

At the Annual Meeting of the **WEST DEVON BOROUGH COUNCIL** held in the **COUNCIL CHAMBER, KILWORTHY PARK, TAVISTOCK** on **TUESDAY** the **21st** day of **MAY 2013** at **11.00am** 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 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 D M Horn	Cllr L J G Hockridge
Cllr A F Leech	Cllr C M Marsh
Cllr J R McInnes	Cllr J B Moody
Cllr N Morgan	Cllr D E Moyse
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 D Whitcomb	Cllr D M Wilde

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

CM 1 APPOINTMENT OF MAYOR

Cllr P R Sanders moved the appointment of Cllr W G Cann OBE as Mayor for the ensuing year and Cllr R F D Sampson 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 Cllr W G Cann OBE be appointed Mayor for the ensuing year”.

The retiring Mayor and newly elected Mayor left the Council Chamber so that Cllr W G Cann OBE could be invested with the civic regalia. The retiring Mayoress, Mrs Musgrave, also invested Mrs Cann with the Mayoress' Badge of Office.

Upon returning to the Council Chamber, the newly elected Mayor, Cllr W G Cann OBE, made the declaration of Acceptance of Office, signed the Register and addressed the Council.

Cllr W G Cann OBE then chaired the rest of the meeting.

Cllr L J G Hockridge proposed a vote of thanks to the retiring Mayor. The proposition was seconded by Cllr R E Baldwin.

Cllr W G Cann OBE then invested Cllr C R Musgrave and Mrs Musgrave with the Past Mayor's and Past Mayoress's Medallions.

The retiring Mayor, Cllr C R Musgrave proceeded to address 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:

Cllr C M Marsh	proposed:	Cllr C R Musgrave
	seconded:	Cllr K Ball

There being no other nominations it was declared to be **CARRIED** and **"RESOLVED** that Cllr C M Marsh 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 Cllr C M Marsh with the Deputy Mayor's Insignia.

Cllr C M Marsh then addressed the Council.

CM 3 APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllrs M E Morse and E H Sherrell.

CM 4 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 5 CONFIRMATION OF MINUTES

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 16 April 2013 Council Meeting as a true record".

CM 6 COMMUNICATIONS FROM THE MAYOR

The Mayor had no communications to bring forward.

CM 7 BUSINESS BROUGHT FORWARD BY OR WITH THE CONSENT OF THE MAYOR

The Mayor advised that he agreed for one item of urgent business to be presented to the meeting. The item related to findings in relation to the recent Two Committee pilot review and was deemed urgent in light of the constitutional implications of the proposals.

The following motion was then moved by Cllr P R Sanders and seconded by Cllr R E Baldwin:-

‘That from the present day and until the Two Committee Pilot is determined again by Council in December 2013, (unless superseded by events related to the electoral review, given the need to review and determine future governance arrangements):

1. all matters relating to Strategic Planning be referred to the Resources Committee, not the Community Services Committee; and
2. the Chairman of the Resources Committee be allocated a seat on the Community Services Committee and the Chairman of the Community Services Committee be allocated a seat on the Resources Committee.

The Monitoring Officer be asked to make the appropriate amendments to the Constitution.’

In discussion, some Members expressed their disquiet regarding the motion. In so doing, some Members commented that:-

- the purpose of recommendation 1 was to reduce the burden on the Chairman of the Community Services, yet this would be negated by recommendation 2;
- nominations to the Resources and Community Services Committees had been based upon Strategic Planning remaining a Community Services Committee function; and
- they had not been aware of these important proposals prior to them being tabled to the meeting.

In reply, the Leader stated that the Council had tasked the Chairmen and Vice-Chairmen of the Resources and Community Services with considering a revision of the current working arrangements to ensure a more even spread of workload. A great deal of consideration had been given to this difficult task and it was felt that this was the best possible solution. However, since the Two Committee Structure was to be reviewed again this year, it was acknowledged that this was a temporary solution to what had been recognised as being a real problem.

