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MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **COUNCIL** held on 22 May 2019 at 6.00 pm

Present Councillors

Mrs E M Andrews, G Barnell, E J Berry,
W Burke, J Cairney, R J Chesterton,
S J Clist, Mrs C Collis, Mrs F J Colthorpe,
D R Coren, L J Cruwys, N V Davey,
W J Daw, Mrs C P Daw, R M Deed,
R J Dolley, J M Downes, C J Eginton,
R Evans, Mrs S Griggs, Mrs I Hill,
B Holdman, T G Hughes, D J Knowles,
F W Letch, B A Moore, Miss J Norton,
S J Penny, D F Pugsley, R F Radford,
C R Slade, Mrs M E Squires, R L Stanley,
L D Taylor, B G J Warren, A White, A Wilce,
Mrs N Woollatt, J Wright and A Wyer

Apologies Councillors

E G Luxton and Miss E Wainwright

1 Chairman of the Council (00-03-15)

Councillor L D Taylor nominated Councillor L J Cruwys for election as Chairman of the District Council for the year 2019/2020. This nomination was seconded by Councillor F W Letch.

Councillor C R Slade nominated Councillor R F Radford for election as Chairman of the District Council for the year 2019/2020. This nomination was seconded by Councillor E J Berry.

The Chairman then **MOVED** in accordance with Procedure Rule 19.4:

“THAT the vote in respect of this item shall be by Roll Call”

A roll call of Members present at the meeting was then taken.

Those voting for **COUNCILLOR L J CRUWYS**: Councillors: Mrs E M Andrews, G Barnell, W Burke, J Cairney, S J Clist, L J Cruwys, R M Deed, R J Dolley, J M Downes, Mrs I Hill, B Holdman, D J Knowles, F W Letch, D F Pugsley, L D Taylor, B G J Warren, A White, A Wilce, Mrs N Woollatt, J Wright and A Wyer.

Those voting for **COUNCILLOR R F RADFORD**: Councillors: E J Berry, R J Chesterton, Mrs C A Collis, Mrs F J Colthorpe, D R Coren, N V Davey, Mrs C P Daw, W J Daw, C J Eginton, R B Evans, Mrs S Griggs, T G Hughes, B A Moore, S J Penny, R F Radford, C R Slade, Mrs M E Squires, and R L Stanley.

Those abstaining: Councillor Miss J Norton.

It was then:-

RESOLVED that Councillor L J Cruwys be elected Chairman of the Mid Devon District Council for the Municipal Year 2019/2020

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

2 Retirement of Chairman

The Chairman thanked the retiring Chairman, Mr P J Heal 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 (00-24-16)

Apologies were received from Councillors: E G Luxton and Miss E Wainwright

5 Public Question Time (00-24-32)

There were no questions from members of the public present.

6 Minutes (00-24-55)

The Minutes of the Meeting of the Council held on 24 April 2019 were approved as a correct record and **SIGNED** by the Chairman.

7 Vice Chairman of the Council (00-25-35)

Councillor R M Deed **MOVED**, seconded by Councillor C R Slade:-

“That Councillor R F Radford be elected as Vice Chairman of the Council for the Municipal Year 2019/2020”.

Upon a vote being taken it was then:

RESOLVED that Councillor R F Radford be election Vice Chairman of Mid Devon District Council for the Municipal Year 2019/2020

In accordance with Section 83 of the Local Government Act, 1972, Councillor R F Radford then made a Declaration of Acceptance of Office and thanked the Council for having elected him as its Vice Chairman.

8 **Leader of the Council (00-29-47)**

Councillor R L Stanley nominated Councillor R B Evans for election as Leader of the Council for the four years until 2023. This nomination was seconded by Councillor B A Moore.

Councillor Mrs N Woollatt nominated Councillor R M Deed for election as Leader of the Council for the four years until 2023. This nomination was seconded by Councillor D J Knowles.

Both nominees addressed the Council.

The Chairman then **MOVED** in accordance with Procedure Rule 19.4:

“THAT the vote in respect of this item shall be by Roll Call”

A roll call of Members present at the meeting was then taken.

Those voting for **COUNCILLOR R B EVANS**: Councillors: E J Berry, R J Chesterton, Mrs C A Collis, Mrs F J Colthorpe, D R Coren, N V Davey, Mrs C P Daw, W J Daw, C J Eginton, R B Evans, Mrs S Griggs, T G Hughes, B A Moore, S J Penny, R F Radford, C R Slade, Mrs M E Squires, and R L Stanley.

Those voting for **COUNCILLOR R M DEED**: Councillors: Mrs E M Andrews, G Barnell, W Burke, J Cairney, S J Clist, L J Cruwys, R M Deed, R J Dolley, J M Downes, Mrs I Hill, B Holdman, D J Knowles, F W Letch, Miss J Norton, D F Pugsley, L D Taylor, B G J Warren, A White, A Wilce, Mrs N Woollatt, J Wright and A Wyer.

It was then:-

RESOLVED that Councillor R M Deed be elected Leader of the Council until 2023.

Councillor R M Deed then made a Declaration of Acceptance of Office and thanked the Council for appointing him as Leader.

