

At the Annual Meeting of the **WEST DEVON BOROUGH COUNCIL** held in the **COUNCIL CHAMBER, KILWORTHY PARK, TAVISTOCK** on **TUESDAY** the **15<sup>TH</sup>** day of **MAY 2012** at **11.00am** pursuant to Notice given and Summons duly served.

**Present** Mr D M Horn – The Mayor (In the Chair)

|                    |                   |
|--------------------|-------------------|
| Mrs S C Bailey     | Mr R E Baldwin    |
| Mr K Ball          | Mr M J R Benson   |
| Mr W G Cann        | Mrs A Clish-Green |
| Mr D W Cloke       | Mrs M V L Ewings  |
| Mrs C Hall         | Mr T J Hill       |
| Mr L J G Hockridge | Mr A F Leech      |
| Mrs C M Marsh      | Mr J R McInnes    |
| Mr J B Moody       | Mr N Morgan       |
| Mr M E Morse       | Miss D E Moyse    |
| Mr C R Musgrave    | Mr R J Oxborough  |
| Mr T G Pearce      | Cllr Mrs L B Rose |
| Mr R F D Sampson   | Mr P R Sanders    |
| Mrs D K A Sellis   | Mr E H Sherrell   |
| Mr D Whitcomb      |                   |

Chief Executive  
Corporate Director (AR)  
Corporate Director (TW)  
Head of Corporate Services  
Deputy Monitoring Officer  
Democratic Services Manager  
Communications Manager  
Regeneration Officer

**CM 1 APPOINTMENT OF MAYOR**

Councillor Mr R F D Sampson moved the appointment of Councillor Mr C R Musgrave as Mayor for the ensuing year and Councillor Mrs A Clish-Green seconded the motion.

No other nominations were received and upon the motion being submitted to the meeting, it was declared to be **CARRIED** and **“RESOLVED** that Councillor Mr C R Musgrave be appointed Mayor for the ensuing year”.

The retiring Mayor and newly elected Mayor left the Council Chamber so that Councillor Mr C R Musgrave could be invested with the civic regalia. The retiring Mayoress, Mrs Horn, also invested Mrs Musgrave with the Mayoress’ Badge of Office.

Upon returning to the Council Chamber, the newly elected Mayor, Councillor Mr C R Musgrave, made the declaration of Acceptance of Office, signed the Register and addressed the Council.

Councillor Mr C R Musgrave then chaired the rest of the meeting.

Councillor Mr J R McInnes proposed a vote of thanks to the retiring Mayor. The proposition was seconded by Councillor Mr R F D Sampson.

Councillor Mr C R Musgrave then invested Councillor Mr D M Horn and Mrs Horn with the Past Mayor's and Past Mayoress's Medallions.

The retiring Mayor, Councillor Mr D M Horn, addressed the meeting.

**CM 2 APPOINTMENT OF DEPUTY MAYOR**

The Mayor called for nominations for the position of Deputy Mayor.

One nomination was received as follows:

|                            |           |                         |
|----------------------------|-----------|-------------------------|
| Councillor Mr W G Cann OBE | proposed: | Cllr Mr L J G Hockridge |
|                            | seconded: | Cllr Mrs A Clish-Green  |

There being no other nominations it was declared to be **CARRIED** and **"RESOLVED** that Councillor Mr W G Cann be appointed as Deputy Mayor for the ensuing year".

The Deputy Mayor then made the Declaration of Acceptance of Office and signed the register and the Mayor invested Councillor Mr W G Cann with the Deputy Mayor's Insignia. Councillor Mr W G Cann then addressed the Council.

**CM 3 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Mr P J Ridgers and Mr D M Wilde.

**CM 4 DECLARATION OF INTEREST**

1. Cllr Mr N Morgan in Item 17 (To approve the Committee structure for the coming year) – prejudicial as his wife was a parish/town council representative on the Committee and he did not take part in the vote on this specific item.
2. Cllr Mrs D K A Sellis in Item 23 (Tavistock Townscape Heritage Initiative Bid 2012) – personal as a Devon County Council Member on the Heritage Partnership and a great supporter of the World Heritage site.

**CM 5 CONFIRMATION OF MINUTES**

It was moved by Councillor Mr J R McInnes, seconded by Councillor Mr P R 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 17 April 2012 Council Meeting as a true record".

**CM 6 COMMUNICATIONS FROM THE MAYOR**

The Mayor had no communications to bring forward.

**CM 7 ADOPTION OF THE COUNCIL'S CONSTITUTION**

It was moved by Councillor Mr J R McInnes, seconded by Councillor Mr R F D Sampson and upon the motion being submitted to the Meeting was declared to be **CARRIED** and "**RESOLVED** that the Council adopt the revised Constitution for the forthcoming year".