As a consequence of these concerns, it was moved by Cllr A Clish-Green and seconded by Cllr M V L Ewings and upon the motion being submitted to the Meeting was declared to be **CARRIED** (by virtue of the Mayors Casting Vote) and “**RESOLVED** that a decision on this matter should be deferred”.

CM 8

ADOPTION OF THE COUNCIL’S CONSTITUTION

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 adopt the revised Constitution for the forthcoming year”.

The Mayor then signed the bound copy of the Constitution for 2013/2014.

CM 9 MINUTES OF COMMITTEES

a. Audit Committee – 23 April 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 23 April 2013 meeting be received and noted, with the exception of Unstarred Minutes AC 35 and AC 36”.

In respect of the Unstarred Minutes:

i. AC 35 – Internal Audit Plan – 2013/14

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 report together with its appendix be approved and adopted as presented to the Committee.”

ii. AC 36 – Progress Against the 2012/13 Internal Audit Plan

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 report and its three appendices be received and noted as presented to the Committee.”

b. Community Services Committee – 30 April 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 30 April 2013 meeting be received and noted”.

CM 10 PAYMENT OF MAYOR & DEPUTY MAYOR ALLOWANCES

It was moved by Cllr R E Baldwin, seconded by Cllr C R Musgrave and upon the motion being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that the Mayor and Deputy Mayor Allowance remain at £3,000 and £825 per annum respectively”.

CM 11 APPOINTMENT OF LEADER AND DEPUTY LEADER OF THE COUNCIL

a. Leader

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

b. Deputy Leader

It was moved by Cllr M J R Benson, seconded by Cllr R J Oxborough and upon the motion being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that Cllr 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 Cllr J R McInnes, 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 Leader and Deputy Leader Allowance remain at £12,277.44 and £10,231.20 per annum respectively”.

CM 13 REPORT OF THE FORMATION OF POLITICAL GROUPS

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

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

together with one Ungrouped Member.

CM 14 COMMITTEE STRUCTURE

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 Committee structure be as follows for the coming year:

Audit	5 Members
Community Services	10 Members
Overview & Scrutiny	10 Members
Planning & Licensing	10 Members
Resources	11 Members
Standards	9 Members

with all of the appointments to the above Committees being politically balanced”.

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 P R Sanders (Deputy: Cllr R E Baldwin)
Independent	Cllr R F D Sampson (Deputy: Cllr W G Cann OBE)
Liberal Democrat	Cllr A Clish-Green (Deputy: Cllr C R Musgrave)

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

- (i) Resources Committee – Cllr E H Sherrell

CM 16

APPOINTMENT OF CHAIRMEN AND VICE CHAIRMEN OF COMMITTEES

(i) Audit Committee

a. Chairman

It was 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 Cllr D K A Sellis be appointed for the ensuing year".

b. Vice Chairman

Two nominations were put forward to be Vice Chairman of the Audit Committee:

1. It was moved by Cllr P R Sanders and seconded by Cllr R E Baldwin that Cllr K Ball be appointed as Vice Chairman of the Audit Committee.
2. It was moved by Cllr R F D Sampson and seconded by Cllr T G Pearce that Cllr J B Moody be appointed as Vice Chairman of the Audit Committee.

Before the vote was taken, it was proposed by Cllr M V L Ewings, seconded by Cllr T G Pearce 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 Cllr J B Moody be appointed as the Vice Chairman of the Audit Committee 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 Cllr P R Sanders and seconded by Cllr R E Baldwin that Cllr R J Oxborough be appointed as Chairman of the Community Services Committee.

2. It was moved by Cllr T G Pearce and seconded by Cllr N Morgan that Cllr R F D Sampson be appointed as Chairman of the Community Services Committee.

