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MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **COUNCIL** held on 15 January 2018 at 6.00 pm

Present

Councillors

P J Heal (Chairman)
K Busch, R J Chesterton, Mrs C Collis,
Mrs F J Colthorpe, D R Coren, N V Davey,
Mrs C P Daw, R M Deed, Mrs G Doe,
C J Eginton, R Evans, S G Flaws,
P H D Hare-Scott, Mrs B M Hull, F W Letch,
B A Moore, Mrs J Roach, F J Rosamond,
Mrs E J Slade, C R Slade, J D Squire,
Mrs M E Squires, R L Stanley, L D Taylor,
N A Way and Mrs N Woollatt

Apologies

Councillors

Mrs H Bainbridge, Mrs A R Berry,
Mrs J B Binks, R J Dolley, J M Downes,
Mrs S Griggs, T G Hughes, R F Radford,
Miss C E L Slade, T W Snow and R Wright

102 **Apologies**

Apologies were received from Councillors: Mrs H Bainbridge, Mrs A R Berry, Mrs J B Binks, A Bush, R J Dolley, J M Downes, S Griggs, T G Hughes, R F Radford, Miss C E L Slade, T W Snow and R Wright.

103 **Chairman's Announcements**

The Chairman had no announcements to make.

104 **Public Question Time**

There were no members of the public present.

105 **Cabinet Report - Heart of the South West - Joint Committee (00-01-10)**

At the previous meeting of Council the subject matter had been referred back to Cabinet for further consideration (due to appendix B being missing from the original paperwork). The Cabinet at its meeting on 4 January 2018 reconsidered the matter and made a further recommendation to Council.

The Leader **MOVED** seconded by Councillor R J Chesterton:

THAT the recommendation of the Cabinet as set out in Minute 96 (set out below) be **ADOPTED**:

1. the recommendation of the HotSW Leaders (meeting as a shadow Joint Committee) to form a Joint Committee for the Heart of the South West be approved;
2. the Arrangements and Inter-Authority Agreement documents set out in appendices A and B for the establishment of the Joint Committee with the commencement date of Monday 22nd January 2018 be approved;
3. the Leader of the Council and the Cabinet Member for Planning and Economic Regeneration be appointed as the Council's named representative and substitute named representative on the Joint Committee;
4. Somerset County Council be appointed as the Administering Authority for the Joint Committee for a 2 year period commencing 22nd January 2018;
5. the transfer of the remaining joint devolution budget to meet the support costs of the Joint Committee for the remainder of 2017/18 financial year be approved subject to approval of any expenditure by the Administering Authority;
6. an initial contribution of £1,400 for 2018/19 to fund the administration be approved and the work programme of the Joint Committee, noting that any expenditure will be subject to the approval of the Administering Authority;
7. it agrees that the key function of the Joint Committee is to approve the Productivity Strategy (it is intended to bring the Strategy to the Joint Committee for approval by February 2018);
8. the initial work programme of the Joint Committee aimed at the successful delivery of the Productivity Strategy be authorised; and
9. It agrees the proposed meeting arrangements for the Joint Committee including the timetable of meetings for the Joint Committee as proposed in para 2.14 of the attached Background Report.

Following discussion with regard to:

- Whether the joint committee would have any influence over development in the local area. The meeting was informed that the joint committee would have no say over the Local Plan or any development opportunities in Mid Devon.
- Infrastructure issues.

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED**.

The Council had before it questions * submitted by Councillor Mrs J Roach in accordance with Procedure Rule 13.2 together with responses from the Leader of the Council.

Councillor Mrs Roach in accordance with Procedure Rule 13.7 asked supplementary questions with regard to her questions 1 and 3: Referring to budgetary arrangements she asked whether any on-costs had been considered with regard to officer time.

She asked about access to information rules for the joint authority and whether meetings would only be held in Part II if exempt information was being discussed.

The Chief Executive stated that the cost of democracy was not considered an on-cost and that he already attended meetings with regard to the Heart of the South West.

