



MINUTES OF A MEETING OF THE REGIONAL COUNCIL

Date: Wednesday 28 July 2010

Time: 9.00am

Venue: Council Chamber
Hawke's Bay Regional Council
159 Dalton Street
NAPIER

Present: A J Dick – Chairman
T Gilbertson
N Kirton
E McGregor
L Remmerswaal
K Rose
C Scott
E von Dadelszen
F Wilson

In Attendance: A Newman – Chief Executive
P Drury – Group Manager – Corporate Services
G Hansen – Group Manager – Operations
D Lew – Group Manager – Resource Management
M Mohi – Chairman – Maori Committee
M Drury – Minute Secretary

1. WELCOME/PRAYER/APOLOGIES/NOTICES

Chairman Dick welcomed everyone to the meeting and called on Councillor Remmerswaal to deliver the prayer. Chairman Dick advised that the Chief Executive, Mrs Gilbertson (Council's Electoral Officer) and former Chairman Ross Bramwell would be holding an informal information session at 5.30pm this evening for anyone interested in standing for Council at the Local Body elections. Sitting Councillors were also welcome. An informal meeting of all Councillors would take place at the end of today's meeting.

Chairman Dick also advised that due to travel plans, Mr Mohi would join the meeting later in the morning.

There were no apologies.

Mr Newman advised due to urgent staff commitments, the presentation on Council's web portal first module on water quality would now be undertaken at the next available Council meeting.

Following approval from the Chairman, Mr Ward was in attendance to give a deputation on the current financial position of Venture Hawke's Bay. The Chairman thanked Mr Ward for his comments.

2. CONFLICT OF INTEREST DECLARATIONS

There were no conflicts of interest declared.

3. CONFIRMATION OF MINUTES OF THE REGIONAL COUNCIL MEETING HELD ON 9, 10, 11, 17, AND 21 JUNE 2010

Minutes of the Regional Council Meeting held on Wednesday 9 June, Thursday 10 June, Friday 11 June, Thursday 17 June, and Monday 21 June, a copy having been circulated prior to the meeting, were taken as read and confirmed following amendment.

**Rose/Scott
CARRIED**

4. MATTERS ARISING FROM MINUTES OF THE REGIONAL COUNCIL MEETING HELD ON 9,10,11,17 AND 21 JUNE

Hearing and Decision Making of Submissions on Section 36 of RMA

Councillor Remmerswaal expressed concern that the hearing and decision making of submissions on Section 36 of RMA had been undertaken by fewer Councillors than normal as a result of Conflicts of Interest being expressed and Councillor absences.

3. CONFIRMATION OF MINUTES OF THE REGIONAL COUNCIL MEETING HELD ON WEDNESDAY 30 JUNE 2010

Minutes of the Regional Council Meeting held on Wednesday, 30 June 2010, a copy having been circulated prior to the meeting, were taken as read and confirmed following amendment.

**McGregor/von Dadelszen
CARRIED**

Mr Mohi joined the meeting at 9.30am

4. MATTERS ARISING FROM MINUTES OF THE REGIONAL COUNCIL MEETING HELD ON WEDNESDAY, 30 JUNE 2010

General Business – EDS Conference

Councillor Scott noted that to date she had not received a copy of this report. Councillor Remmerswaal to email a copy to all Councillors.

5. ACTION ITEMS FROM MEETINGS

2. General Business – Rural Pathways

Mr Newman advised he would follow up with Mr Hansen about a memo outlining financial information to relate cost of grazing in relation to the cleaning of pathways which would be circulated to all Councillors.

Resolution

That the Council receives the report "Action Items from Council Meetings".

**Scott/Gilbertson
CARRIED**

6. CONSIDERATION OF GENERAL BUSINESS

1. Report on Terms of Reference – Hearing Committee
2. Book on HBRC
3. Involvement of Auditor General – Venture Hawke's Bay
4. Central Government/Local Government Costs

7. AFFIXING OF COMMON SEAL

1. The Common Seal of the Council has been affixed to the following documents and signed by the Chairman or Deputy Chairman and Chief Executive or a Group Manager.

