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West Devon  
Borough  
Council

## WEST DEVON COUNCIL - TUESDAY, 30TH JULY, 2013

Agenda, Reports and Minutes for the meeting

### Agenda No    Item

1.     **Summons Letter** (Pages 1 - 4)

2.     **Reports**

Reports to Council:

a)     Item 11 - Future Governance Arrangements. (Pages 5 - 10)

b)     Item 12 - Annual Report of the Overview and Scrutiny Committee (Pages 11 - 14)

3.     **Minutes** (Pages 15 - 20)

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# Agenda Item 1

Please ask for: Tony Rose

Your ref:

Direct Line/Ext: 01822 813664

My ref AAR/Council.30.07.2013

email: arose@westdevon.gov.uk

Date: 22<sup>nd</sup> July 2013

## COUNCIL SUMMONS

You are hereby summoned to attend a Meeting of the **WEST DEVON BOROUGH COUNCIL** to be held at the Council Chamber, Council Offices, Kilworthy Park, **TAVISTOCK** on **TUESDAY** the **30<sup>th</sup>** day of **JULY 2013** at **4.30 pm**.

Prior to the Meeting, the Reverend Philip Wagstaff, Superintendent Minister for the West Devon Methodist Circuit, has been invited to say prayers.

### THE FOLLOWING BUSINESS IS PROPOSED TO BE TRANSACTED.

1. Apologies for absence
2. Declarations of Interest  
Members are invited to declare any personal or disclosable pecuniary interests, including the nature and extent of such interests they may have in any items to be considered at this meeting.

If Councillors have any questions relating to predetermination, bias or interests in items on this Agenda, then please contact the Monitoring Officer in advance of the meeting.

	<b>Page No.</b>
3. To approve and adopt as a correct record the Minutes of the Annual Meeting of the Council held on 21 <sup>st</sup> May 2013	1
4. To approve and adopt as a correct record the Minutes of the Special Meeting of the Council held on 1 <sup>st</sup> July 2013	12
5. To receive communications from the Mayor or person presiding	
6. Business brought forward by or with the consent of the Mayor	
7. To respond to any questions submitted by the public and to receive deputations or petitions under Council Procedure Rule 21	
8. To consider motions of which notice has been submitted by Members of the Council in accordance with Council Procedure Rule 15	
9. To consider questions submitted by Members under Council Procedure Rule 21	

10. To receive the Minutes of the following Committees, to note the delegated decisions and to consider the adoption of those Minutes which require approval
- |       |   |                  |
|-------|---|------------------|
| (i)   | <b>Audit Committee</b><br>Meeting held on 18 <sup>th</sup> June 2013  | 14               |
| (ii)  | <b>Community Services Committee</b><br>Meeting held on 25 <sup>th</sup> June 2013   | 18               |
|       | <b>Unstarred Minute to agree</b><br>Members are recommended to agree:   |                  |
|       | <b>CS 4 Connect Strategy and Priority Plan Update 2013/14</b><br><b>RESOLVED to RECOMMEND</b> that the Connect Strategy annual update for 2013/14, incorporating updated action plans for Community Life, Environment and Homes, be approved and adopted.                                 |                  |
|       | <b>CS 9 Delegation of Grounds Maintenance Services to Tavistock Town Council</b><br><b>RESOLVED to RECOMMEND</b> that Council approves the delegation of defined elements of the Grounds Maintenance service function to Tavistock Town Council for the period summer 2013 to March 2015. |                  |
| (iii) | <b>Overview &amp; Scrutiny Committee</b><br>Meeting held on 4 <sup>th</sup> June 2013   | 24               |
| (iv)  | <b>Planning &amp; Licensing Committee</b><br>Meeting held on 14 <sup>th</sup> May 2013  | 31               |
|       | Meeting held on 11 <sup>th</sup> June 2013  | 36               |
|       | Meeting held on 9 <sup>th</sup> July 2013   | 42               |
| (v)   | <b>Standards Committee</b><br>Meeting held on 16 <sup>th</sup> July 2013  | 58               |
| 11.   | To receive the report of the Head of Corporate Services on Future Governance Arrangements.  | <b>To follow</b> |
| 12.   | To receive the Annual Report of the Overview and Scrutiny Committee   | 60               |
| 13.   | To Order the affixing of the Common Seal<br>For the information of Members, a list of documents sealed by the Council and witnessed by the Mayor and the Chief Executive during the period from 15 <sup>th</sup> May 2013 to 17 <sup>th</sup> July 2013.                                  | 63               |