The Mayor then signed the bound copy of the Constitution for 2012/2013.

**CM 8 MOTION(S) SUBMITTED BY MEMBERS OF THE COUNCIL**

It was moved by Councillor Mr M J Benson and seconded by Councillor Mr R E Baldwin that:

*'The Upper Lettable Unit be re-named The Dartmoor Suite.'*

In introducing his motion, Councillor Mr M J Benson made reference to the need for this principal room to have an appropriate name to ensure that it was more marketable.

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

**CM 9 MINUTES OF COMMITTEES**

**a. Audit Committee – 3 April 2012**

It was moved by Councillor Mrs D K A Sellis, seconded by Councillor Mr P R Sanders and upon being submitted to the Meeting was declared to be **CARRIED** and "**RESOLVED** that the Minutes of the 3 April 2012 meeting be received and noted, with the exception of Unstarred Minutes AC 24, AC 27 and AC 28".

In respect of the Unstarred Minutes:

**i. AC 24 – Joint Corporate Risk Policy and Strategic Risk Assessment**

It was moved by Councillor Mrs D K A Sellis, seconded by Councillor Mr P R Sanders and upon being submitted to the Meeting was declared to be **CARRIED** and "**RESOLVED** that the Joint Risk Management Policy be adopted."

**ii. AC 27 – Internal Audit – Plan for 2012/2013**

It was moved by Councillor Mrs D K A Sellis, seconded by Councillor Mr P R Sanders and upon being submitted to the Meeting was declared to be **CARRIED** and "**RESOLVED** that the Internal Audit Plan for 2012/13 be approved and adopted as presented".

**iii. AC 28 – Progress Against the 2011/12 Internal Audit Plan**

It was moved by Councillor Mrs D K A Sellis, seconded by Councillor Mr P R Sanders and upon being submitted to the Meeting was declared to be **CARRIED** and "**RESOLVED** that the report and the content of the three presented appendices (A, B and C refer) be noted".

**b. Environment & Community Committee – 12 April 2012**

It was moved by Councillor Mr R J Oxborough, seconded by Councillor Mr R F D Sampson and upon being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that the Minutes of the 12 April 2012 meeting be received and noted, with the exception of Unstarred Minute E&C 34”.

In respect of the Unstarred Minute:-

**i. E&C 34 – Economy Review**

It was moved by Councillor Mr R J Oxborough, seconded by Councillor Mr R F D Sampson and upon being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that:

1. The following service types and levels be adopted:
  - (a) Premises and Sites – Medium level service;
  - (b) Engaging Businesses – Medium level service;
  - (c) Maximising Funding Opportunities – Medium level service;
  - (d) Developing Sectors and Supply Chains – Medium service;
  - (e) Workforce Development – Basic level service, with the addition of using Council networks to promote placements;
  - (f) Business Support and Advice – Medium level service;
  - (g) Community Led Planning – Medium level service;
  - (h) Strategic Working – Medium level service; and
  - (i) Research and Intelligence – Basic level service.
2. That a contingency of up to £25,000 for the economy service be used if necessary; and
3. That a Member Champion be appointed for ‘Business.’

**c. Planning & Licensing Committee – 24 April 2012**

It was moved by Councillor Mrs C M Marsh, seconded by Councillor Mr P R Sanders and upon being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that the Minutes of the 24 April 2012 meeting be received and noted”.

**CM 10**

**PAYMENT OF MAYOR & DEPUTY MAYOR ALLOWANCES**

It was moved by Councillor Mr C R Musgrave, seconded by Councillor Mr P R Sanders and upon the motion being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that consideration of this matter should be deferred to agenda item 22 (Minute CM 20 below refers)”.

**CM 11 APPOINTMENT OF LEADER AND DEPUTY LEADER OF THE COUNCIL**

**a. Leader**

It was moved by Councillor Mr J R McInnes, seconded by Councillor Mr R E Baldwin and upon the motion being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that Councillor Mr P R Sanders be appointed Leader of the Council for the ensuing year.”

Upon his appointment, Councillor Mr P R Sanders wished to put on record his gratitude to Councillor Mr J R McInnes for the way that he had undertaken the role of Leader during his term of office.

**b. Deputy Leader**

It was moved by Councillor Mr P R Sanders, seconded by Councillor Mr J R McInnes and upon the motion being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that Councillor Mr R E Baldwin be appointed Deputy Leader of the Council for the ensuing year.”

