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## MID DEVON DISTRICT COUNCIL

**MINUTES** of a **MEETING** of the **COUNCIL** held on 20 May 2015 at 7.00 pm

### **Present Councillors**

Mrs H Bainbridge, Mrs J B Binks, K Busch,  
R J Chesterton, Mrs C Collis,  
Mrs F J Colthorpe, D R Coren, N V Davey,  
W J Daw, Mrs C P Daw, R M Deed,  
Mrs G Doe, R Dolley, J M Downes,  
C J Eginton, R Evans, S G Flaws,  
Mrs S Griggs, P H D Hare-Scott, P J Heal,  
T G Hughes, Mrs B M Hull, D J Knowles,  
F Letch, B A Moore, R F Radford,  
Mrs J Roach, F R Rosamond,  
Mrs E J Slade, C R Slade, T W Snow,  
J D Squire, Mrs M E Squires, R L Stanley,  
L Taylor, N A Way, Mrs N Woollatt and  
R Wright

### **Apologies Councillors**

Mrs E M Andrews and Miss C E L Slade

#### **1 Chairman of the Council (00-1-10)**

Councillor Mrs M E Squires nominated Councillor W J Daw for election as Chairman of the District Council for the year 2015/2016. This nomination was seconded by Councillor P H Heal It was then:-

**RESOLVED** that Councillor W J Daw be elected Chairman of the Mid Devon District Council for the Municipal Year 2015/2016

In accordance with Section 83 of the Local Government Act 1972, Councillor W J Daw then made a Declaration of Acceptance of Office

#### **2 Retirement of Chairman**

The Chairman thanked the retiring Chairman, Mr E J Berry for the way in which he had carried out the duties of his position and presented a past Chairman's badge. The retiring Chairman thanked the Council.

#### **3 Chairman's Address**

The Chairman addressed the Council and thanked the Members for electing him as Chairman.

#### **4 Apologies (00-17-34)**

Apologies were received from Councillors: Mrs E M Andrews and Miss C E L Slade.

5 **Minutes - 29 April 2015 (00-18-00)**

The Minutes of the Meeting of the Council held on 29 April 2015 were approved as a correct record and **SIGNED** by the Chairman.

6 **Vice Chairman of the Council (00-18-33)**

Councillor R F Radford **MOVED**, seconded by Councillor R Evans:-

“That Councillor T G Hughes be appointed as Vice Chairman of the Council for the Municipal Year 2015/2016”.

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

In accordance with Section 83 of the Local Government Act, 1972, Councillor T G Hughes then made a Declaration of Acceptance of Office and thanked the Council for having appointing him as its Vice Chairman.

7 **Councillor F W Letch**

The Chairman congratulated Councillor F W Letch on the receipt of his MBE which had been presented to him the previous day at Buckingham Palace.

8 **Leader of the Council (00-26-00)**

Councillor R L Stanley nominated Councillor C J Eginton for election as Leader of the Council for the four years until 2019. This nomination was seconded by Councillor P J Heal. It was then:-

**RESOLVED** that Councillor C J Eginton be elected Leader of the Council until 2019.

Councillor C J Eginton then made declaration of Acceptance of Office and thanked the Council for appointing him as Leader.

The Leader then indicated that the following Members with their portfolios would form the Cabinet:

- Deputy Leader and Cabinet Member for Planning and Economic Regeneration – Councillor R J Chesterton
- Cabinet Member for the Environment – Councillor N V Davey
- Cabinet Member for Finance – Councillor P H D Hare-Scott
- Cabinet Member for Housing – Councillor R L Stanley
- Cabinet Member for Community Well-Being – Councillor C R Slade
- Cabinet Member for the Working Environment and Support Services – Councillor Mrs M E Squires

He indicated that he intended to transfer the work regarding safeguarding children and vulnerable adults, community safety, anti-social behaviour, CCTV and health from the portfolio of Community Well-Being to Working Environment and Support Services. Digital transformation, ICT, local land charges, information management

and gazetteer management would be transferred from the Working Environment and Support Services portfolio to Community Well-Being

9 **Chairman of Scrutiny (00-33-36)**

Councillor T G Hughes nominated Councillor F J Rosamond for election as Chairman of Scrutiny. The nomination was seconded by Councillor Mrs A R Berry.

Upon a vote being taken, it was

**RESOLVED** that Councillor F J Rosamond be elected Chairman of Scrutiny for the Municipal Year 2015/2016.

10 **Appointment of Committees, Sub Committees, Working Groups and other Internal Bodies (00-41-55)**

The Council had before it Tables setting out the proposed allocation of seats on Committees and other Council bodies.