**PART TWO – ITEMS WHICH MAY BE TAKEN IN THE ABSENCE OF THE PRESS AND PUBLIC ON THE GROUNDS THAT EXEMPT INFORMATION MAY BE DISCLOSED (if any).**

If any, the Council is recommended to pass the following resolution:

**“RESOLVED** that under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the Meeting for the undermentioned item of business on the grounds that exempt information may be disclosed as defined in Part I of Schedule 12(A) to the Act.”

Dated this 22<sup>nd</sup> day of July 2013

A handwritten signature in black ink, appearing to read "R. Heard". The signature is written in a cursive style with a large initial "R".

Chief Executive

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## WEST DEVON BOROUGH COUNCIL

<b>NAME OF COMMITTEE</b>	<b>Council</b>
<b>DATE</b>	<b>30 July 2013</b>
<b>REPORT TITLE</b>	<b>Future Governance Arrangements</b>
<b>Report of</b>	<b>Head of Corporate Services</b>
<b>WARDS AFFECTED</b>	<b>ALL</b>

**Summary of report:** To consider a report which asks the Council to reach a decision on how to overcome the present imbalance in the workload between the Resources and Community Services Committees. In addition, the report seeks a Council decision on the most appropriate mechanism for Members to consider the future governance arrangements before the Council meeting on 17 December 2013.

**Financial implications:** Assuming that the recommendation is agreed, there will be no cost implications arising from this report. If one of the alternative options is preferred, there will be additional Special Responsibility Allowances to be considered and costs associated with meetings' administration, although these will be minimal, given the limited number of meetings that will take place before December 2013.

**RECOMMENDATIONS:**

It is recommended that Council agrees:

- (i) that with immediate effect, and until further consideration at the Council meeting on 17 December 2013, to redress the present imbalance in Committee workloads, the Council chooses to transfer all matters in relation to the Strategic Planning function from the Community Services Committee to the Resources Committee and that the Monitoring Officer be given delegated authority to amend the Council Constitution accordingly; and
- (ii) the Political Structures Working Group should continue to review future governance arrangements with a view to making recommendations formally to Council on 17 December 2013.

**Officer contact:**

Jan Montague, Head of Corporate Services, Tel: 01822 813671

[jan.montague@swdevon.gov.uk](mailto:jan.montague@swdevon.gov.uk)

**Member contact:**

Cllr Philip Sanders, Leader of Council, Tel: 01822 812265

[Cllr.philip.sanders@westdevon.gov.uk](mailto:Cllr.philip.sanders@westdevon.gov.uk)

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## **1. BACKGROUND**

### **Committee Workloads**

- 1.1 The Council agreed at its meeting on 12 February 2013 to extend the Two Committee Structure pilot beyond May 2013 to the Council meeting on 17 December 2013 (Minute CM 71b refers).
- 1.2 In addition to extending the pilot, Members will also recall that a second resolution was agreed which asked the Chairman and Vice-Chairman of the Resources Committee and the Community Services Committee to consider revising current working arrangements to ensure a more even spread of workload between the two Committees.
- 1.3 Members will recall at the Annual Council meeting on 21 May 2013 that a decision to transfer all matters relating to Strategic Planning from the Community Services Committee to the Resources Committee was deferred (Minute CM 7 refers).
- 1.4 This report seeks to establish a way forward for the interim period until the matter is again considered by the Council on (or before) 17 December 2013, as part of a wider debate on overall governance arrangements.