**CM 12 PAYMENT OF LEADER & DEPUTY LEADER ALLOWANCES**

It was moved by Councillor Mr C R Musgrave, seconded by Councillor Mr P R Sanders and upon the motion being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that consideration of this matter should be deferred to agenda item 22 (Minute CM 20 below refers)”.

**CM 13 REPORT OF THE FORMATION OF POLITICAL GROUPS**

Members noted the schedule of officially appointed political groups as follows:

- 16 Conservative Group Members;
- 10 Independent Group Members;
- 3 Liberal Democrat Group Members;

together with one Ungrouped Member and one vacancy.

**CM 14 COMMITTEE STRUCTURE**

It was moved by Councillor Mr R F D Sampson, seconded by Councillor Mr P R Sanders and upon the motion being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that the Committee structure be as follows for the coming year:

|                      |            |
|----------------------|------------|
| Audit                | 3 Members  |
| Community Services   | 10 Members |
| Overview & Scrutiny  | 10 Members |
| Planning & Licensing | 10 Members |
| Resources            | 11 Members |
| Standards            | 7 Members  |

(3 West Devon, 2 Independent (1 Vacancy), 2 Parish Council)

with all of the Borough Council Member appointments to the above Committees being politically balanced and the Independent and Parish Council representatives on the Standards Committee being appointed until the end of the current Standards regime”.

It was also moved by Councillor Mr R F D Sampson, seconded by Councillor Mrs A Clish-Green and upon the motion being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that it should not be a requirement for every Member to sit on either the Resources or Community Services or Overview and Scrutiny Committees”.

#### **CM 15 MEMBERSHIP OF COMMITTEES**

A list of appointments made to the Committees by the three political groups for the ensuing year had been circulated and were duly approved. The Leaders of the three political groups were named as:

|                  |   |
|------------------|---|
| Conservative     | Cllr Mr P R Sanders<br>(Deputy: Cllr Mr R E Baldwin)    |
| Independent      | Cllr Mr R F D Sampson<br>(Deputy Cllr Mr W G Cann)      |
| Liberal Democrat | Cllr Mrs A Clish-Green<br>(Deputy Cllr Mr C R Musgrave) |

The following appointment was agreed with respect to the ungrouped Member:

- (i) Resources Committee – Cllr Mr E H Sherrell

#### **CM 16 APPOINTMENT OF CHAIRMEN AND VICE CHAIRMEN OF COMMITTEES**

##### **(i) Audit Committee**

###### **a. Chairman**

It was proposed by Councillor Mr P R Sanders, seconded by Councillor Mr D Whitcomb and upon being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that Councillor Mrs D K A Sellis be appointed for the ensuing year”.

###### **b. Vice Chairman**

It was proposed by Councillor Mr R F D Sampson, seconded by Councillor Mr T G Pearce and upon being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that Councillor Mr J B Moody be appointed for the ensuing year”.

**(ii) Community Services Committee**

**a. Chairman**

Two nominations were put forward to be Chairman of the Community Services Committee:

1. It was moved by Councillor Mr P R Sanders and seconded by Councillor Mr R E Baldwin that Councillor Mr R J Oxborough be appointed as Chairman of the Community Services Committee.
2. It was moved by Councillor Mr T G Pearce and seconded by Councillor Mr N Morgan that Councillor Mr R F D Sampson be appointed as Chairman of the Community Services Committee.

Before the vote was taken, it was proposed by Councillor Mrs A Clish-Green, seconded by Councillor Mr A F Leech and upon the motion being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that in accordance with Council Procedure Rule 19 a paper ballot would take place”.

The result of the ballot was that Councillor Mr R J Oxborough be appointed as the Chairman of the Community Services Committee for the ensuing year.

**b. Vice Chairman**

It was proposed by Councillor Mr P R Sanders, seconded by Councillor Mr L J G Hockridge and upon being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that Councillor Mr R F D Sampson be appointed for the ensuing year”.

**(iii) Overview & Scrutiny Committee**

**a. Chairman**

It was proposed by Councillor Mr R F D Sampson, seconded by Councillor Mr P R Sanders and upon being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that Councillor Mr D W Cloke be appointed for the ensuing year”.

**b. Vice Chairman**

It was proposed by Councillor Mr P R Sanders, seconded by Councillor Mr R E Baldwin and upon being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that Councillor Mrs S C Bailey be appointed for the ensuing year”.

**(iv) Planning & Licensing Committee**

**a. Chairman**

It was proposed by Councillor Mr J R McInnes, seconded by Councillor Mr P R Sanders and upon being submitted to the Meeting was declared to be **CARRIED** and "**RESOLVED** that Councillor Mrs C M Marsh be appointed for the ensuing year".

