

At the Meeting of the **WEST DEVON BOROUGH COUNCIL** held in the **COUNCIL CHAMBER, KILWORTHY PARK, TAVISTOCK** on **TUESDAY** the **31ST** day of **JULY 2012** at **4.30pm** pursuant to Notice given and Summons duly served.

Present Cllr C R Musgrave – The Mayor (In the Chair)

Cllr S C Bailey	Cllr R E Baldwin
Cllr M J R Benson	Cllr W G Cann
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 D M Horn	Cllr A F Leech
Cllr C M Marsh	Cllr J R McInnes
Cllr J B Moody	Cllr N Morgan
Cllr M E Morse	Cllr D E Moyse
Cllr C R Musgrave	Cllr R J Oxborough
Cllr T G Pearce	Cllr P J Ridgers
Cllr L B Rose	Cllr R F D Sampson
Cllr P R Sanders	Cllr D K A Sellis
Cllr J Sheldon	Cllr E H Sherrell
Cllr D Whitcomb	Cllr D M Wilde

Chief Executive
Head of Corporate Services
Monitoring Officer
Democratic Services Manager

CM 33 APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllrs K Ball and M E Morse

CM 34 DECLARATION OF INTEREST

Cllr D W Cloke in Item 3(i) (Confirmation of Minutes: Annual Meeting held on 15 May 2012) – personal as he was the Chairman of the Overview and Scrutiny Committee and he did not take part in the debate on this specific item.

CM 35 CONFIRMATION OF MINUTES

- (i) It was moved by Cllr P R Sanders, seconded by Cllr R E Baldwin and upon the motion being submitted to the Meeting was declared to be **CARRIED** and **“RESOLVED** that the Council agree the Minutes of the Annual Meeting of Council held on 15 May 2012 as a true record, subject to Minute CM17(c) ‘Appointment of Representatives to the List of Outside Bodies for the Ensuing Year: South Devon and Dartmoor Community Safety Partnership’ being amended with the word *‘ballot’* replacing the words *‘show of hands’*.”

(NOTE: in relation to the Special Responsibility Allowance payable to the Chairman of the Overview and Scrutiny Committee, it was agreed that if the review by the Independent Remuneration Panel in the Autumn concluded that this role should receive a multiplier of 100% instead of 90%, then these additional monies should be backdated to 15 May 2012).

- (ii) It was moved by Cllr P R Sanders, seconded by Cllr R E Baldwin and upon the motion being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that the Council agree the Minutes of the Extraordinary Meeting of Council held on 15 May 2012 as a true record.”
- (iii) It was moved by Cllr P R Sanders, seconded by Cllr R E Baldwin and upon the motion being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that the Council agree the Minutes of the Extraordinary Meeting of Council held on 26 June 2012 as a true record.”

CM 36 COMMUNICATIONS FROM THE MAYOR

The Mayor had no communications to bring forward.

CM 37 BUSINESS BROUGHT FORWARD BY THE MAYOR

The Mayor reminded Members that he had agreed for one urgent item to be raised at this meeting, which related to the minutes of the meeting of the Resources Committee held on 24 July 2012. This item had been deemed urgent in light of the date constraints associated with the unstarred minutes arising from this meeting and would be taken as agenda item 9(vi) (Minute CM 38 f below refers).

In addition, the Mayor advised that it was also his intention for the part 2 report prepared by the Task and Finish Group on Leisure Connection Contract Conclusions & Recommendations, and previously discussed at the Overview and Scrutiny Committee meeting on 12 June 2012, to be considered at the end of this meeting (Minute CM 41 below refers)

CM 38 MINUTES OF COMMITTEES

a. Audit Committee – 2 July 2012

It was moved by Cllr D K A Sellis, seconded by Cllr D M Wilde and upon being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that the Minutes of the 2 July 2012 meeting be received and noted, with the exception of Unstarred Minutes AC 2”.

In respect of the Unstarred Minute:

i. **AC 2 – Joint Anti Money Laundering Policy**

It was moved by Cllr D K A Sellis, seconded by Cllr D M Wilde and upon being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that the revised Anti Money Laundering Policy, presented as Appendix A to the report, be approved and adopted as presented.”

b. **Community Services Committee – 26 June 2012**

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 26 June 2012 meeting be received and noted, with the exception of Unstarred Minutes CS 3 and CS 7”.

In respect of the Unstarred Minutes:-

i. **CS 3 – Annual Review of the Connect Strategy and Delivery Plans**

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 2012/13 be approved and adopted.”

ii. **CS 7 – Private Sector Renewal Policy**

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 Private Sector Renewal Policy for the period 2012 – 2015 as presented in the appendix to the report, be approved and adopted.”

c. **Overview & Scrutiny Committee – 12 June 2012 and 10 July 2012**

It was moved by Cllr D W Cloke, seconded by Cllr S C Bailey and upon being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that the Minutes of the 12 June 2012 meeting and the 10 July 2012 meeting be received and noted”.

d. **Planning & Licensing Committee – 22 May 2012 and 19 June 2012**

It was moved by Cllr C M Marsh, seconded by Cllr L B Rose and upon being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that the Minutes of the 22 May 2012 meeting and the 19 June 2012 meeting be received and noted”.

e. **Standards Committee – 12 June 2012**

It was moved by Cllr A F Leech, seconded by Cllr D E Moyse and upon being submitted to the Meeting was declared to be **CARRIED** and **“RESOLVED** that the Minutes of the 12 June 2012 meeting be received and noted, with the exception of Unstarred Minutes SC 3 and SC 4”.