### **Future Governance Arrangements**

- 1.5 A Task and Finish Group was established to make recommendations on the two Committee pilot review. The Group subsequently presented its findings to the Overview and Scrutiny Committee at its meeting on 15 January 2013. In presenting its findings at the time, no formal recommendation or decision was reached on the mechanism for Members to review the pilot in the future. It is therefore intended that this report will also establish a review mechanism.
- 1.6 Since 15 January 2013, the subject has been subsumed into the work carried out by the Political Structures Working Group to make a rational case to the Boundary Commission on Council Size. Given the role of the Political Structures Working Group, it makes sense for it to consider the wider governance arrangements and for that Group to report to Council.

## **2. ISSUES FOR CONSIDERATION**

### **Committee Workloads**

- 2.1 Since the deferral, there has been further evidence of the imbalance between the two Committees. In addition to the Resources Committee meeting scheduled for 7 May 2013 being cancelled due to a lack of agenda items, the most recent Committee meeting (held on 23 July 2013) only contained three substantive agenda items.



2.2 In comparison, during this period, the most recent Community Services Committee meeting (held on 25 June 2013) contained seven substantive agenda items.

2.3 As a follow up to his group sessions with Members, the Chief Executive recently conducted a presentation to Informal Council entitled: 'Effective Local Government in West Devon.' During this presentation, which emphasised the need to formally agree a way forward at this Council meeting, the Chief Executive made reference to three potential options to redress the imbalance:-

- Option 1: To transfer the Strategic Planning function to the Resources Committee;
- Option 2: To create a Strategic Planning Sub-Committee which reports directly to the Community Services Committee; and
- Option 3: To create a third Committee with specific responsibility for Strategic Planning.

2.4 To compare these options, some of what are considered to be the main advantages and disadvantages are outlined below:

	<b>Advantages</b>	<b>Disadvantages</b>
<b>Option 1</b>	<ul style="list-style-type: none"> <li>- The Resources Committee has the current capacity to absorb this piece of work and this option causes least disruption;</li> <li>- No need for additional meetings or the incurring of extra costs associated with meetings administration;</li> <li>- Given that decisions on the wider governance issues are to be addressed at full Council on 17 December, if not before, the probability is that there will be no need to programme any more than the two formal Resources Committee meetings already scheduled.</li> </ul>	<ul style="list-style-type: none"> <li>- Appointments to serve on the Resources and Community Services Committees were based upon Strategic Planning remaining a Community Services Committee function.</li> </ul>
<b>Option 2</b>	<ul style="list-style-type: none"> <li>- A Sub-Committee will enable Members to be appointed from within the existing Community Services Committee which will provide for both continuity and experience and knowledge to be retained;</li> <li>- There are no constitutional implications arising from the creation of a Sub-Committee.</li> </ul>	<ul style="list-style-type: none"> <li>- The creation of a Sub-Committee will need to report to the Community Services Committee which may slow the decision-making process down;</li> <li>- Arguably, this option will not address the initial concerns regarding the workload of Community Services Committee Members.</li> </ul>

<b>Option 3</b>	- A new Committee will provide the ability to exploit Members individual expertise, experience and strengths by appointments being based upon Strategic Planning related skills, experience and commitment.	- The establishment of a third Committee will have inevitable resource and cost implications (e.g. payment of a Special Responsibility Allowance to the Committee Chairman) and amendments to the Constitution; - The creation of a third Committee this late during the two-Committee pilot could make it difficult to accurately assess its success.
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- 2.5 On balance, Council is recommended that the most suitable option to adopt for the remainder of the period of the pilot is to transfer the Strategic Planning function to the Resources Committee (Option 1).
- 2.6 In the event of this Option being adopted, it is intended that some of the functions in relation to strategic planning will be discharged, with optimum use being made of Member Working Groups comprising of a wide range of Members from across all political groups of the Council. This will enable a wider cross section of Members to influence key decisions.
- 2.7 Furthermore, with the ability to appoint substitutes to the Resources Committee, coupled with the provision for any Member to attend Committee meetings and partake in the debate, it is intended that the impact of transferring this function will be kept to a minimum and that Community Services Committee Members will continue to be actively engaged and involved in the Strategic Planning function.

