

At the Meeting of the **WEST DEVON BOROUGH COUNCIL** held in the **COUNCIL CHAMBER, KILWORTHY PARK, TAVISTOCK** on **TUESDAY** the **25th** day of **FEBRUARY 2014** at **4.30 pm** pursuant to Notice given and Summons duly served.

Present Cllr C M Marsh – The Deputy Mayor (In the Chair)

| | |
|--------------------|----------------------|
| Cllr S C Bailey | Cllr R E Baldwin |
| 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 L J G Hockridge |
| Cllr D M Horn | Cllr A F Leech |
| Cllr J R McInnes | Cllr N Morgan |
| Cllr M E Morse | Cllr D E Moyse |
| Cllr C R Musgrave | Cllr T G Pearce |
| Cllr R F D Sampson | Cllr P R Sanders |
| Cllr D K A Sellis | Cllr J Sheldon |
| Cllr D Whitcomb | |

Head of Paid Service
Monitoring Officer
Democratic Services Manager
Chief Accountant

CM 77 APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllrs W G Cann OBE, J B Moody, R J Oxborough, P J Ridgers, L B Rose, E H Sherrell and D M Wilde.

CM 78 DECLARATION OF INTEREST

The Deputy Mayor invited Members to declare any interests in the items of business to be considered during the course of the meeting and these were recorded as follows:

Cllrs K Ball and D K A Sellis declared a personal interest in Item 4: 'Business Brought Forward by or with the consent of the Mayor' (Minute CM 80 below refers) by virtue of being Devon County Council Members who sit on the Devon and Exeter Area Rail Project Working Party and remained in the meeting and took part in the discussion and vote on this item.

CM 79 COMMUNICATIONS FROM THE MAYOR

The Deputy Mayor had no communications that she wished to raise.

BUSINESS BROUGHT FORWARD BY THE MAYOR

The Deputy Mayor informed that both she and the Mayor had agreed for one item to be brought forward to this meeting. The item related to a motion, which had been submitted and proposed by Cllr K Ball and seconded by Cllr J R McInnes and read as follows:-

“Following the destruction and closure of the railway line at Dawlish by the recent winter storms, West Devon Borough Council calls on Her Majesty’s Government to reinstate the line from Plymouth to Okehampton (via Tavistock) as an alternative main line route to the Dawlish line.”

In introducing the motion, the proposer thanked the Mayor and Deputy Mayor for permitting its consideration and cited two main reasons for bringing it forward. Firstly, in light of the obvious weakness in the line at Dawlish and the subsequent negative impact to businesses in Devon and Cornwall, there was a definite need for an alternative (but not replacement) route. Secondly, if the line from Plymouth to Okehampton (via Tavistock) was reinstated, then this would result in a significant boost to both tourism and the economy of West Devon.

In discussion, particular reference was made to:-

- (a) the potential benefits to the West Devon area. In emphasising the benefits, a number of Members highlighted the importance of the Council putting down a marker in this regard by supporting the motion;
- (b) the communication cascade. If the motion was supported by the Council, Members felt that a letter should be sent to the Secretary of State, local MPs and neighbouring local authorities to increase their awareness of this matter;
- (c) proposed amendments to the motion. Two amendments were individually suggested as follows:
 - to commence the motion with the words: *‘Because of the continuous problems and.....’*
 - to extend the brackets on the third and fourth line to read: (via Tavistock *and on to Exeter.....*)

Since the proposer and seconder of the motion were happy to accept these amendments, these were incorporated into the substantive motion.

At this point, a further amendment was proposed by Cllr A Clish-Green and seconded by Cllr C R Musgrave to read as follows:-

“Because of the continuous problems and following the destruction and closure of the railway line at Dawlish by the recent winter storms, West Devon Borough Council calls on Her Majesty’s Government to (a): reinstate a regular passenger service from Exeter to Okehampton as a matter of urgency and (b) to seriously investigate the re-opening of the line from Okehampton (via Tavistock) to Plymouth.”

In support of the amendment, the proposer and seconder felt that it was more realistic and would help to ensure that the issue was seen in the regional, rather than just the borough, context. In contrast, other Members were of the view that the amendment would dilute the motion and detract from its intention.

When put to the vote, the amendment was declared **LOST**.

It was then, upon being submitted to the Meeting, declared to be **CARRIED** and **“RESOLVED** that because of the continuous problems and following the destruction and closure of the railway line at Dawlish by the recent winter storms, West Devon Borough Council calls on Her Majesty’s Government to reinstate the line from Plymouth to Okehampton (via Tavistock and on to Exeter) as an alternative main line route to the Dawlish line.”

