

At the Special Meeting of the **WEST DEVON BOROUGH COUNCIL** held in the **COUNCIL CHAMBER, KILWORTHY PARK, TAVISTOCK** on **TUESDAY** the **31st** day of **OCTOBER 2017** at **4.30pm** pursuant to Notice given and Summons duly served.

Present

Cllr J B Moody – Mayor (In the Chair)
Cllr M Davies – Deputy Mayor

Cllr K Ball	Cllr R E Baldwin
Cllr W G Cann OBE	Cllr R Cheadle
Cllr D W Cloke	Cllr C Edmonds
Cllr J Evans	Cllr L J G Hockridge
Cllr N Jory	Cllr P Kimber
Cllr B Lamb	Cllr A F Leech
Cllr J R McInnes	Cllr C Mott
Cllr D E Moyse	Cllr C R Musgrave
Cllr R J Oxborough	Cllr G Parker
Cllr T G Pearce	Cllr P J Ridgers
Cllr A Roberts	Cllr R F D Sampson
Cllr L Samuel	Cllr P R Sanders
Cllr D K A Sellis	Cllr J Sheldon
Cllr B Stephens	Cllr L Watts
Cllr J Yelland	

Head of Paid Service
Monitoring Officer
Specialist – Democratic Services

CM 34 DECLARATIONS 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 35 URGENT BUSINESS

The Mayor informed that he had agreed for one urgent item to be raised at this meeting that related to the appointment of two representatives to serve on the Devon County Locality Committee. The item was deemed urgent in light of the next meeting of the Committee taking place before the next West Devon Borough Council full Council meeting.

It was moved by Cllr P R Sanders and seconded by Cllr R F D Sampson and declared **CARRIED** and **RESOLVED** that Cllrs B Lamb and A F Leech serve on the Committee for the remainder of the 2017/18 Municipal Year.

PROPOSAL FOR A SINGLE COUNCIL FOR SOUTH HAMS AND WEST DEVON

The Council was presented with a report that sought approval to submit a proposal to the Secretary of State to form a single second-tier Council for South Hams and West Devon from 1 April 2020.

The Leader introduced the report and explained that the proposal was not a merger, but the dissolution of West Devon Borough Council and South Hams District Council and the creation of a new Council. It would require a Parliamentary process and the Department of Communities and Local Government had made clear that a Boundary Review would have to take place. West Devon Members would have no influence or control and there could be a significant reduction in numbers of West Devon Member representatives. The other major issue was the equalisation of Council Tax. Currently, residents in a Band D property in West Devon paid approximately £63 per annum more in Council Tax than their South Hams counterparts. The report set out the options available to equalise Council Tax but this would take time. In the interim period, there were still financial challenges to be met.

The Leader responded to a number of questions on the future governance structure, the consultation process, how the budget gap would be closed before 2020/21 and the different views of the two Councils on the risks associated with commercial property investments.

At this point, it was moved by Cllr R J Oxborough and seconded by Cllr R Cheadle:

'That the proposal for a single council be deferred for a period of 12 months to allow time for further budget screening to be undertaken, including the examination of existing staffing levels and costs, to examine additional ways to generation income, drawing specifically on measures used by other councils around the country and thirdly to allow for issues raised around governance, location and leadership to be examined and clarified.'

In accordance with Council Procedure Rule 19, a recorded vote was then undertaken. The voting on this motion was recorded as follows:

For the motion (9): Cllrs Ball, Cann OBE, Cheadle, Cloke, Leech, Oxborough, Roberts, Sheldon and Watts.

Against the motion (22): Cllrs Baldwin, Davies, Edmonds, Evans, Hockridge, Jory, Kimber, Lamb, McInnes, Moody, Mott, Moyse, Musgrave, Parker, Pearce, Ridgers, Sampson, Samuel, Sanders, Sellis, Stephens and Yelland.

and the motion was therefore declared **LOST**.

It was then moved by Cllr P R Sanders, seconded by Cllr L Samuel that:-

'The Council submits a proposal to the Secretary of State no later than 30 November 2017 to form a single second-tier Council for South Hams and West Devon from 1 April 2020, as set out in Section 3 of the presented report.'

During debate on this motion, points made included the following:

- There had been a great deal of talk about money but little had been heard about the residents in West Devon, who wanted services provided by West Devon Borough Council. A reduction in the number of Members would result in very poor representation of people in this rural area. West Devon was a Borough Council not a District and should be proud of its sovereignty;
- The likely reduction in number of Members was a cause for great concern amongst a number of Members as it would make it difficult to build strong connections with local communities. A further concern was the proposed Cabinet model of governance. A Cabinet would be made up of one political party, so there would be no room for representation from other minority groups. A Member also commented that it would help to know how many Members from the West Devon area would sit on the Cabinet. As a Borough Councillor, there was a dilemma between understanding the duty to the Borough as a whole but also having regard to those who elected them and listening to their views;
- Over many years, this Council had looked at ways to generate income and, in the face of cuts, this small rural authority had been successful and was at the forefront nationally of shared services and digital delivery and had a professional and agile workforce. The telephone survey had indicated that 61% of young people voted for the proposal and there was a need to look to the future. Balancing the books at a small level had become almost impossible, and the proposal indicated a loss of Members, but the numbers suggested was considered to be feasible;
- Aside from the statistically representative telephone survey, the turnout for the other consultation was disappointing. This should not be seen as a proposal in isolation, but as part of a suite of options, with the Commercial Property Strategy and other income generating possibilities also being investigated. Council Tax Equalisation taking up to ten years was felt to be correct and a new council should not be constrained by any decisions made at this meeting. Many residents do not know the difference between the various levels of local authority, and this proposal would ensure that we provided their services and represented them to the best of our ability;
- Facing budget cuts and making savings had been a continual exercise that the authority had had to face as a small council. Delivery of good quality services was deemed to be more important than local identity;