### **Future Governance Arrangements**

- 2.8 On the wider governance issues, there is now a need to reflect on the most appropriate arrangements to suit our future needs. The Informal Council session to be held on 2 September 2013 will afford a further opportunity and no doubt discussions will ensue in political groups. The T18 Transformation Programme work will also have a significant bearing on any decision and we expect to have a formal resolution on T18 in November. A Special Council meeting has been arranged to take place on 4 November 2013 at 4.30pm (replacing the Informal Council session).
- 2.9 Given the work that has been conducted to date through the Political Structures Working Group in relation to the Boundary Committee submission, it is felt to make good sense for the Political Structures Working Group to continue its work and lead upon the review into the Two Committee pilot and present its findings via a report to Council. It may be appropriate to consider this at the same time as the T18 Transformation Programme debate but, if not, findings will be presented to the Council meeting on 17 December 2013 as previously indicated.

### **3. RISK MANAGEMENT**

- 3.1 The Risk Management implications are shown at the end of this report in the Strategic Risks Template.

#### 4. OTHER CONSIDERATIONS

<b>Corporate priorities engaged:</b>	All
<b>Statutory powers:</b>	Local Government Act 2000
<b>Considerations of equality and human rights:</b>	None
<b>Biodiversity considerations:</b>	None
<b>Sustainability considerations:</b>	None
<b>Crime and disorder implications:</b>	None
<b>Background papers:</b>	<ul style="list-style-type: none"><li>- Council minutes and agenda from 12 February 2013 meeting;</li><li>- Annual Council minutes from 21 May 2013 meeting;</li><li>- Overview and Scrutiny Committee minutes and agenda from 15 January 2013 meeting;</li><li>- Chief Executive Presentation entitled: 'Effective Local Government in West Devon';</li><li>- Council Constitution.</li></ul>
<b>Appendices attached:</b>	None.

## STRATEGIC RISKS TEMPLATE

No	Risk Title	Risk/Opportunity Description	Inherent risk status				Mitigating & Management actions	Ownership
			Impact of negative outcome	Chance of negative outcome	Risk score and direction of travel			
1	Member Training	Members of the Resources Committee will now have decision-making responsibility for Strategic Planning matters.	2	2	4	↑	Resources Committee Members will need to have access to officer briefings to increase their awareness and understanding of the Strategic Planning function.	Head of Corporate Services and Head of Planning, Economy and Community
2	Member engagement in the Two Committee Pilot review	The Political Structures Working Group consists of only five Members and engagement with the wider membership will be critical.	3	2	6	↔	The wider membership will be consulted and actively engaged with before the Working Group makes its recommendations to full Council on 17 December 2013.	Chief Executive and Head of Corporate Services.

Direction of travel symbols ↓ ↑ ↔

## ANNUAL REPORT FROM THE OVERVIEW & SCRUTINY COMMITTEE TO FULL COUNCIL

2012 – 2013

### BACKGROUND

Arising out of the Local Government Act 2000, the Council has had in place an Overview & Scrutiny Committee since May 2002.

### MEMBERSHIP

The following Councillors served on the Committee during the Council Year 2012/2013:

Cllr David Cloke (Chairman)  
Cllr Sue Bailey (Vice Chairman)  
Cllr Alison Clish Green  
Cllr Christine Hall  
Cllr John Hockridge  
Cllr Donald Horn  
Cllr Jeff Moody  
Cllr Debo Sellis  
Cllr John Sheldon  
Cllr David Whitcomb

(Note: other Members also served on the Committee during the course of the year in a substitute capacity).

### MEETINGS

Meetings of the Committee have been held on the following dates:

Tuesday 12 June 2012  
Tuesday 10 July 2012 (special meeting to hear call in)  
Tuesday 16 October 2012  
Tuesday 15 January 2013  
Tuesday 12 March 2013

### TASK & FINISH GROUPS (TFG)

- **Leisure Management Task and Finish Group**  
(Membership: Cllrs D Cloke, D Whitcomb, R Baldwin, K Ball, S Bailey and A Leech)

A Task and Finish Group of Members was set up to review the leisure contract and a number of conclusions and recommendations were made.

- **Two Committee Structure**

(Membership: Cllrs Cllr D Cloke, S Bailey, D Whitcomb, R Musgrave, J Sheldon, C Hall)

A group was set up to review the Two Committee Structure being piloted by the Council. The recommendations made so far include that the current pilot be extended to December 2013 and also that the Chairs and Vice Chairs of Resources Committee and Community Services Committee consider revising the current working arrangements to ensure that the workload is more evenly spread.