CM 81

COUNCIL TAX SETTING FOR 2014/15

A report was considered that enabled the Council to calculate and approve the Council Tax requirement for 2014/15.

It was moved by Cllr R E Baldwin, seconded by Cllr P R Sanders and upon the motion being submitted to the Meeting was declared to be **CARRIED** and **“RESOLVED** that the formal Council Tax resolutions be approved as detailed below:

1. That it be noted that on 18 December 2013, the Chief Executive and Strategic Directors, under delegated authority from full Council, approved the Council Tax Base for the year 2014/15:
 - (a) for the whole Council area as 19,185.50 in accordance with regulation 3 of the Local Authorities (Calculation of Council Tax Base)(England) Regulations 2012; and
 - (b) for dwellings in those parts of its area to which a parish precept relates in accordance with regulation 6 of the Local Authorities (council Tax Base)(England) Regulations 2012 as in the attached Appendix A of the presented agenda report.

2. That the Council Tax requirement for West Devon Borough Council's own purposes for 2014/15 (excluding parish precepts) is calculated at £3,923,435 (appendix B refers in the presented agenda report).
3. That the following amounts are calculated by the Council for the year 2014/15 in accordance with Sections 31 to 36 of the Local Government Finance Act 1992 and the Localism Act 2011 (Appendix B refers in the presented agenda report):
 - (a) £27,213,412 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (2) of the Act taking into account all precepts issued to it by parish/town councils (gross expenditure including parish precepts).
 - (b) £22,190,384 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (3) of the Act (total income including formula grant and council tax surplus).
 - (c) £5,023,028 being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year. (Item R in the formula in Section 31B of the Act) (Council Tax requirement including parish precepts).
 - (d) £261.81 being the amount at 3(c) above (Item R), all divided by item T (1(a) above) calculated by the Council in accordance with Section 31B of the Act as the basic amount of its Council Tax for the year (average Band D Council Tax for West Devon Borough Council and parishes).
 - (e) £1,099,593 being the aggregate amount of all special items (parish precepts) referred to in Section 34(1) of the Act (as per Appendix C of the presented agenda report).
 - (f) £204.50 being the amount at 3(d) above less the result given by dividing the amount at 3(e) above by item T (1(a) above) calculated by the Council in accordance with Section 34(2) of the Act as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no parish precept relates (Band D Council Tax for West Devon Borough Council only).

4. That it be noted the County Council, the Police and Crime Commissioner and the Fire Authority have issued precepts to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each of the categories of dwellings as shown below:

| Valuation Bands | | | | | | | | |
|---|--------|--------|----------|----------|----------|----------|----------|----------|
| Precepting authority | A £ | B £ | C £ | D £ | E £ | F £ | G £ | H £ |
| Devon County Council's tax requirements | 759.06 | 885.57 | 1,012.08 | 1,138.59 | 1,391.61 | 1,644.63 | 1,897.65 | 2,277.18 |
| Police & Crime Commissioner's tax requirements | 110.77 | 129.24 | 147.70 | 166.16 | 203.08 | 240.01 | 276.93 | 332.32 |
| Devon & Somerset Fire & Rescue Authority's tax requirements | 51.26 | 59.80 | 68.35 | 76.89 | 93.98 | 111.06 | 128.15 | 153.78 |

5. That the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the amounts of the Council Tax for the year 2014/15 for each of the categories of dwellings shown at Appendix D of the presented agenda report (total of all valuation band council taxes for West Devon Borough Council including parishes, county, police and crime commissioner and fire authority).
6. That the Council has concluded that the basic amount of Council Tax for West Devon Borough Council for 2014/15 is not excessive in accordance with principles approved under Section 52ZB Local Government Finance Act 1992 (see calculation at Appendix B of the presented agenda report)."

CM 82

SCHEDULE OF MEETINGS

In considering the Schedule, some Members expressed their concern at the proposal for the Planning and Licensing Committee to no longer be fixed on a four weekly cycle.

In light of this concern, and the knock on effects to the Schedule, it was moved by Cllr M V L Ewings, seconded by Cllr M J R Benson and upon being submitted to the Meeting was declared to be **CARRIED** and **RESOLVED** that consideration of the Schedule be deferred to the Special Council meeting to be held on 25 March 2014."

(The Meeting terminated at 5.15 pm)