		Seal No.	Date
1.1	Leasehold Land Sales		
	1.1.1 Lot 47 DP 4488 CT 55/173 - Agreement for Sale and Purchase	2972	28 June 2010
	1.1.2 Lot 2 DP 12209 CT D2/364 - Agreement for Sale and Purchase - Transfer	2973 2980	28 June 2010 19 July 2010
	1.1.3 Lot 56 DP 6481 CT C2/410 - Agreement for Sale and Purchase	2981	20 July 2010
1.2	Land Purchase Agreement Part Lot 1 DP 431741 (Left Bank Awanui Stream)	2974	28 June 2010
1.3	Agreement to Grant an Easement in Gross Awanui Stream Flood Protection	2975	28 June 2010
1.4	Lease Instrument Certificate of Title B2/1134 29 Magdalen Crescent	2976	29 June 2010
1.5	Agreements to Acquire Easements 1.5.1 Lot 1 DP 336752 CT 150381		

	(Clive River) 1.5.2 Lot 1 DP 4882 CT 53/9 (Clive River)	2977	1 July 2010
		2978	8 July 2010
1.5	Memorandum of Agreement Pursuant to the Public Works Act 1981 – Crown & HBRC Part Section 16 Survey Office Plan 6076 CT L4/1255 (Safety improvements guardrailed curve south of Waikoau River Bridge – SH2)	2979	19 July 2010

Following a query, Mr Newman undertook to confirm the definition of 1.3 Agreement to Grant an Easement in Gross and email the response to all Councillors.

Resolution::

That Council:

1. Agrees that the decisions to be made are not significant under the criteria contained in Council's adopted policy on significance and that Council can exercise its discretion under Sections 79(1)(a) and 82(3) of the Local Government Act 2002 and make decisions on this issue without conferring directly with the community and persons likely to be affected by or to have an interest in the decision due to the nature and significance of the issue to be considered and decided.
2. Confirm the action to affix the Common Seal.

**Rose/Wilson
CARRIED**

8. LEASEHOLD LAND - ISSUES AND OPTIONS COVERING COUNCIL'S LEASEHOLD LAND PORTFOLIO

Mr Drury and Mr Keenan presented this agenda item which included current statistics and policies relevant to Council's leasehold land, lease renewal terms, an analysis of leasehold arrears, a description of Council's deferred rental option and the graduated payment scheme and conditions for the freeholding of leasehold property.

Mr Drury advised that the number of lessees that have negotiated with Council and Council's debt collectors and have agreed to an arrangement for the payment over time of their arrears had not altered significantly over the last three years but the values had increased due to higher levels of lease rentals set on lease renewals. Over the last 6 years approximately 420 leaseholders had renewed their leases with approximately another 500 lessees to renew their leases in the next 8 years.

Mr Keenan advised that of the 56 leaseholders who are in arrears, approximately 10% would be property investors with the remaining 90% residential occupiers. Mr Keenan confirmed that there were many reasons why people were not living at their address and are therefore deemed to be investors.

Mr Drury noted that leasehold properties which are leased by lessees under the Glasgow lease process have rental reviews each 21 years at either 5% or fair market value of the land valuation of the property at the time of renewal and that the majority of the leases renew over a 12 year timeframe. The next peak is in 2013/14 with a further peak in 2016/17.

Mr Keenan explained that in a cross lease situation there is one certification of title so if a lessee wished to freehold they would be unable to do so unless all the property owners agreed to the freeholding. Mr Keenan also confirmed that valuers value land on land market value in accordance with the lease agreement.

Mr Keenan also advised the deferred rental option was available to all lessees in financial difficulties however many elderly lessees did not wish to take up this opportunity because they wished to leave an inheritance to their offspring, not a debt.

Several Councillors noted there had been considerable debate and discussion on the leasehold land issue over many years resulting in the establishment of Council policies and methodologies including the deferred payment option which had been requested by leaseholders and it now appeared that this scheme had not been as successful as hoped.

Chairman Dick outlined the process undertaken in responding to letters Council had recently received from leaseholders.

Chairman Dick advised that the leasehold land investment portfolio does not perform well for Council and the opportunities for re-investment of capital cannot be realised unless the leaseholders can freehold their land and the problems associated with cross lease be solved.

The meeting adjourned at 10.30am and reconvened at 10.50am

Councillors discussed the current leasehold land issues, whether the valuation methodology should be looked at again in light of the difficulties leaseholders are facing in selling their leasehold property and whether a moratorium should be put in place on debt collection until Council has considered policies to assist leaseholders who are experiencing financial hardship. A suggestion that discussions should proceed with WINZ representatives was also considered favourably. Concern was expressed that unnecessary time and effort could be spent on this issue however Mr Newman advised that a possible re-examination of priorities within the existing staff structure could be undertaken to determine whether there was a requirement for extra staff resource if the decision was to proceed down this path.