**b. Vice Chairman**

Two nominations were put forward to be Vice-Chairman of the Planning and Licensing Committee:

1. It was moved by Councillor Mr P R Sanders and seconded by Councillor Mr R J Oxborough that Councillor Mrs L B Rose be appointed as Vice-Chairman of the Planning and Licensing Committee.
2. It was moved by Councillor Mr R F D Sampson and seconded by Councillor Mr N Morgan that Councillor Mr T G Pearce be appointed as Vice-Chairman of the Planning and Licensing Committee.

Before the vote was taken, it was proposed by Councillor Mr R F D Sampson, seconded by Councillor Mrs A Clish-Green and upon the motion being submitted to the Meeting was declared to be **CARRIED** and "**RESOLVED** that in accordance with Council Procedure Rule 19 a paper ballot would take place".

The result of the ballot was that Councillor Mrs L B Rose be appointed as the Vice-Chairman of the Planning and Licensing Committee for the ensuing year.

**(v) Resources Committee**

**a. Chairman**

It was proposed by Councillor Mr J R McInnes, seconded by Councillor Mr R E Baldwin and upon being submitted to the Meeting was declared to be **CARRIED** and "**RESOLVED** that Councillor Mr P R Sanders be appointed for the ensuing year".

**b. Vice Chairman**

It was proposed by Councillor Mr P R Sanders, seconded by Councillor Mr J R McInnes and upon being submitted to the Meeting was declared to be **CARRIED** and "**RESOLVED** that Councillor Mr R E Baldwin be appointed for the ensuing year".



(vi) **Standards Committee**

a. **Chairman** (to be an Independent Member)

It was proposed by Councillor Mr D Whitcomb, seconded by Councillor Mr R F D Sampson and upon being submitted to the Meeting was declared to be **CARRIED** and **"RESOLVED** that Mrs V Spence be appointed for the ensuing year".

CM 17

**APPOINTMENT OF REPRESENTATIVES TO THE LIST OF OUTSIDE BODIES FOR THE ENSUING YEAR**

Members considered a report which presented the Group Leader's nominations to fill the vacancies on the list of Outside Bodies. In respect of those Outside Bodies in which the number of nominations exceeded the number of vacancies:-

a. **Dartmoor National Park – Joint Advisory Committee on Housing**

Three nominations were put forward for the two vacancies on the Committee:

1. It was moved by Councillor Mr P R Sanders and seconded by Councillor Mr R J Oxborough that Councillors Miss D E Moyse and Mrs L B Rose be appointed as the two representatives on this Committee.
2. It was moved by Councillor Mr R F D Sampson and seconded by Councillor Mr N Morgan that Councillor Mrs M V L Ewings be appointed as a representative on this Committee.

Before the vote was taken, it was proposed by Councillor Mr A F Leech, seconded by Councillor Mrs A Clish-Green and upon the motion being submitted to the Meeting was declared to be **CARRIED** and **"RESOLVED** that in accordance with Council Procedure Rule 19 a paper ballot would take place".

The result of the ballot was that Councillors Miss D E Moyse and Mrs L B Rose be appointed as the Council's representatives on the Dartmoor National Park – Joint Advisory Committee on Housing for the ensuing year.

b. **Rural Commission**

Two nominations were put forward to fill the vacancy on the Commission:

1. It was moved by Councillor Mr P R Sanders and seconded by Councillor Mr J R McInnes that Councillor Miss D E Moyse be appointed as the Council representative on the Rural Commission.
2. It was moved by Councillor Mr R F D Sampson and seconded by Councillor Mr T G Pearce that Councillor Mrs A Clish-Green be appointed as the Council representative on the Rural Commission.

Before the vote was taken, it was proposed by Councillor Mr J R McInnes and seconded by Councillor Mr L J G Hockridge and upon the motion being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that in accordance with Council Procedure Rule 19 a paper ballot would take place”.

The result of the ballot was that Councillor Miss D E Moyses be appointed as the Council’s representative on the Rural Commission for the ensuing year.

**c. South Devon and Dartmoor Community Safety Partnership**

Two nominations were put forward to fill the vacancy on the Partnership:

1. It was moved by Councillor Mr P R Sanders and seconded by Councillor Mr R E Baldwin that Councillor Mr D Whitcomb be appointed as the Council representative on the Community Safety Partnership.
2. It was moved by Councillor Mr T G Pearce and seconded by Councillor Mr D W Cloke that Councillor Mrs M V L Ewings be appointed as the Council representative on the Community Safety Partnership.

The result of the show of hands was that Councillor Mr D Whitcomb be appointed as the Council’s representative on the South Devon and Dartmoor Community Safety Partnership.