- **Rural Broadband**

(Membership: Cllrs R E Baldwin, K Ball, A Clish-Green, D W Cloke and J B Moody)

The Rural Broadband Task and Finish Group set up jointly with South Hams District Council continued to report progress to the Committee.

## CALL-IN

- There was one Call-In during the year in relation to the Community Services Committee's decision on the "New Wharf Application for Economic Development and Regeneration Grant" which was made at that Committee's meeting on Tuesday 26<sup>th</sup> June 2012.

Reasons for call in:

1. The Council has limited resources and there are concerns over the allocation of grant monies to the Wharf out of a relatively small grant budget; and,
2. The Council could be contributing towards a feasibility study which might enable an external bid to buy the business.

## OTHER TOPICS COVERED DURING THE YEAR

- **Performance Indicators**

A Working Group, which was led by the Chairman worked with a number of Heads of Service to determine a new list of locally determined Performance Indicators that the authority should monitor to replace the nationally set indicators. Those selected were then regularly reviewed by the Committee and in the case of Exception reports, actions recommended as appropriate in the case of indicators not being met for two consecutive quarters.

- **Service Level Agreement Monitoring**

The Committee received a monitoring report in relation to the service level agreements with West Devon Community and Voluntary Services and the Citizens Advice Bureau. In addition, a presentation was received from the Citizens Advice Bureau.

- **Use of Agency Staff**

The Committee requested a report into the use of Agency Staff by the Council. They have asked that a further report be received next year in order to monitor the reasons for the use of Agency Staff and the impact on permanent staff.

- **Review of Connect Partnership and related Delivery Arrangements**

The Committee received a report in relation to a suggested way forward for the Connect Partnership and related delivery arrangements, following a review undertaken by the Connect Partnership Board and officers, and prompted by Member feedback, the outcome of the Peer Review and reducing staff and financial capacity within the Council and partner agencies.

- **Presentations**

The Committee received a presentation from the South West Devon Community Energy Partnership and a presentation from the Housing Services Manager in relation to the Devon Home Choice Service

## **BUDGET**

The Committee had a budget of £1,500 per annum to cover the cost of operating the Committee and for the procurement of external advice when necessary.

## **FORTHCOMING WORK PROGRAMME**

- Continue monitoring of Performance Indicators
- Receive a presentation from West Devon Community Voluntary Services
- Monitor Service Level Agreements with WD CVS and CAB
- Continue to monitor the Connect Partnership and Delivery Plans
- Receive a report of the Working Group set up to review decisions relating to the Focus site
- Respond, as appropriate, to issues relating to the work of the Council and to the West Devon area in general
- Invite representatives of any service organisation when issues arise which disadvantage residents
- Scrutinise the local crime and disorder partnership – South Devon & Dartmoor Crime & Disorder Reduction Partnership
- Continue to monitor the Council's policy on the Regulation of Investigatory Powers Act

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# Agenda Item 3

At the Meeting of the **WEST DEVON BOROUGH COUNCIL** held in the **COUNCIL CHAMBER, KILWORTHY PARK, TAVISTOCK** on **TUESDAY** the **30<sup>th</sup>** day of **JULY 2013** at **4.30pm** pursuant to Notice given and Summons duly served.

**Present** Cllr W G Cann OBE – The Mayor (In the Chair)

Cllr S C Bailey	Cllr K Ball
Cllr M J R Benson	Cllr A Clish-Green
Cllr D W Cloke	Cllr M V L Ewings
Cllr C Hall	Cllr T J Hill
Cllr D M Horn	Cllr A F Leech
Cllr J R McInnes	Cllr J B Moody
Cllr N Morgan	Cllr M E Morse
Cllr D E Moyse	Cllr R J Oxborough
Cllr R F D Sampson	Cllr P R Sanders
Cllr D K A Sellis	Cllr J Sheldon
Cllr E H Sherrell	Cllr D Whitcomb

Head of Corporate Services  
Monitoring Officer  
Democratic Services Manager

## **CM 28 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Cllrs R E Baldwin, L J G Hockridge, C M Marsh, C R Musgrave, T G Pearce, P J Ridgers, L B Rose and D M Wilde.