Councillors also discussed the requirement for a social impact study to be undertaken by Council with some Councillors viewing the study as a Council responsibility because there were constituents within the area that were under significant financial distress. It was important to focus on creative solutions as a starting point to address the issues. However, concern was raised that action had already been undertaken by Council in the past and the problems still remain - Council had a responsibility to the general ratepayers and it was important to ensure that Council was fair in issues of justice and equity.

Councillors expressed concern about hardship in the community but it was important that Council was honest and leaseholders were not misled and given false hopes.

Councillor Kirton in his right of reply outlined the positives that would come out of a study and the opportunity to look at options available. Resources could be put into communication processes and it was imperative that this was undertaken as the current solutions were not working.

Resolutions:

That the Council :

1. Agrees that the decisions to be made are not significant under the criteria contained in Council's adopted policy on significance and that Council can exercise its discretion under Sections 79(1)(a) and 82(3) of the Local Government Act 2002 and make decisions on this issue without conferring directly with the community and persons likely to be affected by or to have an interest in the decision due to the nature and significance of the issue to be considered and decided.
2. Approve an independent comprehensive social impact study addressing the financial circumstances of Regional Council leaseholders, such study to also include:
 - 2.1. Assessing the financial circumstances of leaseholders as compared to others in the community that have freeholded properties with mortgage responsibilities.
 - 2.2. Any assistance available from WINZ to leaseholders and in what circumstances such assistance would be available.

- 2.3. Assess the effectiveness of Council's deferred payments scheme in addressing the financial hardship of Regional Council leaseholders and to make recommendations on adjustments to that scheme in order to increase its effectiveness and equity for Council's leaseholders.

**Kirton/Dick
CARRIED**

- 2.4. Report on the structure and effectiveness of the current rates rebate scheme and assess whether a similar scheme, the subsidies to be funded by this Council, could be implemented for Regional Council leaseholders and, further, comments are required on the social equity of such a scheme in relation to the financial impact that such a scheme would have on ratepayers who would be required to make up any revenue shortfall.

**Kirton/Dick
CARRIED 5/4**

**For: Kirton,Dick,Scott,Remmerswaal,McGregor
Against: Rose, von Dadelszen, Wilson, Gilbertson**

3. That an independent study be undertaken to assess the effectiveness of Council's current freeholding policies, recommending changes to these policies to achieve a balance between the lessees' willingness to freehold and Council's desire to reduce its ownership of leasehold properties. The issues covering the restrictions on freeholding leasehold land subject to cross-lease should also be covered. Further, this report should also cover the effects that any recommended changes in freeholding policies would have on ratepayers who would be required to make up any revenue shortfall which would result from reduced proceeds from freeholding.

**Kirton/Dick
CARRIED 8/1
Against: Gilbertson**

4. That Council review the valuation methodology.

**Kirton/Dick
CARRIED**

5. Note that Council staff will be reviewing the debtor list for leasehold land and assessing cases of hardship and, in appropriate circumstances, recommending to the Chief Executive that such debts will not be referred to Council's debt collectors. Further, note that this change in policy is an interim measure pending Council's further consideration of establishing policies for assisting leaseholders who are experiencing financial hardship. To be reviewed by Council in three months time.

**Kirton/Dick
CARRIED**

9. NEW ZEALAND CYCLE TRAIL PROJECT - FUNDING APPROVAL

Mr Newman introduced this item and Mr Hansen updated Council on progress of the New Zealand Cycle Trail project. Council was advised their application for funding of \$1,888,262 for Phase 2 bid Landscapes trail had been successful but was subject to agreeing terms and conditions of the funding agreement and outstanding technical issues by 20 July. However, a decision on the Water trial had not been made and a progress report would be prepared for the funding committee by 31 August 2010.

Mr Hansen advised that the funding committee were keen to see construction commence as soon as possible and the original Phase 3 deadline was October 2010 but had been brought forward to 20 July 2010 as technical issues had been resolved.

Mr Hansen reminded Council that \$1,500,000 local share contribution for this project had been provided for as part of the LTCCP process and is included in the 2010/11 annual plan provision. Other local contributions from Napier and Hastings have been confirmed and included in the relevant sections of the construction schedule.