Before the vote was taken, it was proposed by Cllr A Clish-Green, seconded by Cllr M V L Ewings 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 Cllr R J Oxborough be appointed as the Chairman of the Community Services Committee for the ensuing year.

b. Vice Chairman

It was proposed by Cllr M V L Ewings, seconded by Cllr T G Pearce and upon being submitted to the Meeting was declared to be **CARRIED** and **"RESOLVED** that Cllr R F D Sampson be appointed for the ensuing year".

(iii) Overview & Scrutiny Committee

a. Chairman

It was proposed by Cllr R F D Sampson, seconded by Cllr A F Leech and upon being submitted to the Meeting was declared to be **CARRIED** and **"RESOLVED** that Cllr M V L Ewings be appointed for the ensuing year".

b. Vice Chairman

It was proposed by Cllr R F D Sampson, seconded by Cllr A F Leech and upon being submitted to the Meeting was declared to be **CARRIED** and **"RESOLVED** that Cllr D E Moyse be appointed for the ensuing year".

(iv) Planning & Licensing Committee

a. Chairman

It was 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 Cllr 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 Cllr P R Sanders and seconded by Cllr R E Baldwin that Cllr M J R Benson be appointed as Vice-Chairman of the Planning and Licensing Committee.
2. It was moved by Cllr M V L Ewings and seconded by Cllr T G Pearce that Cllr L J G Hockridge be appointed as Vice-Chairman of the Planning and Licensing Committee.

Before the vote was taken, it was proposed by Cllr T G Pearce, seconded by Cllr 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 Cllr M J R Benson 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 Cllr J R McInnes, seconded by Cllr R E Baldwin and upon being submitted to the Meeting was declared to be **CARRIED** and **"RESOLVED** that Cllr P R Sanders be appointed for the ensuing year".

b. Vice Chairman

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

(vi) Standards Committee

a. Chairman

It was 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 Cllr J R McInnes be appointed for the ensuing year".

b. Vice Chairman

It was 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 Cllr D M Horn 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.

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 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 2013/14 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

It was proposed by Cllr P R Sanders, seconded by Cllr R F D Sampson and upon being submitted to the Meeting was declared to be **CARRIED** and **"RESOLVED** that the appointments be endorsed 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:-

Cllr L J G Hockridge (Independent)
Cllr C M Marsh (Conservative)
Cllr D E Moyse (Conservative)

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

CM 20 APPOINTMENT OF INDEPENDENT PERSONS

Members considered a report which approved the appointment of three Independent Persons in order to assist the Council in promoting and maintaining high standards of conduct amongst its elected Members and town and parish councillors.

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

1. with immediate effect, Mrs Victoria Spence, Mr George Barnicott and Mr Martin Gleed be appointed as the Council’s Independent Persons for the period to the date of the Annual Council meeting in May 2015; and
2. each of the Independent Persons be entitled to receive a fixed allowance of £500 per annum, together with reimbursement of travel and subsistence expenses”.

**CM 21 OKEHAMPTON BUSINESS IMPROVEMENT DISTRICT (BID)
PROPOSAL**

The meeting was asked to consider a report which summarised progress made by the Okehampton Business Improvement District (BID) Association in taking forward a proposal to establish a BID in Okehampton town centre.

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

1. support be expressed for the establishment of a Business Improvement District (BID) in Okehampton, with agreement being granted to fund the BID ballot and year one of the support costs at a total cost of £3,700 from unearmarked reserves;
2. the Chief Executive be authorised, in consultation with the Chairman and Vice-Chairman of the Resources Committee, to formally consider the BID Business Plan and vote in support of the proposal, if appropriate, in the BID ballot; and
3. a loan request of £8,000 to Okehampton Business Improvement District (BID) Association repayable over three years (subject to an interest rate of 1% above the Base Rate, currently 1.5% for that period) be agreed.”

CM 22 COMMON SEAL

A copy of the documents signed by the Mayor during the period 27 March 2013 and 7 May 2013 was attached to the agenda (page 29 refers) and noted by the Meeting.

It was moved by Cllr R F D Sampson, 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 12.55 pm)

Mayor