## **CM 29 DECLARATION OF INTEREST**

The Mayor invited Members to declare any interests in the items of business to be considered during the course of the meeting, but there were none made.

## **CM 30 CONFIRMATION OF MINUTES**

It was moved by Cllr P R Sanders, seconded by Cllr R F D Sampson and upon the motion being submitted to the Meeting was declared to be **CARRIED** and **“RESOLVED** that the Council agree the Minutes of both the Annual Meeting held on 21 May 2013 and the Special Meeting of Council held on 1 July 2013 as a true record, subject to the final paragraph in minute number CM 7 (arising from the Annual Meeting) being amended to read:

‘As a consequence of these concerns *an amendment* was moved by Cllr A Clish-Green and seconded by Cllr M V L Ewings.....’

## **CM 31 COMMUNICATIONS FROM THE MAYOR**

The Mayor made reference to the following:-

- That on behalf of the Council, he had sent a card to mark the recent birth of Prince George;

- That he wished to congratulate the Deputy Mayor for recently being conferred the title of Honorary Alderman by Devon County Council;
- That on behalf of the Council, he had sent a condolence card to Cllr T G Pearce to offer the sympathies of the Council in light of his recent tragic news.

**CM 32**

**MINUTES OF COMMITTEES**

**a. Audit Committee – 16 June 2013**

It was moved by Cllr D K A Sellis, seconded by Cllr J B Moody and upon being submitted to the Meeting was declared to be **CARRIED** and **“RESOLVED** that the Minutes of the 16 June 2013 meeting be received and noted”.

**b. Community Services Committee – 25 June 2013**

It was moved by Cllr R J Oxborough, seconded by Cllr R F D Sampson and upon being submitted to the Meeting was declared to be **CARRIED** and **“RESOLVED** that the Minutes of the 25 June 2013 meeting be received and noted, with the exception of Unstarred Minutes CS 4 and CS 9”.

In respect of the Unstarred Minutes:

**i. CS 4 – Connect Strategy and Priority Plan Update 2013/14**

It was moved by Cllr R J Oxborough, seconded by Cllr R F D Sampson and upon being submitted to the Meeting was declared to be **CARRIED** and **“RESOLVED** that the Connect Strategy annual update for 2013/14, incorporating updated action plans for Community Life, Environment and Homes be approved and adopted”.

**ii. CS 9 – Delegation of Grounds Maintenance Services to Tavistock Town Council**

It was moved by Cllr R J Oxborough, seconded by Cllr R F D Sampson and upon being submitted to the Meeting was declared to be **CARRIED** and **“RESOLVED** that the delegation of defined elements of the Grounds Maintenance service function to Tavistock Town Council for the period Summer 2013 to March 2015 be approved”.

**c. Overview and Scrutiny Committee – 4 June 2013**

It was moved by Cllr M V L Ewings, seconded by Cllr J Sheldon and upon being submitted to the Meeting was declared to be **CARRIED** and **“RESOLVED** that the Minutes of the 4 June 2013 meeting be received and noted”.

d. **Planning and Licensing Committee – 14 May 2013, 11 June 2013 and 9 July 2013**

in respect of the Committee meeting held on 9 July 2013, the Council had been in receipt of a complaint alleging that the Council had not followed its 'Speaking at Committee' procedure in relation to one of the applications determined.

The Monitoring Officer advised that she was raising this matter at this meeting because the Complainant had requested that the complaint be investigated before the minutes for that meeting were considered by full Council. The Monitoring Officer proceeded to make reference to the following issues:-

- The minutes of the Planning and Licensing Committee were only presented to Council for noting purposes and not for ratification;
- The Planning and Licensing Committee had made a valid decision; and
- The Council was not the appropriate forum for dealing with such complaints. Whilst not the appropriate forum, the Monitoring Officer assured Members that the matter was being dealt with appropriately and that she was overseeing the response.