Councillors noted that the "water" ride is still planned but further consultation with

landowners over land ownership issues was required and Treaty of Waitangi claims had to be settled. Mr Hansen advised that this ride had received support from Treaty claimants as there were many Maori artefacts in the proposed area along with 1931 earthquake remnants. It was hoped the 'water' ride bid was successful as this could be developed into a tourism niche particularly around cruise ship arrivals at the Port of Napier and the close proximity of the ride to the central business area of Napier.

Councillors discussed progress to date on the project and congratulated Mr Hansen and staff involved in the project for an excellent result. Concern was expressed that community groups had not been kept up to date with details of the project and it was important that communication with these groups was ongoing.

Mr Hansen advised that a newsletter which would be circulated to all residents at Te Awanga and Haumoana next week updating progress on the cycle trail had the fully endorsement of the WOW group.

Councillors agreed this was an exciting and outstanding project for Hawke's Bay and would be of immense benefit to the community.

Councillor Scott acknowledged Mayor Arnott's vision for the original cycle trail along Marine Parade with the Rotary Trust which also attracted a large amount of funding from the community. Acknowledgement was also given to local Members of Parliament Chris Tremain and Craig Foss for their contributions.

Resolutions::

That the Council :

1. Agrees that the decisions to be made are not significant under the criteria contained in Council's adopted policy on significance and that this project has been consulted on as part of the Annual Plan 2010/11. Further, that Council can exercise its discretion under Section 79(1)(a) and 82(3) of the Local Government Act 2002 and make decisions on this issue without conferring directly with the community and persons likely to be affected by or to have an interest in the decision due to the nature and significance of the issue to be considered and decided.
2. Approve the local share funding requirement for the Hawke's Bay Regional Council, up to \$1,500,000, subject to final approval of the Hawke's Bay bid by the Ministry of Tourism and in accordance with the indicative construction schedule for the Landscapes and Water trails. Further noting that the funding will be through loans as part of the "Capital projects of regional significance" programme. Loan servicing will be covered by Councils Sale of Land Non-Investment Reserve.

**von/Dadelszen/Scott
CARRIED**

The meeting adjourned at 12.30pm and reconvened at 1.05pm

10. RECOMMENDATIONS FROM REGIONAL TRANSPORT COMMITTEE

Resolution:

Variation to Regional Land Transport Programme – Matahorua Gorge Realignment

Resolution:

1. That Council, Upon NZ Transport Agency's Regional Management Team and Value Assurance Committee sign-off, approves the variation to the Regional Land Transport Programme with respect to the Matahorua Gorge Realignment extension.

**Scott/Wilson
CARRIED**

11. RECOMMENDATIONS FROM ENVIRONMENTAL MANAGEMENT COMMITTEE

1. Options for Use of Water from Lapsed Consents

Resolutions:

That Council:

1. Agrees that the decisions to be made are not significant under the criteria contained in Council's adopted policy on significance and that Council can exercise its discretion under Sections 79(1)(a) and 82(3) of the Local Government Act 2002 and make decisions on this issue without conferring directly with the community and persons likely to be affected by or to have an interest in the decision due to the nature and significance of the issue to be considered and decided.
2. Confirms that, as a matter of Council policy, any water that is made available as a result of a water permit lapsing, being surrendered or not being renewed in an over allocated stream management zone or aquifer where there is concern about its sustainability, remains in the said water body and is not re-allocated.

Variation 1 – River Mouth Hazard Areas

Resolutions:

That Council:

3. Agrees that the decisions to be made are not significant under the criteria contained in Council's adopted policy on significance and that Council can exercise its discretion under Sections 79(1)(a) and 82(3) of the Local Government Act 2002 and make decisions on this issue without conferring directly with the community and persons likely to be affected by or to have an interest in the decision due to the nature and significance of the issue to be considered and decided, and in any case those people will have an opportunity to submit on Variation 1 following a decision by Council to publicly notify it.
4. Adopts Draft Variation 1 (Attachment 1), subject to any minor further amendments incorporating feedback from legal and proofing reviews, as Variation 1 to the Proposed Regional Coastal Environment Management Plan for public notification.
5. Adopts Draft '*Section 32 Evaluation Summary: Variation 1 – Proposed Regional Coastal Environment Plan: River Mouth Hazard Areas*', subject to minor amendments, and make it available for public inspection.
6. Resolves to give public notice on 10 August 2010 that the Variation to the Proposed Regional Coastal Environment Plan has been released as Variation 1 and that submissions can be made until the closing date of 7 September 2010.