9 **Chairman of the Scrutiny Committee (1 - 03)**

Councillor B A Moore nominated Councillor R B Evans for election as Chairman of the Scrutiny Committee. The nomination was seconded by Councillor T G Hughes.

Councillor L D Taylor nominated Councillor F W Letch for election as Chairman of the Scrutiny Committee. The nomination was seconded by Councillor J M Downes.

The Chairman then **MOVED** in accordance with Procedure Rule 19.4:

“THAT the vote in respect of this item shall be by Roll Call”

A roll call of Members present at the meeting was then taken.

Those voting for **COUNCILLOR R B EVANS**: Councillors: E J Berry, R J Chesterton, Mrs C A Collis, Mrs F J Colthorpe, D R Coren, N V Davey, Mrs C P Daw, W J Daw, C

J Eginton, R B Evans, Mrs S Griggs, T G Hughes, B A Moore, S J Penny, R F Radford, C R Slade, Mrs M E Squires, and R L Stanley.

Those voting for **COUNCILLOR F W LETCH**: Councillors: Mrs E M Andrews, G Barnell, W Burke, J Cairney, S J Clist, L J Cruwys, R M Deed, R J Dolley, J M Downes, Mrs I Hill, B Holdman, D J Knowles, F W Letch, Miss J Norton, D F Pugsley, L D Taylor, B G J Warren, A White, A Wilce, Mrs N Woollatt, J Wright and A Wyer.

It was then:-

RESOLVED that Councillor F W Letch be elected Chairman of the Scrutiny Committee for the Municipal Year 2019/2020.

10 **Appointment of Committees, Sub Committees, Working Groups and other Internal Bodies (1-43)**

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;

Councillor Mrs N Woollatt then put forward an Amendment seconded by Councillor A Wilce:

Section 15(4) and (5) Local Government and Housing Act 1989 provides for the following principles to apply to the appointment of seats to on committees and sub-committees. Broadly, the allocations should be in politically balanced as far as reasonably practicable:-

(a) All the seats on a committee/sub-committee or a joint body must not be allocated to the same political group.

(b) Any political group which has a majority on the full Council must be allocated the majority of seats on each committee, sub-committee and relevant joint body.

(c) Subject to the two principles in (a) and (b) above the number of seats, in total, for all the ordinary committees allocated to each political group must bear the same proportion to each group's proportion on the full Council.

(d) Subject to the three principles in (a) to (c) above, the number of seats on each committee, sub-committee and relevant joint body must be allocated to each political group in proportion to the political group's membership of the Council."

I am concerned that the rounding on the political balance figures for the total committee seats has been rounded in a way that has resulted in the loss of 1 committee seats for the Greens and a gain of 1 committee seat for the

Conservatives. In the interests of fairness and a wish to see this council as a whole politically balanced I suggest the following:

Amendment to 8 (a)

That the Council approve the allocation of seats on Committees and other Council Bodies as shown on the attached document headed 'Corrected Calculation of Committee Seat Allocations May 2019' (see attached) with the Conservative Group to subsequently agree which seat they would like to lose to the Greens.

The Chairman **MOVED** to suspend Procedure Rule 16(b) of the Council Procedure Rules to allow the Amendment to be heard: Procedure Rule 16 (b) requires that: (in the case of an Amendment (other than an Amendment moved in accordance with Rule 15), notice in writing of the Amendment shall have been delivered to the office of the Chief Executive of the District Council by no later than 9.30am on the day before the day of the meeting and a copy of it shall be circulated to each Member of the District Council by the Chief Executive at the commencement of the meeting at which it is to be discussed).

Following discussion and further amendment the final wording of the Amendment moved was "that the Council approve the allocation of seats on Committees and other Council Bodies as shown on the attached document headed 'Corrected Calculation of Committee Seat Allocations May 2019' (see attached) with the Conservative Group agreeing to lose a place on the Community Policy Development Group, to the Greens".

Upon a vote being taken, the **AMENDMENT** (as amended) was declared to have been **CARRIED**.

The Chairman **MOVED THAT**,

(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;

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

The Chairman **MOVED THAT**,

(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;

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

The Chairman **MOVED THAT**,

(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.

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

11 Appointment to Outside Bodies (1-52-13)

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 2019/20

Outside Body	Representative/s	Appointment Length
Blackdown Hills AONB Partnership	Cllr S J Clist	Annual
Broadpath Landfill Liaison Committee	Cllr R B Evans	Annual
Building Control Joint Committee	The Leader Cabinet Member for Planning and Economic Regeneration	Annual
Business Forum Mid Devon	Cabinet Member for Planning and Economic Regeneration	Annual
Culm Garden Village Delivery Board	The Leader Cabinet Member for Planning and Economic Regeneration	Annual
Citizens Advice Bureau – Torrington, North, Mid & West Devon	Cllr G Barnell	4 years until May 2023
Community Safety Partnership	Cabinet Member for the Working Environment and Support Services	4 years until May 2023
Council for the Protection of Rural England Devon Area Executive Committee	Cllr A Wilce	Bi-annual