- This was the most significant decision that the Council had taken, there was felt to be a choice and clearly various views on what was best for the Borough. Joint working had so far enabled the Council to secure a future for both councils and there are benefits from shared working. If either council rejected this proposal, it was evident from the West Somerset/Taunton Deane experience, that support would not be forthcoming from central Government. In further support of the proposal, a Member stressed that the Council would be failing in its duty to its residents if Members did not vote in favour of what was a real opportunity to secure the future of both authorities. The report stated that the two councils were inextricably linked; therefore if either rejected the proposal, then there would be a risk to future cooperation and other joint ventures might be threatened. Whilst the Cabinet system proposal was disappointing, the proposals should result in a strong and robust Overview and Scrutiny function comprising of opposition Members;
- The Council had been through 10 years of shared services and had adopted one set of shared officers. Whilst this process had resulted in a loss of 30-40% staff, the West Devon Borough Council membership had remained constant throughout this period. It would not be very long before the new Council would come together and confidence was expressed that rural Members from both West Devon and South Hams would be able to work together;
- If this proposal was to succeed, it was felt that officers would need to work more closely with Members to develop a good strong professional relationship;
- The cost of creating the new council could be £400,000. However, Members were tasked with saving money and finding ways to make the Council more sustainable. The detrimental impacts on residents were considered to outweigh the benefits of the new council being established. Spending such a sum of money on creating one council could have a real detrimental impact. The authority had been let down by central government and committing to one council at this stage was not the right thing to be doing at this time;
- Whilst having a shared workforce, the two councils was currently asking its officers to do the same job twice. This was inefficient and prone to error and Members were urged to release officers from these pressures and duplication;
- Being such a significant decision, a Member emphasised the importance of all information being available and carefully considered. In addition, the Member was not wholly convinced that the budget had been rigorously scrutinised in order to find further savings;
- West Devon was facing a budget shortfall and this proposal would not address that in the short-term, with benefits not being realised until 2020/21;
- In regretting that a decision to defer was not supported, a Member was of the opinion that this decision was too soon and there were too many unknown factors, with not enough accurate facts to base this decision on;

- It was not bold to vote for a single council, but it would be to vote against it. Even if supported at this meeting, a Member commented that this was not a done deal, but there were still obstacles in the way. West Devon was a rural area, whilst the South Hams was a coastal area. The two councils therefore had distinct differences. A vote in favour of one council would result in a Council with the second largest land mass council in the country;
- The new council would be remote and it would be a long way for residents to travel to attend a meeting. In terms of council tax equalisation, West Devon residents would be paying more for a considerable length of time until the equalisation period was realised;
- Greater dialogue with local MPs was felt necessary since they were also required to agree to this proposal. If they were not going to support the proposal, then they needed to find a way of increasing our grant funding from central government;
- To best serve residents, a single body was deemed the only sensible way forward. The representation discussion focused on the number of residents per elected member. Moving to 2200 per councillor sounded dramatic until you realised that would put us on a par with other shire authorities. As a consequence, a single council would not harm our ability to serve our residents. Doing nothing was not an option and Members were elected to take decisions. Voting against this proposal was felt the epitome of doing nothing, whereas one council would help to provide stability in the medium term;

The Leader then summed up as follows:

It was not true that West Somerset had not had help and he hoped that this decision would not be based on the fear factor. Regardless of the decision made, residents would still get their services and there was a need for Members to vote based upon what they considered to be right for the residents of West Devon as a whole. All 31 Members will have to continue to run this council tomorrow and were entitled to their own opinion. It remained important to work together as a team and respect each other's views. As Leader of the Council, he did not feel it to be appropriate to force the position of how each Member voted and it was his hope that the Council would make a decision that every Member would be able to respect and support.

In accordance with Council Procedure Rule 19, a recorded vote was then undertaken. The voting on this motion was recorded as follows:

For the motion (13): Cllrs Baldwin, Jory, Kimber, Lamb, McInnes, Mott, Musgrave, Parker, Ridgers, Sampson, Samuel, Sanders and Sellis.

Against the motion (18): Cllrs Ball, Cann OBE, Cheadle, Cloke, Davies, Edmonds, Evans, Hockridge, Leech, Moody, Moyse, Oxborough, Pearce, Roberts, Sheldon, Stephens, Watts and Yelland.

and the motion was therefore declared **LOST**.

CM 37

WASTE AND CLEANSING COMMISSIONING – SERVICE SCOPE

(Resolved that under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting on the grounds that exempt information is likely to be disclosed as defined in Paragraph 3 of Schedule 12(A) to the Act).

An exempt report was presented by the Lead Member for Commercial Services that sought endorsement of the service scope principles that had been proposed by the Project Board for consideration during the commissioning process for waste collection, recycling and cleansing services.

It was then moved by Cllr R F D Sampson, seconded by Cllr C R Musgrave and duly **CARRIED** and “**RESOLVED** that the service scope principles proposed by the Project Board for consideration during the commissioning process for waste collection, recycling and cleansing services be endorsed.”

It was then moved by Cllr P R Sanders and seconded by Cllr L Samuel and declared **CARRIED** and “**RESOLVED** that the press and public be re-admitted to the meeting.”

(The Meeting terminated at 7.00 pm)

Mayor