**von Dadelszen/Scott
CARRIED**

12. RECOMMENDATIONS FROM STRATEGIC PLANNING AND FINANCE MEETING

Resolutions:

1. Public Transport Update

That Council :

1. Agrees that the decisions to be made are not significant under the criteria contained in Council's adopted policy on significance and that Council can exercise its discretion under Sections 79(1)(a) and 82(3) of the Local Government Act 2002 and make decisions on this issue without conferring directly with the community and persons likely to be affected by or to have an interest in the decision due to the nature and significance of the issue to be considered and decided.'

2. Agrees that the Commuter Express Trial Service be made a permanent service and a variation of contract be issued to Go Bus Transport Limited to include the services as part of the current contract, noting that the 2010/11 Annual Plan budgets provide funding for this service to continue.
3. Receives the report "Update on Passenger Transport Issues".
4. Notes that a further report will be submitted to September Strategic Planning and Finance Committee meeting analysing patronage and financial trends and considering the margin cost of SuperGold services.

**Gilbertson/McGregor
CARRIED**

2. Future Scenarios Progress Report

That Council:

1. Agrees that the decisions to be made are not significant under the criteria contained in Council's adopted policy on significance and that Council can exercise its discretion under Sections 79(1)(a) and 82(3) of the Local Government Act 2002 and make decisions on this issue without conferring directly with the community and persons likely to be affected by or to have an interest in the decision due to the nature and significance of the issue to be considered and decided.
2. Endorses the launch of the scenarios at the Embracing Futures Thinking breakfast on Wednesday 22 September 2010

**Scott/von Dadelszen
CARRIED**

3. Venture Hawke's Bay (VHB):

- **Financial Position Reforecast to 30 June 2010**
- **Proposed Budget for the 2010/11 Financial Year**

That Council:

1. Agrees that the decisions to be made are not significant under the criteria contained in Council's adopted policy on significance and that Council can exercise its discretion under Sections 79(1)(a) and 82(3) of the Local Government Act 2002 and make decisions on this issue without conferring directly with the community and persons likely to be affected by or to have an interest in the decision due to the nature and significance of the issue to be considered and decided
2. That the remaining deficit of \$250,000 covering 2009/10 for VHB be funded by a loan of \$250,000 from the Council to VHB, such a loan to be repayable over a five year period at market interest.
3. Receive the proposed budget for 2010/11 for VHB noting that it is a balanced budget and noting that a further report will be brought back in September dealing with wider issues and matters of governance.

**von Dadelszen/Rose
CARRIED**

13. CONSENTS AND COMPLIANCE 2009/10 FINANCIAL PERFORMANCE

Mr Newman reminded Councillors that at the 30 June 2010 meeting a request had been made that staff provide monthly updates on the financial position of the Environmental Regulation section, particularly in regard to accounts receivable. Mr Newman advised that this financial report was based on information to the end of May 2010 and the final financial position would be presented as part of the Annual Report on 25 August 2010.

Responding to a question, Mr Lew advised that the first direct referral to the Environment Court had been completed and the Court had awarded costs to equivalent to what the processing costs had been for the relevant Council.

Mr Lew also confirmed that costs included in this financial report could be spread across more than one financial year but undertook to confirm consent cost appeal figures.

Councillor Kirton congratulated staff for achieving solutions to outstanding financial problems and the streamlining of processes and suggested a progress report be brought back to Council on progress to date on the points outlined in the Cowie report.

Resolution:

1. That Council receives the report titled "Consents and Compliance 2009/10 Financial Performance".

**Rose/Gilbertson
CARRIED**

14. MONTHLY WORK PLAN LOOKING FORWARD

Mr Newman outlined to Council progress to date on activities and advised that an update on the planting at CHB would be presented to the Asset Management meeting on 11 August.

Responding to a question, Mr Newman confirmed that native seedlings are purchased from local nurseries where possible but if large numbers are required, seedlings are purchased from suppliers in Taupo.