It was then moved by Cllr P R Sanders, seconded by Cllr C Hall and upon being submitted to the Meeting was declared to be **CARRIED** and "**RESOLVED** that the Minutes of the 14 May 2013 meeting be received and noted".

It was then moved by Cllr M J R Benson, seconded by Cllr C Hall and upon being submitted to the Meeting was declared to be **CARRIED** and "**RESOLVED** that the Minutes of the 11 June 2013 and 9 July 2013 meetings be received and noted".

e. **Standards Committee – 16 July 2013**

It was moved by Cllr J R McInnes, seconded by Cllr D W Horn and upon being submitted to the Meeting was declared to be **CARRIED** and "**RESOLVED** that the Minutes of the 16 July 2013 meeting be received and noted".

**CM 33**

**FUTURE GOVERNANCE ARRANGEMENTS**

A report was considered which asked the Council to reach a decision on how to overcome the present imbalance in the workload between the Resources and Community Services Committees. In addition, the report also sought a Council decision on the most appropriate mechanism for Members to consider the future governance arrangements before the Council meeting on 17 December 2013.

In discussion, the two recommendations were considered separately and in respect of recommendation 1, particular reference was made to:-

- (a) the proposal being the most appropriate solution. In support of the proposal, some Members commented that extensive consideration had been given to redressing the workflow imbalance and this was felt to be the most appropriate and effective method of achieving this objective;
- (b) consideration at the Council meeting on 17 December 2013. Whilst a report was to be presented back to Council on 17 December 2013, Members felt that any decision was unlikely to take effect until the Annual Council meeting in May 2014;
- (c) the optimum use being made of cross party working groups. By using such working groups, it was felt that a wider cross section of Members would be able to influence key decisions in relation to the Strategic Planning function;
- (d) concerns regarding the proposal. In stating their concerns, some Members remained unconvinced that this solution would work and felt that such a change this late into the two committee pilot would not achieve the desired results. In addition, a Member also made the point that such was the emphasis being given to the importance of Strategic Planning that a strong case was actually being made for the creation of a standalone third committee.

With regard to recommendation 2, it was now felt difficult to segregate between the work on the electoral review and that of the future governance review. In addition, since no formal decision had been reached on the mechanism for Members to review the pilot in the future, it was now considered appropriate for the Political Structures Working Group to take on responsibility for this piece of work.

It was then moved by Cllr P R Sanders, seconded by Cllr J R McInnes and upon the motion being submitted to the Meeting was declared to be **CARRIED** and **“RESOLVED** that:

1. with immediate effect, and until further consideration at the Council meeting on 17 December 2013, to redress the present imbalance in Committee workloads, the Council chooses to transfer all matters in relation to the Strategic Planning function from the Community Services Committee to the Resources Committee and that the Monitoring Officer be given authority to amend the Council Constitution accordingly; and
2. the Political Structures Working Group should continue to review future governance arrangements with a view to making recommendations formally to Council on 17 December 2013”.

**CM 34****ANNUAL REPORT OF THE OVERVIEW AND SCRUTINY COMMITTEE**

In line with the Constitutional requirement, the Annual Report of the Overview and Scrutiny Committee was considered by the Council.

In discussion, reference was made to:-

- the need to update the work programme to include updates from the Joint Rural Broadband Working Group. In respect of Rural Broadband provision, the Council wished to put on record its thanks for the excellent work being undertaken by Cllr J Sheldon;
- the need to tighten up the reporting mechanisms and terms of reference for certain working groups. During the debate, it became apparent that some Members were unsure of the reporting process for certain working groups and it was felt that this should be revisited by officers.

It was then moved by Cllr M V L Ewings, seconded by Cllr A Clish-Green and upon the motion being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that the report be noted”.

**CM 35****COMMON SEAL**

A copy of the documents signed by the Mayor during the period 15 May 2013 and 17 July 2013 was attached to the agenda (page 63 refers) and noted by the Meeting.

It was moved by Cllr E H Sherrell, seconded by Cllr M V L Ewings and upon the motion being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that the Mayor and the Chief Executive (or deputies appointed by them) be authorised to witness the fixing of the seal on any documents for the forthcoming year”.

(The Meeting terminated at 5.40 pm)

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**Mayor**

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