**d. Tavistock College Endowment Fund Trustees**

Although two nominations had been put forward to fill the vacancy on the Partnership, Cllr Mrs M V L Ewings wished to withdraw her nomination prior to the vote being taken. As a consequence, Cllr Mrs S C Bailey was declared the Council’s representative on the Tavistock College Endowment Fund Trustees.

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

1. The Council should be represented on the list of Outside Bodies as presented to the meeting;
2. Appropriate representatives be appointed as this Council’s appointments to those Bodies for the 2012/13 Municipal Year and that for the purposes of Members’ Allowances, attendance at meetings of these Bodies be regarded as an approved duty; and
3. Members appointed to Outside Bodies provide regular feedback and consultation on issues affecting the Bodies concerned.

**CM 18 APPOINTMENT OF REPRESENTATIVES TO THE LIST OF OTHER GROUPS**

In respect of the Okehampton and Tavistock Consultative Liaison Groups, Members concluded that no appointments should be made until a review had been undertaken into these Groups.

For the remaining Other Groups, it was proposed by Councillor Mr P R Sanders, seconded by Councillor Mr R F D Sampson and upon being submitted to the Meeting was declared to be **CARRIED** and **"RESOLVED** that the appointments be endorsed (as tabled to the meeting) for the ensuing year".

**CM 19 DARTMOOR NATIONAL PARK AUTHORITY**

It was noted that the three Council representatives appointed to the Dartmoor National Park were:-

Councillor Mr L J G Hockridge (Independent)  
Councillor Miss D E Moyse (Conservative)  
Councillor Mrs L B Rose (Conservative)

(NOTE: These appointments formed part of the Political Balance Table.)

**CM 20 REVIEW OF MEMBERS' ALLOWANCES**

Members considered a report which sought to advise Council of the recommendations arising from the Independent Remuneration Panel's Review of the Members' Allowances Scheme.

In discussion, reference was made to:-

(a) the proposed £200 uplift to offset the provision of IT equipment to Members. A number of Members commented that since there had been no policy decision made in respect of future IT provision for Members, then this particular proposal was premature. As a consequence, a number of Members felt that a decision on this element of the Scheme should be deferred;

(b) the proposed multipliers applied to the Special Responsibility Allowances (SRA). Whilst a number of specific comments were raised in this regard, some Members believed that the new Committee structure should be allowed to settle down before the Scheme was reviewed again in the Autumn 2012. Nonetheless, other Members did feel that the multiplier applied to the Deputy Leader and Vice-Chairman of the Resources Committee should be reduced to 150%.

It was then moved by Councillor Mr R F D Sampson, seconded by Councillor Mr P R Sanders and upon the motion being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that:

1. The Council accepts the Recommendations of the Independent Remuneration Panel on the Members’ Allowances Scheme (as attached at Appendix A of the presented agenda report), with the exception of the proposed £207.52 uplift, which should be deferred, pending a policy decision being made on the future of IT provision for Members and the multiplier applied to the Deputy Leader and Vice-Chairman of the Resources Committee being reduced from 175% to 150%; and
2. The Monitoring Officer amend the Member Allowances Scheme in the Constitution to reflect this decision”.

## **CM 21**

### **TAVISTOCK TOWNSCAPE HERITAGE INITIATIVE BID 2012**

The meeting was asked to consider a report which outlined the opportunity for the Council to join with Tavistock Town Council and other partners to support a Bid to the Heritage Lottery for grant funding towards a Townscape Heritage Initiative Project.

In discussion, reference was made to:-

- (a) in-house expertise. Officers advised that whilst the Council did have expertise, there was a need for additional support and to ensure that the tight timescales were met;
- (b) the potential for Tavistock Town Council to take on the role of the Accountable Body.

It was then moved by Councillor Mr J R McInnes, seconded by Councillor Mr W G Cann and upon the motion being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that:

1. Up to £5,000 be set aside from the Local Authority Business Growth Incentive Earmarked Reserve to match the Tavistock Town Council’s contribution towards the formulation of a bid to the Heritage Lottery under their Townscape Heritage Programme; and
2. The Council agree to act as the Accountable Body at this stage (but negotiations continue with Tavistock Town Council), if it is an essential requirement for a valid Bid.

**CM 22****COMMON SEAL**

A copy of the documents signed by the Mayor during the period 30 March 2012 and 7 April 2012 was attached to the agenda (page 27 refers) and noted by the Meeting.

It was moved by Councillor Mrs A Clish-Green, seconded by Councillor Mr R F D Sampson 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 1.25 pm)