

At the Meeting of the **WEST DEVON BOROUGH COUNCIL** held in the **COUNCIL CHAMBER, KILWORTHY PARK, TAVISTOCK** on **TUESDAY** the **30th** day of **JULY 2013** at **4.30pm** pursuant to Notice given and Summons duly served.

Present Cllr W G Cann OBE – The Mayor (In the Chair)

| | |
|--------------------|--------------------|
| Cllr S C Bailey | Cllr K Ball |
| Cllr M J R Benson | 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 A F Leech |
| Cllr J R McInnes | Cllr J B Moody |
| Cllr N Morgan | Cllr M E Morse |
| Cllr D E Moyse | Cllr R J Oxborough |
| Cllr R F D Sampson | Cllr P R Sanders |
| Cllr D K A Sellis | Cllr J Sheldon |
| Cllr E H Sherrell | Cllr D Whitcomb |

Head of Corporate Services
Monitoring Officer
Democratic Services Manager

CM 28 APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllrs R E Baldwin, L J G Hockridge, C M Marsh, C R Musgrave, T G Pearce, P J Ridgers, L B Rose and D M Wilde.

CM 29 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 30 CONFIRMATION OF MINUTES

It was 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 the Council agree the Minutes of both the Annual Meeting held on 21 May 2013 and the Special Meeting of Council held on 1 July 2013 as a true record, subject to the final paragraph in minute number CM 7 (arising from the Annual Meeting) being amended to read:

‘As a consequence of these concerns *an amendment* was moved by Cllr A Clish-Green and seconded by Cllr M V L Ewings.....’

CM 31 COMMUNICATIONS FROM THE MAYOR

The Mayor made reference to the following:-

- That on behalf of the Council, he had sent a card to mark the recent birth of Prince George;

- That he wished to congratulate the Deputy Mayor for recently being conferred the title of Honorary Alderman by Devon County Council;
- That on behalf of the Council, he had sent a condolence card to Cllr T G Pearce to offer the sympathies of the Council in light of his recent tragic news.

CM 32

MINUTES OF COMMITTEES

a. **Audit Committee – 16 June 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 16 June 2013 meeting be received and noted”.

b. **Community Services Committee – 25 June 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 25 June 2013 meeting be received and noted, with the exception of Unstarred Minutes CS 4 and CS 9”.

In respect of the Unstarred Minutes:

i. **CS 4 – Connect Strategy and Priority Plan Update 2013/14**

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 2013/14, incorporating updated action plans for Community Life, Environment and Homes be approved and adopted”.

ii. **CS 9 – Delegation of Grounds Maintenance Services to Tavistock Town Council**

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 delegation of defined elements of the Grounds Maintenance service function to Tavistock Town Council for the period Summer 2013 to March 2015 be approved”.

c. **Overview and Scrutiny Committee – 4 June 2013**

It was moved by Cllr M V L Ewings, seconded by Cllr J Sheldon and upon being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that the Minutes of the 4 June 2013 meeting be received and noted”.

d. **Planning and Licensing Committee – 14 May 2013, 11 June 2013 and 9 July 2013**

in respect of the Committee meeting held on 9 July 2013, the Council had been in receipt of a complaint alleging that the Council had not followed its 'Speaking at Committee' procedure in relation to one of the applications determined.

The Monitoring Officer advised that she was raising this matter at this meeting because the Complainant had requested that the complaint be investigated before the minutes for that meeting were considered by full Council. The Monitoring Officer proceeded to make reference to the following issues:-

- The minutes of the Planning and Licensing Committee were only presented to Council for noting purposes and not for ratification;
- The Planning and Licensing Committee had made a valid decision; and
- The Council was not the appropriate forum for dealing with such complaints. Whilst not the appropriate forum, the Monitoring Officer assured Members that the matter was being dealt with appropriately and that she was overseeing the response.

It was then moved by Cllr P R Sanders, seconded by Cllr C Hall and upon being submitted to the Meeting was declared to be **CARRIED** and "**RESOLVED** that the Minutes of the 14 May 2013 meeting be received and noted".

It was then moved by Cllr M J R Benson, seconded by Cllr C Hall and upon being submitted to the Meeting was declared to be **CARRIED** and "**RESOLVED** that the Minutes of the 11 June 2013 and 9 July 2013 meetings be received and noted".

e. **Standards Committee – 16 July 2013**

It was moved by Cllr J R McInnes, seconded by Cllr D W Horn and upon being submitted to the Meeting was declared to be **CARRIED** and "**RESOLVED** that the Minutes of the 16 July 2013 meeting be received and noted".

CM 33

FUTURE GOVERNANCE ARRANGEMENTS

A report was considered which asked the Council to reach a decision on how to overcome the present imbalance in the workload between the Resources and Community Services Committees. In addition, the report also sought a Council decision on the most appropriate mechanism for Members to consider the future governance arrangements before the Council meeting on 17 December 2013.

In discussion, the two recommendations were considered separately and in respect of recommendation 1, particular reference was made to:-

- (a) the proposal being the most appropriate solution. In support of the proposal, some Members commented that extensive consideration had been given to redressing the workflow imbalance and this was felt to be the most appropriate and effective method of achieving this objective;
- (b) consideration at the Council meeting on 17 December 2013. Whilst a report was to be presented back to Council on 17 December 2013, Members felt that any decision was unlikely to take effect until the Annual Council meeting in May 2014;
- (c) the optimum use being made of cross party working groups. By using such working groups, it was felt that a wider cross section of Members would be able to influence key decisions in relation to the Strategic Planning function;
- (d) concerns regarding the proposal. In stating their concerns, some Members remained unconvinced that this solution would work and felt that such a change this late into the two committee pilot would not achieve the desired results. In addition, a Member also made the point that such was the emphasis being given to the importance of Strategic Planning that a strong case was actually being made for the creation of a standalone third committee.

With regard to recommendation 2, it was now felt difficult to segregate between the work on the electoral review and that of the future governance review. In addition, since no formal decision had been reached on the mechanism for Members to review the pilot in the future, it was now considered appropriate for the Political Structures Working Group to take on responsibility for this piece of work.

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

1. with immediate effect, and until further consideration at the Council meeting on 17 December 2013, to redress the present imbalance in Committee workloads, the Council chooses to transfer all matters in relation to the Strategic Planning function from the Community Services Committee to the Resources Committee and that the Monitoring Officer be given authority to amend the Council Constitution accordingly; and
2. the Political Structures Working Group should continue to review future governance arrangements with a view to making recommendations formally to Council on 17 December 2013”.

CM 34**ANNUAL REPORT OF THE OVERVIEW AND SCRUTINY COMMITTEE**

In line with the Constitutional requirement, the Annual Report of the Overview and Scrutiny Committee was considered by the Council.

In discussion, reference was made to:-

- the need to update the work programme to include updates from the Joint Rural Broadband Working Group. In respect of Rural Broadband provision, the Council wished to put on record its thanks for the excellent work being undertaken by Cllr J Sheldon;
- the need to tighten up the reporting mechanisms and terms of reference for certain working groups. During the debate, it became apparent that some Members were unsure of the reporting process for certain working groups and it was felt that this should be revisited by officers.

It was then moved 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 report be noted”.

CM 35**COMMON SEAL**

A copy of the documents signed by the Mayor during the period 15 May 2013 and 17 July 2013 was attached to the agenda (page 63 refers) and noted by the Meeting.

It was moved by Cllr E H Sherrell, 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 5.40 pm)

Mayor