

At the Special Meeting of the **WEST DEVON BOROUGH COUNCIL** held in the **COUNCIL CHAMBER, KILWORTHY PARK, TAVISTOCK** on **TUESDAY** the **31ST** day of **MARCH 2015** at **4.30 PM** pursuant to Notice given and Summons duly served.

Present Cllr C M Marsh – The Mayor (In the Chair)

Cllr S C Bailey	Cllr R E Baldwin
Cllr K Ball	Cllr M J R Benson
Cllr W G Cann OBE	Cllr A Clish-Green
Cllr D W Cloke	Cllr M V L Ewings
Cllr C Hall	Cllr T J Hill
Cllr L J G Hockridge	Cllr A F Leech
Cllr J R McInnes	Cllr M E Morse
Cllr D E Moyse	Cllr C R Musgrave
Cllr R J Oxborough	Cllr P J Ridgers
Cllr L B Rose	Cllr R F D Sampson
Cllr P R Sanders	Cllr D Whitcomb

Group Manager – Support Services
Group Manager – Customer First
Monitoring Officer
Democratic Services Manager
Section 151 Officer
Member Services Manager

CM 91 MR DONALD HORN

Having been invited by the Mayor, Cllr P R Sanders referred to the recent death of Donald Horn, who had been a Borough Councillor since May 2007.

In his tribute, Cllr Sanders advised of his utter shock when he first heard of the sad news and that the thoughts of the Council were with Donald's family at this time. Furthermore, the Council had lost a good friend in Donald and he would be sorely missed by Members and officers alike.

As a mark of respect, the Council then proceeded to stand and observe a moment's reflection.

CM 92 APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllrs J B Moody, N Morgan, T G Pearce, D K A Sellis, J Sheldon, E H Sherrell and D M Wilde.

CM 93 DECLARATIONS 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 94**BUSINESS BROUGHT FORWARD BY THE MAYOR**

The Mayor informed the Council that she had agreed for one urgent item to be raised at this meeting. The item sought approval of unstarred minute AC 39 'Treasury Management Strategy, Minimum Revenue Provision Policy and Annual Investment Strategy for 2015/16' which had arisen from the Audit Committee meeting held on 24 February 2015 and was considered urgent due to the time constraints associated with this matter. It was the intention of the Mayor for this item to be considered immediately.

It was then proposed by Cllr T J Hill, seconded by Cllr W G Cann OBE and upon being submitted to the Meeting was declared to be **CARRIED** and **"RESOLVED** that approval be given to the:

1. prudential indicators and limits for 2015/16 to 2017/18 (as outlined in Appendix A of the agenda report presented to the Committee);
2. Minimum Revenue Provision (MRP) Statement contained within Appendix A of the agenda report presented to the Committee, which sets the Council's policy on MRP;
3. Treasury Management Strategy 2015/16 and the Treasury Prudential Indicators 2015/16 to 2017/18 as contained within Appendix B of the agenda report presented to the Committee; and
4. Investment Strategy 2015/16 (as outlined in Appendix C of the presented agenda report to the Committee) and the detailed criteria included in Appendix D of the same agenda."

CM 95**COMMUNICATIONS FROM THE MAYOR**

The Mayor wished to raise the following points:-

- On behalf of the Council, the Mayor introduced and welcomed both the Group Manager – Support Services and the Group Manager – Customer First to their first Council meetings since joining the Council;
- Members were asked to note that the next Informal Council meeting (scheduled for 13 April 2015) had been cancelled;
- With regard to the current Our Plan consultation exercise, Members were reminded that the deadline for public responses was 5.00pm on Monday, 13 April 2015. In highlighting this deadline, the Mayor asked that Members remind their communities that this was their opportunity to make any representations in this regard; and
- As previously advised, the Mayor also wished to remind the Council that the presentation of her Mayoral Awards for this year would take place upon the rising of this meeting.

CM 96**MOTIONS**

In the absence of Cllr T G Pearce, it was moved by Cllr R F D Sampson and seconded by Cllr W G Cann OBE:

'That this Council agrees that, with the exception of the Annual Meeting (which should continue to commence at 11.00am), all other Full Council Meetings should commence at 2.00pm for the next Civic Year 2015/16 and thereafter.'

In presenting this motion, the proposer made specific reference to:-

- the current start time of 4.30pm presenting problems for a number of Members (particularly during the winter months). In expanding upon this point, the proposer highlighted that a number of Members were often required to leave meetings early in order to attend town and parish council meetings or to reduce the potential impact arising from inclement winter weather; and
- there being fewer serving Members now in full time employment.