The Monitoring Officer stated that Somerset County Council was the administrative authority for the Joint Committee, it was vastly experienced in such arrangements and it would be the County Council's constitution and access to information rules that would apply. There may be circumstances when it would be necessary to go into Part II for discussion on exempt issues.

Notes:

- i) Councillors: F W Letch, Mrs J Roach, L Taylor and N Way requested that their vote against the decision be recorded;
- ii) Councillors: Mrs G Doe and Mrs N Woollatt requested that their abstention from voting be recorded;
- iii) * Questions and responses previously circulated, copy attached to minutes.

(The meeting ended at 6.14 pm)

CHAIRMAN

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Minute Annex

AMENDMENTS AND WRITTEN QUESTIONS – EXTRAORDINARY MEETING OF COUNCIL – 15 JANUARY 2018

AMENDMENTS

No amendments have been received.

WRITTEN QUESTIONS

AGENDA ITEM 4 – HEART OF THE SOUTH WEST – JOINT COMMITTEE

Questions submitted by Councillor Mrs J Roach and the response of the Leader of the Council

1. 4.1 states that 'the JC's budgetary arrangement shall be detailed in a budget and cost sharing agreement (to be drafted)

My rough calculation is that this could be in the region of £15k, given our budgetary situation how is this going to be funded now and in future years?

Is it sensible to agree to join this committee without knowing the actual cost to this authority?

RESPONSE:

The budget will be agreed annually by the Constituent Authorities (including Mid Devon) on a recommendation by the Joint Committee – see 3.1 of the Draft Arrangements at Appendix A.

The draft estimated budget for the next 15 months is estimated at £89,000. Using existing funds to offset some of this total, Mid Devon's contribution for 18/19 is proposed as £1,400.

Beyond that, even if the proposed cost were to be equally divided amongst all members (which it isn't) I cannot possibly see how £89,000 divided across the 17 councils could be described as 'in the region of £15k'. (At an equal share it is £5,235, and the counties and unitaries contribute a larger sum than districts in any event.)

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2. Can you confirm that the budgetary cost for this year will be as stated in the report?
Where is this money coming from?

RESPONSE:

Yes. The money will be allocated from the council's revenue budget.

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3. Will meetings be open to the press and public? If the meetings are not open then will Councillors be allowed to observe the meetings?

RESPONSE:

Page 30 refers: '11.3 Formal meetings of the Joint Committee shall normally be held in public, in accordance with the Access to Information Rules and the Standing Orders / Rules

of Procedure of the Administering Authority'. The Administering Authority for the first two years will be Somerset County Council. Here is a link to their Constitution:

About the Council and its Constitution

For councillors who are not members of the Joint Committee (the appointed representatives of the Constituent Authorities), they will have the rights to attend the meetings as members of the public – see page 74ff of Somerset County Council's Constitution.

4. How is the work of this committee going to be monitored?

RESPONSE:

The administering authority assumes responsibility for adequacy of governance and expenditure. In addition, p31 refers: '13.1 In addition to any ad hoc reports to the Constituent Authorities, the Joint Committee shall supply an annual report of its activities to the Constituent Authorities in May of each year.'

If this question refers to scrutiny then see the answer to question 5.

As for transparency, the meetings, papers and minutes of the Joint Committee will be published by Somerset County Council, as the administering authority, on its website – as it already does with the Somerset Waste Board.

I would also highlight the point that the only matter which is delegated to the Joint Committee is the approval of the Productivity Strategy, but even that has been subject to significant consultation and input by the Constituent Authorities and the wider economic community. The draft Productivity Strategy has already been considered by this Council at the Economy PDG on 9th November 2017 and again on 11th January 2018. All other matters are "referred" only i.e. the Joint Committee can make recommendations back to the Constituent Authorities.

5. Will MDCC Scrutiny committee have a role in scrutinising the work of this committee?

RESPONSE:

If it so wishes; p 31 refers: '13.2 The Joint Committee shall co-operate with the public scrutiny arrangements of the Constituent Authorities.'

The Chairman of Mid Devon's Scrutiny Committee has already sought reassurance that his committee can exercise a role here if desired, asking this specific point when this item went through Cabinet.