**Arising thereon:-**

**Appointment of Committees and Allocation of Seats on Committees and other Council Bodies**

The Chairman **MOVED THAT**,

(a) the Tables be approved with regard to the allocation of seats on Committees and other bodies;

(b) Members be appointed to Committees in accordance with the names notified to the Chief Executive by each of the Political Groups represented on the Council, to give effect to the approved allocation of seats as determined in (a) above;

(c) Members also be appointed to Working Groups and other Internal Bodies in accordance with the names notified to the Chief Executive by each of the Political Groups represented on the Council, to give effect to the approved allocation of seats as determined in (a) above;

(d) the Chief Executive be authorised to give effect to such changes to membership of Committees, Working Groups and other internal bodies as may be notified to him from time to time by the relevant Political Group to which those seats have been allocated by the Council.

(e) the appointment to seats remaining to be filled by Members, not being members of a Political Group, shall be made at this meeting.

Upon a vote being taken the individual **MOTIONS** were declared to have been **CARRIED**, with Councillor Mrs J Roach requesting that her votes against the decisions be recorded; the allocation and the following Table was **APPROVED** including the appointment of Councillor Mrs J Roach to the Scrutiny Committee, the Standards Committee and the Planning Policy Advisory Group; the appointment of Councillor D J Knowles to the Planning Committee, Planning Working Group,

Licensing Committee and Regulatory Committee; the appointment of Councillor Mrs N Woollatt to the Scrutiny Committee, Managing the Environment Policy Development Group and Planning Policy Advisory Group; the appointment of Councillor R M Deed to the Audit Committee and Community Well-Being Policy Development Group; the appointment of Cllr R J Dolley to the Decent and Affordable Homes Policy Development Group and the Planning Committee; the appointment of Councillor J L Smith to the Planning Committee , Licensing Committee and Regulatory Committee.

## MEMBERSHIP OF COMMITTEES 2015/16

CABINET  
**Leader – Cllr C J Eginton**  
**Deputy Leader and Cabinet Member for Planning and Economic Regeneration – Cllr R J Chesterton**  
**Cabinet Member for the Environment – Cllr N V Davey**  
**Cabinet Member for Housing – Cllr R L Stanley**  
**Cabinet Member for Community Well-Being - Cllr C R Slade**  
**Cabinet Member for Finance – Cllr P H D Hare-Scott**  
**Cabinet Member for Working Environment and Support Services – Cllr Mrs M E Squires**

<b>Scrutiny (12)</b> Mrs H Bainbridge (C) Mrs R Berry (C) Mrs J B Binks (C) Mrs C P Daw (C) S G Flaws (C) Mrs S Griggs (C) T G Hughes (C) B A Moore(C) Mrs J Roach (UG) <b>F J Rosamond (ING)</b> N A Way (LD) Mrs N Woollatt (UG)	<b>Audit Committee (7)</b> Mrs J B Binks (C) Mrs C A Collis (C) R M Deed (UG) R Evans (C) T G Hughes (C) F W Letch (LD) R F Radford (C)	<b>Managing the Environment PDG (9)</b> Mrs C P Daw (C) D R Coren (C) R Evans (C) R F Radford (C) Mrs E J Slade (C) J D Squire (C) T W Snow (ING) Mrs N Woollatt (UG) R Wright (LD)	<b>Decent &amp; Affordable Homes PDG (9)</b> Mrs E M Andrews (ING) Mrs H Bainbridge (C) Mrs R Berry(C) Mrs G Doe (C) R J Dolley (UG) W J Daw (C) R Evans (C) P J Heal (C) L Taylor (LD)
<b>Community Well-Being PDG (9)</b> Mrs E M Andrews (ING) Mrs R Berry (C) Mrs J B Binks (C) R M Deed (UG) Mrs B M Hull (C) F W Letch (LD) B A Moore (C) Miss C E L Slade (C) Mrs E J Slade (C)	<b>Planning Working Group (8)</b> Mrs H Bainbridge (C) Mrs J B Binks (C) K I Busch (C) Mrs F J Colthorpe (C) J M Downes (LD) P J Heal (C) D J Knowles (UG) R F Radford (C)	<b>Planning Substitutes (5)</b> B A Moore (C) Mrs B M Hull (C) ..... (LD) Vacant (UG) Vacant (UG)	<b>Standards (9)</b> R J Chesterton (C) Mrs F J Colthorpe (C) N V Davey (C) Mrs S Griggs (C) Mrs J Roach (UG) F J Rosamond (ING) C R Slade (C) Mrs M E Squires (C) L D Taylor (LD)

<b>Planning Committee (15)</b>  Mrs H Bainbridge(C) Mrs J B Binks (C) K I Busch (C) Mrs C A Collis (C) Mrs F J Colthorpe (C) R J Dolley(UG) J M Downes (LD) S G Flaws (C) P J Heal (C) D K Knowles (UG) R F Radford (C) J L Smith (UG) J D Squire (C) R L Stanley (C) .....(LD)	<b>Licensing Committee (15)</b>  Mrs E M Andrews (ING) K I Busch (C) R J Chesterton (C) Mrs F J Colthorpe (C) D R Coren (C) N V Davey (C) Mrs G Doe (C) J M Downes (LD) C J Eginton (C) P H D Hare-Scott (C) Mrs B M Hull (C) T G Hughes (C) D J Knowles (UG) J L Smith (UG) L D Taylor (LD)	<b>Regulatory Committee (15)</b>  Mrs E M Andrews (ING) K I Busch (C) R J Chesterton (C) Mrs F J Colthorpe (C) D R Coren (C) N V Davey (C) Mrs G Doe (C) J M Downes (LD) C J Eginton (C) P H D Hare-Scott (C) Mrs B M Hull (C) T G Hughes (C) D J Knowles (UG) J L Smith (UG) L D Taylor (LD)	<b>Planning Policy Advisory Group (9)</b>  Mrs H Bainbridge (C) R J Chesterton (C) Mrs F J Colthorpe (C) J M Downes (LD) Mrs B M Hull (C) R L Stanley (C) Mrs J Roach (UG) .....(LD) Mrs N Woollatt (UG)
<u>May 2015</u>	<b>Appointments Panel (5)</b>  Leader Deputy Leader Chairman of the Council Cabinet Member for WE & SS Chairman of Scrutiny		<b>C –</b>  <b>Conservatives</b>  <b>ING</b> – Independent Non-Aligned Group <b>LD</b> – Liberal Democrats <b>UG</b> – Ungrouped Member

### Allocation

#### 11 Appointment to Outside Bodies 2015/16 (00-59-33)

The Chairman **MOVED**,

“**THAT** Members be appointed to outside bodies in accordance with the list circulated”

Upon a vote being taken the **MOTION** was declared to have been **CARRIED** and the following appointments **APPROVED**.

### Outside Body Appointments 2015/16

Outside Body	Representative/s	Appointment Length
Blackdown Hills ANOB Partnership	Cllr F J Rosamond	Annual
Broadpath Landfill Liaison Committee	Cllr R Evans	Annual
Business Forum Mid Devon	Cllr R J Chesterton	Annual
Culm Valley Children’s Monitoring Group	Vacant	Annual
Citizens Advice Bureau – Torridge, Mid Devon & Bude	Cllr Mrs J B Binks	4 years until May 2019

Community Partnership	Safety Cllr Mrs M E Squires	4 years until May 2019
Council for the Protection of Rural England Devon Area Executive Committee	Cllr J D Squire	Bi-annual
Cullompton Town Team 2 Members	Cllr K I Busch Vacant	Annual
Cullompton Traffic Issues & Environment Working Group	Cllr K I Busch	4 years until May 2019
Dartmoor National Park Authority Forum 2 Members	Cllr D R Coren Cllr J D Squire	4 years until May 2019
Devon Authorities Waste Reduction & Recycling Committee	Cllr N V Davey	4 years until May 2019
Devon Districts Forum	Cllr C J Eginton	Annual
Devon Historic Buildings Trust	Cllr Mrs E J Slade	Annual
Devon and Exeter Rail Project Working Party 2 Members	Cllr R J Chesterton Cllr P J Heal	Annual
General Assembly of LGA	Cllr C J Eginton	4 years until May 2019
INVOLVE – Voluntary Action in Mid Devon	Cllr D J Knowles	Annual
Mid Devon Children's Centres Advisory Board	Cllr Mrs J B Binks	4 years until 2019
Mid Devon Community Safety Partnership  - Exe Local Action Group - Creedy Local Action Group - Culm Local Action Group	<u>Exe</u> Cllrs Mrs C P Daw and Mrs J Roach <u>Creedy</u> Cllrs D R Coren and R Wright <u>Culm</u> Cllrs Mrs E M Andrews T G Hughes and Mrs N Woollatt	4 years until May 2019
Mid Devon Highways and	Cllr R J Chesterton Cllr D R Coren	Bi-annual

Traffic Orders Committee (2 Members)		
Most Sparsely Populated Councils Group	Cllr Mrs H Bainbridge	4 years until May 2019
Museums Libraries and Archives South West (consultation only – no meetings)	Cllr B A Moore	Annual
South Western Ambulance Service NHS Foundation Trust	Vacant until investigations take place to ascertain if this position is still available	May 2019
South West Councils	Leader	Annual
South West Councils Employers Panel	Cllr Mrs M E Squires	Annual
Tiverton Adventure Playground Committee	Cllr Miss C E L Slade	4 years until May 2019
Tiverton & District Community Transport Association	Cllr C R Slade	
Tiverton & Mid Devon Museum Trust Executive Committee	Cllr Mrs E J Slade	4 years until May 2019

## 12 Scheme of Delegations (1-24-13)

The Chairman **MOVED**:-

“**THAT** the Council agree the existing scheme of delegations as set out in Part 3 of the Constitution subject to the correction to the wording to Paragraph 8.5 of the scheme to state the following:

The nature of a decision being taken may mean that the delegated officer is obliged to consult with a Cabinet Member. Such a decision would have previously been taken by a policy committee. However, not all decisions which previously went to a policy committee will necessarily need to go to a formal decision making meeting of the Cabinet. What matters is the significance of the decision. See Table A above. Officers may also need to refer the decision to the Cabinet.

In addition to these formal requirements, delegated officers should ensure, through informal processes that the minority parties, relevant ward councillors and other

affected councillors are kept informed and provided with appropriate opportunities to contribute.

These processes should be properly structured, and it is particularly important that Chief Officers meet regularly with representatives of all parties to brief them as to forthcoming significant decisions including, where appropriate, decisions which would previously have been taken by a policy committee. This will assist delegated officers in deciding whether or not formal consultation with the Cabinet members is required or any reference to the Cabinet”.

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

### 13 **Programme of Meetings**

The Chairman **MOVED**:-

**THAT** the following programme of ordinary meetings of the Council for the year 2014/15 be approved:-

15 July 2015, 9 September 2015, 4 November 2015, 6 January 2016, 24 February 2016 and 27 April 2016

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

### 14 **Honorary Alderman Bill Trickey**

The Chief Executive informed the meeting of the recent death of Honorary Alderman Bill Trickey, his funeral would take place at St Peter’s Church, Tiverton on Friday 29 May at 2.00pm.

(The meeting ended at 8.33 pm)

**CHAIRMAN**

POLITICAL ALLOCATION – May 2015

	Totals	Conservative (Con) 28	Liberal Democrats (LD) 5	Independents 3	Ungrouped 6
% Based on current membership of 42	100	66.67	11.90	7.14	14.29
Committee Seats	100	67	12	7	14
Other Bodies	22	15	3	1	3

<b>COMMITTEE</b>	<b>No on Committee</b>	<b>Con 67</b>	<b>LD 12</b>	<b>IND 7</b>	<b>UG 14</b>
Scrutiny	12	8.00 8	1.43 1	0.86 1	1.71 2
Audit	7	4.67 5	0.83 1	0.50 0	1.00 1
Managing the Environ PDG	9	6.00 6	1.07 1	0.64 1	1.29 1
Dec/Aff Homes PDG	9	6.00 6	1.07 1	0.64 1	1.29 1
Comm Well Being PDG	9	6.00 6	1.07 1	0.64 1	1.29 1
Planning	15	10.00 10	1.79 2	1.07 0	2.14 3
Licensing	15	10.00 10	1.79 2	1.07 1	2.14 2
Regulatory	15	10.00 10	1.79 2	1.07 1	2.14 2
Standards Committee	9	6.00 6	1.07 1	0.64 1	1.29 1
<b>TOTAL</b>	<b>100</b>	<b>67</b>	<b>12</b>	<b>7</b>	<b>14</b>
<b>Other Bodies</b>	<b>No on Group</b>	<b>Con 15</b>	<b>LD 3</b>	<b>IND 1</b>	<b>UG 3</b>
PWG	8	5.33 6	0.95 1	0.57 0	1.14 1
Planning Policy Advisory Group	9	6.00 5	1.07 2	0.64 0	1.29 2
Appointments Panel	5	3.33 4	0.60 0	0.36 1	0.71 0
<b>TOTAL</b>	<b>22</b>	<b>15</b>	<b>3</b>	<b>1</b>	<b>3</b>

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