In discussion, an amendment was proposed by Cllr A Clish-Green and seconded by Cllr R J Oxborough as follows:

"That a decision on this motion should be deferred until the Annual Council meeting in May when it could then be considered by the newly elected Council."

In support of the amendment, Members felt that it was only right and proper for such matters to be determined by the new Council upon its election. In contrast, other Members were of the view that the start time of Council meetings should be known before any prospective candidates had to make a decision on whether or not to stand for election.

When put to the vote, the amendment was declared **LOST**.

In discussion on the motion, the following points were raised:-

- (a) A number of Members highlighted the importance of attracting younger residents to stand for Council. As a consequence, these Members felt that an earlier start time could potentially deter younger candidates from standing for election;
- (b) A Member was of the view that very few Council meetings finished after 6.00pm and there was therefore every opportunity for Members to stay until the conclusion of these meetings before then attending town and parish council meetings later that evening.

When put to the vote, the motion was declared **LOST**.

CM 97**T18 BUDGET MONITORING REPORT – END OF JANUARY 2015 (MONTH 10)**

A report was considered that presented a monitoring update on the T18 Transformation Programme.

In discussion, reference was made to:-

- (a) the budget code underspends. For clarity, it was noted that the underspends were not as a consequence of any significant slippage in the Programme and that these were largely attributed to a number of backdated invoices which were still to be paid after this reporting period;
- (b) the 'Delivering Differently' Fund. Members were informed that the Council had made a bid to central government for up to £100,000 from the 'Delivering Differently' Fund. In reply to a question, the S151 Officer confirmed that she would find out when the Council was to be informed as to whether or not the bid had been successful and let Members know accordingly.

It was then proposed by Cllr P R Sanders, seconded by Cllr R E Baldwin and upon being submitted to the Meeting was declared to be **CARRIED** and **"RESOLVED** that:

1. the progress to date on the Transformation Programme be noted; and
2. delegated authority be given to the S151 Officer, in consultation with the Executive Director of Strategy and Commissioning (Head of Paid Service) and the Leader of Council, to determine the appropriate financing requirement from the Council's Earmarked Reserves in 2014/15, to fund the year end accounting provision for the Transformation Programme (as set out in Section 3 of the presented agenda report)."

CM 98**SCHEME OF MEMBERS' ALLOWANCES FOR 2015/16**

The Council considered a report that sought approval to determine a new Scheme of Members Allowances for the 2015/16 Municipal Year.

In addition, the report also presented the conclusions of the Political Structures Working Group in respect of the:-

- role profile for a Hub Committee Member;
- areas of responsibility for Hub Committee Members; and
- process to determine the areas of responsibility for each appointed Hub Committee Member.

In discussion, particular reference was made to:-

- (a) the recommended Special Responsibility Allowance (SRA) for Hub Committee Members. In recognising the sentiment of the Panel's recommendations in this regard, a number of Members felt that the proposal to entitle Hub Committee Members to claim a SRA at a multiple of 100% of the Basic Allowance was excessive. Furthermore, Members did not feel it justifiable (especially when considering the impact on staff arising from the Transformation Programme) that the Council should so significantly increase its budget expenditure on its Members Allowances.

It was then proposed by Cllr R E Baldwin and seconded by Cllr P J Ridgers that:

"Hub Committee Members be entitled to claim a SRA at a multiple of 25% of the Basic Allowance."

When put to the vote, the motion was declared **LOST**.

At this point, some Members advised that, when considering the level of responsibility for Hub Committee Members, it was their view that a 25% multiplier was too low. In the ensuing debate, the following suggestions were raised (but were never voted upon):-

- That Hub Committee Members should be entitled to claim a SRA at a multiple of 40% of the Basic Allowance; and
- That Hub Committee Members and the Chairman of the Audit Committee should be entitled to claim a SRA at a multiple of 40% of the Basic Allowance.

It was then proposed by Cllr W G Cann OBE and seconded by Cllr A F Leech that:

"A decision on the Scheme of Members Allowances for 2015/16 be deferred until the Annual Council meeting on 19 May 2015."

When put to the vote, the motion was declared **LOST**.

It was then proposed by Cllr M V L Ewings and seconded by Cllr P J Ridgers that:

"Hub Committee Members be entitled to claim a SRA at a multiple of 33% of the Basic Allowance."

When put to the vote, the motion was declared **CARRIED**.

- (b) the importance of the review being undertaken once the new governance arrangements had been given the opportunity to settle down was recognised;
- (c) the ability to claim mileage for attendance at local town and parish council meetings. Whilst welcoming this proposal, some Members felt that it should be specified in the Scheme that this ability would be restricted to travel within the West Devon Borough Council boundary only;
- (d) the proposed areas of responsibility for Hub Committee Members. A Member asked for Community Safety and Young People to be included within the list of responsibilities.

It was then moved by Cllr R E Baldwin, seconded by Cllr P J Ridgers and upon being submitted to the Meeting was declared to be **CARRIED** and **“RESOLVED** that, for the 2015/16 Municipal Year:

1. the conclusions of the Independent Remuneration Panel (as outlined at paragraphs 2.1.1, 2.1.2 and 2.1.3 and Appendix B of the presented agenda report) be agreed, with the exception of Hub Committee Members being entitled to claim a SRA at a multiple of 33% (and not 100%) as recommended by the Panel;
2. Members should be entitled to claim their mileage for attendance at town and parish council meetings within their local Ward of which they are not already a Member and that this entitlement should be restricted to travel within the West Devon Borough Council boundary only; and
3. the role profile for a Hub Committee Member (Appendix C of the presented agenda report); the areas of responsibility for the Hub Committee Members (Appendix D of the presented agenda report) and the process to determine the areas of responsibility for each appointed Hub Committee Member (as outlined at paragraph 2.4 of the presented agenda report) be noted.”

CM 99

CALENDAR OF MEETINGS FOR 2015/16

A report was considered that sought approval of the calendar of meetings of Council bodies for the 2015/16 municipal year.

In discussion, reference was made to:-

- (a) a Standards Committee meeting being added to the calendar to take place on 7 July 2015;
- (b) the provision whereby the first Monday of each Calendar month was set aside for special meetings if any were required;

- (c) the joint Overview and Scrutiny Committee meeting on 12 January 2016. The Council was advised that this joint meeting had been diarised to enable both Overview and Scrutiny Committees the opportunity to scrutinise the 2016/17 budget proposals;
- (d) a general preference (wherever possible) for meeting start times to take place in the afternoon rather than the morning.

It was then moved by Cllr P R Sanders, seconded by Cllr R E Baldwin and upon being submitted to the Meeting was declared to be **CARRIED** and **“RESOLVED** that the Calendar of Meetings for the 2015/16 municipal year (as per Appendix A to the presented agenda report) be adopted, subject to inclusion of the amendments as outlined in discussion points (a) and (b) above.”

CM 100 LOCAL LAND CHARGES

It was moved by Cllr R F D Sampson, seconded by Cllr P R Sanders and upon being submitted to the Meeting was declared to be **CARRIED** and **“RESOLVED** that under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the Meeting for the debate that took place on this item of business on the grounds that exempt information may be disclosed under Paragraph 3 – Information relating to the financial or business affairs of any particular person including the authority holding that information from Part 3 of Schedule 12(A) to the Act.”

A report was then considered which advised the Council of the outcome of the settlement proposed for the refund of personal search fees.

In discussion, the following points were raised:-

- (a) Members were assured that this matter was a national issue and was no reflection upon Council officers, who had been following central government guidance. This issue had arisen as a consequence of European Union legislation;
- (b) In this regard, it was noted that the Local Government Association had been actively lobbying on behalf of local authorities.

It was then proposed by Cllr P R Sanders, seconded by Cllr R E Baldwin and upon being submitted to the meeting was declared to be **CARRIED** and **“RESOLVED** that:-

1. the Council settles the claim on the terms as outlined in the presented agenda report; and
2. delegated authority be given to the Head of Paid Service in conjunction with the Leader of the Council and S151 Officer to conclude the negotiation of the Council’s liability to pay part of the Claimants costs and any interest sum, having regard to the Council’s appointment of the overall nationwide claim.”

It was then proposed 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 press and public be re-admitted to the meeting.”

CM 101 MAYOR’S CONCLUDING REMARKS

As this was anticipated to be the last Council meeting of the 2014/15 Municipal Year, and the local elections would have taken place before the Council was to meet again, the Mayor thanked all Members and officers for their commitment and diligence not just during her year of office, but also for the preceding four years of the current administration. The Mayor proceeded to wish those retiring Members well for the future and those Members who were seeking re-election good luck in their respective endeavours.

In reply, other Members wished to thank the Mayor for the way she had managed the office this year and too wished her every success and happiness in the future.

(The Meeting terminated at 6.10 pm)