 relating to Updates to the Constitution: Key Decisions, Chair of the Council and Financial Procedure Rules, be received and adopted.

Councillor Eiloart moved, and Councillor Gardiner seconded, an amendment as follows:

"That recommendations 2 and 3 contained in Report No 83/12, be received and adopted, that recommendations 1 and 4 be not approved but, instead, be referred to the Constitution Working Party for its consideration, and that recommendation 5 be amended to read 'That the Head of Democratic Services be authorised to update the Constitution to reflect the changes agreed at the Annual Meeting of the Council on 9 May 2012."

The amendment was put to the meeting, <u>Declared not Carried</u>, and the vote thereon was recorded in accordance with Council Procedure Rule 17 as follows:

For the Amendment:

Councillors R E Allen, G R Amy, C A Bowers, C J Butler, J L Carr, M P Chartier, M A Cutress, A Dean, I Eiloart, P F Gardiner, S J Gauntlett, D M Gray, C S Lambert, J N MacCleary, R Main, S J Osborne, S Saunders and J Stockdale (18).

Against the Amendment:

Councillors S Adeniji, R Blackman, S B Davy, D R Edmunds, P L Franklin, P Gander; B W Groves, J V Harris, J M Harrison-Hicks, P A Howson, A T Jones, R K Maskell, E C Merry, I A Nicholson, J V S Page, R Robertson, E E J Russell, H J F Sheppard, A X Smith, C Sugarman, Page 16 of 17 CHLDS

B M Warren and I J White (22).	
Abstained:	
Councillor C R O'Keeffe (1).	
Councillor Page, with the agreement of his seconder and with the consent of Council, moved an amendment as follows:	
"That, in light of a request made by Councillor Chartier, the Constitution Working Party, as part of its review of the Council's Constitution, be authorised to also review changes that are agreed at this meeting and that any subsequent recommended changes thereto, as identified by that Working Party, be referred to Cabinet for consideration."	
The amendment was put to the meeting and Declared Carried,	
The substantive motion was put to the meeting, <u>Declared Carried</u> , and it was	
Resolved:	CHLDS
12.1 Accordingly.	
Subsequent to the Council's agreement to recommendation 3, as set out in Report No 83/12, relating to the reinstatement of the role of Consort to the Chair of the Council, the Chair of the Council reported that he had appointed his wife Angela Nicholson to be his Consort during his year of Office.	
Resolved:	

12.2 That the Chair of the Council's appointment of his wife Angela Nicholson to be his Consort during his year of Office, be noted.

CHLDS (Civic Officer)

The meeting ended at 3.42pm

I A Nicholson Chair