Resolution:

1. That Council receives the Monthly Work Plan Looking Forward report.

**Rose/Scott
CARRIED**

15. CHAIRMAN'S MONTHLY REPORT (TABLED)

The Chairman tabled his report and updated Council on a recent meeting held in Gisborne to discuss the Napier – Gisborne railway line. The meeting included representatives from Kiwi Rail and Chamber of Commerce. A follow up meeting was planned in Napier in August and a briefing paper was being prepared and would be circulated to appropriate stakeholders. Councillor Wilson as Council's representative in Wairoa would be invited to attend the Napier meeting.

Resolution:

1. That the Chairman's report for 30 June to 27 July be received.

**Wilson/McGregor
CARRIED**

16. GENERAL BUSINESS

1. Report on Terms of Reference – Hearings Committee

Councillor Scott requested a report be prepared for the next meeting 25 August 2010 on the Terms of Reference for the Hearing Committee and a summary of the Committee's activities over the last term.

2. Book on HBRC

Councillor Scott showed Council an example of a book on HBRC which had been specifically prepared for a display in Shanghai. There were 300 copies printed for the Shanghai exhibition but many more printed. All requests for copies should be forwarded to Drew Broadley.

Chairman Dick requested a copy of the book be put in Councillors post trays for inclusion in the mail out on Thursday.

3. Involvement of Auditor General – Venture Hawke’s Bay

Councillor von Dadelszen enquired if a formal request was to be made to the Auditor General in relation to Venture Hawke’s Bay.

Mr Newman advised that Auditors will be at Council from 23 August and will be doing further work on budget setting, reporting and monitoring reports of Venture Hawke’s Bay. as well as all Sections across Council.

4. Central Government/Local Government Costs

Councillor Remmerswaal advised she had made a submission to Central Government on the Reform Bill.

17. CONFIRMATION OF PUBLIC EXCLUDED MEETING MINUTES HELD ON 9, 10, 11, 17, 21 AND 30 JUNE 2010

That the Council exclude the public from this section of the meeting being Agenda Item 17 Confirmation of Public Excluded Meeting Minutes held on 9, 10, 11, 17, 21 and 30 June 2010 with the general subject of the item to be considered while the public is excluded; the reasons for passing the resolution and the specific grounds under Section 48 (1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution being as follows:

GENERAL SUBJECT OF THE ITEM TO BE CONSIDERED	REASON FOR PASSING THIS RESOLUTION	GROUND UNDER SECTION 48(1) FOR THE PASSING OF THE RESOLUTION
Confirmation of Public Excluded Meeting Minutes held on 9, 10, 11, 17, 21 and 30 June 2010	7(2)(a) Protect the privacy of natural persons	The Council is specified, in the First Schedule to this Act, as a body to which the Act applies.

18. COUNCIL'S INVESTMENT PORTFOLIO - FUTURE ISSUES PORT OF NAPIER LTD STRATEGY

That the Council exclude the public from this section of the meeting being Agenda Item 18 Council's Investment Portfolio - Future Issues Port of Napier Ltd Strategy with the general subject of the item to be considered while the public is excluded; the reasons for passing the resolution and the specific grounds under Section 48 (1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution being as follows:

GENERAL SUBJECT OF THE ITEM TO BE CONSIDERED	REASON FOR PASSING THIS RESOLUTION	GROUND UNDER SECTION 48(1) FOR THE PASSING OF THE RESOLUTION
Council's Investment Portfolio - Future Issues Port of Napier Ltd Strategy	7(2)(h) Enable the local authority holding the information to carry out, without prejudice or disadvantage, commercial activities	The Council is specified, in the First Schedule to this Act, as a body to which the Act applies.
Confirmation of Public Excluded Meeting Minutes held on 9, 10, 11, 17, 21 and 30 June 2010	7(2)(a) Protect the privacy of natural persons	The Council is specified, in the First Schedule to this Act, as a body to which the Act applies.
Investment Portfolio and Port of Napier Ltd Strategy	7(2)(h) Enable the local authority holding the information to carry out, without prejudice or disadvantage, commercial activities	The Council is specified, in the First Schedule to this Act, as a body to which the Act applies.

**von Dadelszen/Rose
CARRIED**

The meeting went into public excluded session at 2.00pm and out of public excluded session at 2.49pm

Closure:

There being no further business the Chairman declared the meeting closed at 2.50pm on Wednesday, 28 July 2010.

Signed as a true and correct record.

DATE:

CHAIRMAN: