

At a Meeting of the **WEST DEVON BOROUGH COUNCIL** held in the **COUNCIL CHAMBER, KILWORTHY PARK, TAVISTOCK** on **TUESDAY** the **13<sup>TH</sup>** day of **DECEMBER 2011** at **4.30pm** pursuant to Notice given and Summons duly served.

**Present**

Mr D Horn – Mayor  
Mr R Musgrave – Deputy Mayor

Mrs S Bailey            Mr R Baldwin  
Mr M Benson           Mr W Cann OBE  
Mrs A Clish-Green    Mr D Cloke  
Mrs M Ewings          Mr M Harper  
Mrs C Hall              Mr T Hill  
Mr J Hockridge        Mr D Lake  
Mr A Leech              Mrs C Marsh  
Mr J McInnes          Mr N Morgan  
Mr M Morse             Miss D Moyse  
Mr R Oxborough      Mr T Pearce  
Mrs L Rose             Mr R Sampson  
Mr P Sanders          Mrs D Sellis  
Mr E Sherrell          Mr D Whitcomb

Mr D Wilde

Chief Executive  
Corporate Director (AR)  
Corporate Director (TW)  
Head of Corporate Services  
Monitoring Officer  
Democratic Services Manager  
Deputy Monitoring Officer  
Borough Committee Secretary  
Member Services Manager  
Communications Manager

**CM 44 PRAYERS**

The Meeting opened with prayers said by the Reverend Michael Brierley, Priest-in-Charge of Tavistock & Gulworthy.

**CM 45 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors K Ball and P Ridgers.

**CM 46 DECLARATIONS OF INTEREST**

The following declaration of interest was made.

1. Cllr N Morgan in Item 10(v) (Minutes of the Standards Committee meeting held on 25 October 2011) – personal as his wife was a parish/town council representative on the Committee.

**CM 47 CONFIRMATION OF MINUTES**

It was moved by Councillor J McInnes, seconded by Councillor P Sanders and upon the motion being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that the Council agree the Minutes of the 24 November 2011 Council Meeting as a true record”.

**CM 48 COMMUNICATIONS FROM THE MAYOR**

The Mayor stated that he had attended several events since the last meeting and highlighted the following:

- The Dickensian Evening hosted by the Mayor of Tavistock Town Council.

**CM 49 MINUTES OF COMMITTEES**

**a. Audit Committee – 27 September 2011**

It was moved by Councillor Mrs D Sellis, seconded by Councillor M Harper and upon being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that the Minutes of the 27 September 2011 meeting be received and noted with the exception of Unstarred Minutes AC10, AC11 and AC12”.

In respect of the Unstarred Minutes:

**i. AC 10 Audit of Annual Statement of Accounts**

It was moved by Councillor Mrs D Sellis, seconded by Councillor M Harper and upon being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that Members approve and adopt:-

1. The ISA 260 Report and the Action Plan recommended by the Council's external auditors.
2. The Post Audit Adjustments contained within the ISA 260 Report.
3. The letter of representation as presented. and
4. The Audited Statement of Accounts for 2010/11 as amended”.

**ii. AC 11 Progress Against the 2011/12 Internal Audit Plan**

It was moved by Councillor Mrs D Sellis, seconded by Councillor M Harper and upon being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that Members note and approve the progress report and the updated Audit Plan for 2011/12”.

iii. **AC 12 Anti Fraud, Corruption & Bribery Policy and Strategy, and Benefits Fraud Prosecution & Sanction Policy**

It was moved by Councillor Mrs D Sellis, seconded by Councillor M Harper and upon being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that Members agree that the Anti Fraud Corruption and Bribery Policy and Strategy and the Benefits Fraud Prosecution and Sanction Policy be approved and noted”.

b. **Audit Committee – 22 November 2011**

It was moved by Councillor Mrs D Sellis, seconded by Councillor M Harper and upon being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that the Minutes of the 22 November 2011 meeting be received and noted with the exception of Unstarred Minutes AC14, AC15 and AC16”.

i. **AC 14 Mid Year Prudential Indicator and Treasury Management Monitoring Report 2011-2012**

It was moved by Councillor Mrs D Sellis, seconded by Councillor M Harper and upon being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that Members agree that:-

1. The report be noted as presented.
2. The proposed changes to the investment criteria (as detailed in section 4 of the report) be approved and adopted. and
3. The efficacy of investing with banks in addition to those suggested by Sector be investigated”.

ii. **AC 15 Annual Audit Letter 2010/2011**

It was moved by Councillor Mrs D Sellis, seconded by Councillor M Harper and upon being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that Members agree that the Annual Audit Letter 2010/2011 be approved and adopted”.

iii. **AC 16 Progress Against the 2011/2012 Internal Audit Plan**

It was moved by Councillor Mrs D Sellis, seconded by Councillor M Harper and upon being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that Members agree that:-

1. The report and appendices A and B be noted as presented. and

2. With regard to Appendix C, consideration be given to placing the Contract Procedure Rules under the purview of the Audit Committee and for the Council's Constitution to be amended accordingly".

**c. Environment & Community Committee – 20 September 2011**

It was moved by Councillor R Oxborough, seconded by Councillor M Benson and upon the motion being submitted to the Meeting was declared to be **CARRIED** and "**RESOLVED** that the Minutes of the 20 September 2011 Environment & Community Committee Meeting be received and noted".

**d. Future Planning & Housing Committee – 18 October 2011**

It was moved by Councillor Mrs M Ewings, seconded by Councillor M Harper and upon the motion being submitted to the Meeting was declared to be **CARRIED** and "**RESOLVED** that the Minutes of the 18 October 2011 Future Planning & Housing Committee be received and noted".

**e. Planning & Licensing Committee – 11 October & 8 November 2011**

It was moved by Councillor Mrs C Marsh, seconded by Councillor P Sanders and upon being submitted to the Meeting was declared to be **CARRIED** and "**RESOLVED** that the Minutes of the 11 October and 8 November 2011 meetings be received and noted".

**f. Standards Committee – 25 October 2011**

It was moved by Councillor D Whitcomb, seconded by Councillor D Wilde and upon being submitted to the Meeting was declared to be **CARRIED** and "**RESOLVED** that the Minutes of the 25 October 2011 meeting be received and noted with the exception of Unstarred Minute S11".

In respect of the Unstarred Minute:

**i. S11 – Revision of the Contract Procedure Rules**

It was moved by Councillor D Whitcomb, seconded by Councillor D Wilde and upon being submitted to the Meeting was declared to be **CARRIED** and "**RESOLVED** that Members approve the revised Contract Procedure Rules, including the exemption process and agree to its inclusion in the Council's Constitution".

**g. Strategies & Resources Committee – 15 November 2011**

It was moved by Councillor P Sanders, seconded by Councillor J McInnes and upon being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that the Minutes of the 15 November 2011 meeting be received and noted”.

**CM 50 THE DEMOCRATIC ARRANGEMENTS REVIEW GROUP**

As Chairman of the Review Working Group, Councillor Mrs M Ewings presented a report which summarised its findings and conclusions on whether the Council’s arrangements for dealing with its business could be made more efficient and effective. In conclusion, the Council was informed that the Working Group recommended that Council consider moving to a single committee to deal with all business except planning, licensing, audit, standards and overview and scrutiny, where the existing committees would remain and that these revised arrangements should be reviewed after twelve months.

It was then moved by Councillor Mrs M Ewings and seconded by Councillor W Cann OBE that ‘Council fully considers this report at the 14 February 2012 Council meeting, with a view then to agreeing that from the next Municipal Year, starting in May 2012, the introduction of a single committee to deal with the business currently delegated to the Strategies & Resources Committee, Economy & Community Committee and Future Planning & Housing Committee’.

An amendment was subsequently put forward by Cllr Mrs A Clish-Green to the wording of the motion, which was seconded by Cllr P Sanders – the revised wording proposed was as follows:

‘That Council fully considers this report at the 14 February 2012 Council meeting’.

In discussion, a number of Members requested further information on a number of issues in time for a roundtable debate at the Informal Council session on Monday, 9 January 2012. In particular, these matters included:-

- the assumptions which were used in justifying that the proposals would be cost neutral;
- a list of those fourth option councils who already successfully operated a similar system;
- how all twelve Members on the proposed one committee could be aligned to the officer structure;
- feedback from those fourth option councils who had tried similar systems but had reverted back to the committee system;
- evidence to support those statements classified as ‘weaknesses’ in the option to improve the existing model (para 2.1, page 55 of the agenda refers);

- additional information on how the Working Group considered the options and reached its final recommendations; and
- the wish for additional work to be undertaken on the '2 Committee Model' proposal.

Cllr Mrs M Ewings and Cllr W Cann OBE as proposer and seconder of the original motion, agreed to the amendment to the wording and upon being submitted to the Meeting was declared to be **CARRIED** and "**RESOLVED** that the Council fully considers this report at the 14 February 2012 Council meeting'.

**CM 51 COMMON SEAL**

A copy of the documents signed by the Mayor during the period from 20 September 2011 and 24 November 2011 was attached to the agenda (page 63 refers) and noted by the Meeting.

Following a Member request, it was agreed that officers would provide additional information specifically in respect of the documents which had been signed in relation to the Focsa Waste Contract. As a more general point, Members also felt that in the future, it would be beneficial for some additional information to accompany each of the document headings in order to provide greater clarity.

It was then moved by Councillor D Horn, seconded by Councillor Mrs M 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 documents".

**CM 52 MRS PAM SMITH**

Since this was the last Council meeting before Pam Smith's retirement, the Council wished to put on record its appreciation for the magnificent service she had provided during her thirteen years as Borough Committee Secretary.

(The Meeting terminated at 5.30 pm)