In respect of the Unstarred Minutes:-

i. **SC 3 – Annual Monitoring Report of the Standards Committee 2011/2012**

It was moved by Cllr A F Leech, seconded by Cllr D E Moyse and upon being submitted to the Meeting was declared to be **CARRIED** and **“RESOLVED** that the Standards Committee’s Annual Report (as presented to the meeting) be approved and adopted.”

ii. **SC 4 – Monitoring Officer Annual Report 2011/12**

It was moved by Cllr A F Leech, seconded by Cllr D E Moyse and upon being submitted to the Meeting was declared to be **CARRIED** and **“RESOLVED** that the Monitoring Officer’s Annual Report be approved and adopted.”

f. **Resources Committee – 24 July 2012**

It was 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 Minutes of the 24 July 2012 meeting be received and noted, with the exception of Unstarred Minutes RC 4 and RC 5”.

In respect of the Unstarred Minutes:-

i. **RC 4 – Consideration of Future Leisure Provision Post 2014**

It was 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 a provisional sum of up to £30,000 is set aside from General Unearmarked Revenue Reserves to fund external specialist advice to support, where necessary, the Council through the proposed strategic leisure service review, with an acknowledgement that further more detailed work may identify a need for additional funding at a later stage.”

ii. **RC 5 – West Devon and South Hams Communications Strategy 2012/2015**

It was 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 Communications Strategy for 2012-2015 be approved.”

**APPOINTMENTS TO THE STANDARDS COMMITTEE,
CONSEQUENTIAL AND OTHER AMENDMENTS TO THE
CONSTITUTION**

A report was considered which sought to:-

- make appointments to the new Standards Committee;
- approve consequential amendments to the Constitution, including the remit for the Standards Committee;
- establish the rate of remuneration of the Independent Persons; and
- amend the Call-in procedures for the Overview and Scrutiny Committee.

In discussion, reference was made to:-

- (a) the wish for recommendation 7 of the presented report to be withdrawn to enable further discussions to take place between the Group Leaders;
- (b) a proposed amendment to the terms of reference of the Standards Committee and the Overview and Scrutiny Committee in relation to co-opting Members. A Member suggested that the wording in both sets of terms of reference should be amended to enable each Committee the authority to appoint co-opted Members themselves, rather than having to recommend these to Council. In addition, Council was assured that any such co-opting would not be for a fixed term, but could be undertaken flexibly on an ad-hoc basis;
- (c) the view that that the remuneration paid to the Independent Persons should be set at £500 each per annum.

It was then 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:-

1. the Standards Committee for the remainder of the 2012/13 Municipal Year comprise of:-

Cllr J R McInnes (Chairman)
Cllr M V L Ewings (Vice-Chairman)
Cllr R E Baldwin
Cllr A Clish-Green
Cllr D M Horn
Cllr A F Leech
Cllr J B Moody
Cllr D E Moyse
Cllr L B Rose

2. Cllr J Sheldon be appointed to serve on the Overview and Scrutiny Committee for the remainder of the 2012/13 Municipal Year;

3. the amendments to the Constitution (as set out in Appendix A to the presented agenda report) in relation to the new Standards Committee's terms of reference be approved, subject to the Committee being given the authority to appoint its own co-opted Members when deemed necessary;
4. the minor amendments to the Audit Committee's terms of reference (as set out in Appendix B to the presented agenda report) be approved;
5. the minor amendments to the Overview and Scrutiny Committee's terms of reference (as set out in Appendix C to the presented agenda report) be approved, subject to the Committee being given the authority to appoint its own co-opted Members when deemed necessary;
6. the streamlined and more transparent procedures for call-ins by the Overview and Scrutiny Committee (as set out in Appendix D to the presented agenda report) be approved; and
7. the remuneration for Independent Persons be set at £500 each per annum."

CM 40

COMMON SEAL

A copy of the documents signed by the Mayor during the period 31 May 2012 and 25 July 2012 was circulated to Members and noted by the Meeting.

As a general point, a Member wished to congratulate the Assets team on the number of employment units which were being filled, especially in light of the current economic climate.

It was then moved by Cllr E H Sherrell, seconded by Cllr P R Sanders 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".

CM 41

TASK AND FINISH GROUP ON LEISURE CONNECTION CONTRACT CONCLUSIONS AND RECOMMENDATIONS

It was moved by Cllr C R Musgrave, seconded by Councillor Cllr J R McInnes and upon the motion 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 I of Schedule 12(A) to the Act."

In discussion, the following points were raised:-

- (a) A number of Members wished to compliment the Task and Finish Group on both its work and the quality of the report produced;
- (b) Whilst its work had now been completed, Members of the Group did state that they would not be totally content until the Action Plan was produced for consideration at the next Community Services Committee meeting.

It was then moved by Cllr R E Baldwin, seconded by Cllr R J Oxborough and upon the motion being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that:-

1. the conclusions and recommendations contained within the report produced by the Task and Finish Group be accepted; and
2. Officers of the Council are asked to prepare an action plan for implementation to be submitted to the Community Services Committee meeting on 4 September 2012.”

(The Meeting terminated at 5.55 pm)

Mayor