Cullompton Town Team 2 Members	Cllr Mrs E M Andrews Vacant	Annual
Cullompton Traffic Issues & Environment Working Group	Cllr Mrs N Woollatt	4 years until May 2023
Dartmoor National Park Authority Forum 2 Members	Cllr D R Coren Cllr S J Penny	4 years until May 2023
Devon Authorities Strategic Waste Committee (formally known as 'Devon Authorities Waste Reduction & Recycling Committee')	Cabinet Member for the Environment (plus a deputy)	4 years until May 2023
Devon Districts Forum / Devon Local Government Steering Group	Leader	Annual
Devon Historic Buildings Trust	Cllr G Barnell	Annual
Devon Rail Forum	Cllr J M Downes	Annual
LGA General LGA Assembly / Annual Conference	Leader	4 years until May 2023
Gypsy and Traveller Forum	1. Cabinet Member for Planning and Economic Regeneration 2. Cabinet Member for Housing 3. Cllr F W Letch	Annual
Heart of the South West Joint Committee	Leader	Annual
INVOLVE – Voluntary Action in Mid Devon	Cllr B A Moore	Annual
Mid and East Devon Children's Centres Advisory Board (2 Members)	Cllr S J Penny Cllr Mrs I Hill	4 years until 2023

<p>Community Safety Partnership, Operational Delivery Group (ODG)</p> <p>3 Members needed for the following areas:</p> <ul style="list-style-type: none"> • Exe area • Creedy area • Culm area <p>Please note: Members will only be called to a meeting if there is something specific to their area (in which case they would have been contacted beforehand) or the Member wishes to raise a concern about something which is in their local area).</p>	<p>Exe Cllr L J Cruwys</p> <p>Creedy Cllr D R Coren</p> <p>Culm Cllr L D Taylor</p>	<p>4 years until 2023</p>
<p>Mid Devon Highways and Traffic Orders Committee (2 Members)</p>	<p>Cllr J Cairney Cllr L J Cruwys</p>	<p>Bi-annual</p>
<p>Most Sparsely Populated Councils Group (part of the RSN Rural Services Network)</p>	<p>Cllr Mrs M E Squires</p>	<p>4 years until May 2023</p>
<p>PCC Councillor Advocate Scheme</p>	<p>Cllr A Wilce</p>	<p>4 years until 2023</p>
<p>South West Councils</p>	<p>Leader</p>	<p>Annual</p>
<p>South West Councils Employers Panel</p>	<p>Cabinet Member for the Working Environment and Support Services</p>	<p>Annual</p>
<p>3 Rivers Developments Limited</p>	<p>Delegated to the Cabinet to agree a Member for this post.</p>	<p>Annual</p>
<p>Tiverton Adventure Playground Committee</p>	<p>Cllr B Holdman</p>	<p>4 years until May 2023</p>
<p>Tiverton & District Community Transport Association</p>	<p>Cabinet Member for Community Well-Being</p>	<p>4 years until May 2023</p>
<p>Tiverton & Mid Devon Museum Trust Executive Committee</p>	<p>Cllr Mrs F J Colthorpe</p>	<p>4 years until May 2023</p>

12 Scheme of Delegations (2-17-59)

The Chairman **MOVED**:-

“THAT the Council agree the existing scheme of delegations as set out in Part 3 of the Constitution.

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

13 **Programme of Meetings (2-18-59)**

The Chairman **MOVED**:-

THAT the following programme of ordinary meetings of the Council for the year 2019/20 be approved:-

24 July 2019, 11 September 2019, 6 November 21019, 8 January 2020, 26 February 2020, 29 April 2020.

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

(The meeting ended at 8.35 pm)

CHAIRMAN

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Corrected Calculation of Committee Seat Allocation May 2019 (one seat will need to be moved from CON to GRN to allow correct allocation of total seats)

	Totals	Conservative (CON) 18	Liberal Democrat (LD) 12	Independent (IND) 10	Green (GRN) 2	
% Based on 42 Members	100	42.86%	28.57%	23.81%	4.76%	100%
Committee Seats	99	42 (42.43)	28 (28.28)	24 (23.57)	5 (4.71)	99
Other Bodies	29	13 (12.42)	8 (8.29)	7 (6.90)	1 (1.38)	29
COMMITTEE	No on Committee	CON 42	LD 28	IND 24	G 5	
Scrutiny	12	5.14 5	3.43 3	2.86 3	0.57 1	12
Audit	7	3.00 3	2.00 2	1.67 2	0.33 0	7
Environment PDG	9	3.86 4	2.57 2	2.14 2	0.43 1	9
Homes PDG	9	3.86 4	2.57 3	2.14 2	0.43 0	9
Economy PDG	9	3.86 4	2.57 3	2.14 2	0.43 0	9
Community PDG	9	3.86 4	2.57 3	2.14 2	0.43 0	9
Planning	11	4.71 5	3.14 3	2.62 3	0.52 0	11
Licensing	12	5.14 5	3.43 3	2.86 3	0.57 1	12
Regulatory	12	5.14 5	3.43 3	2.86 3	0.57 1	12
Standards Committee	9	3.86 4	2.57 3	2.14 2	0.43 0	9
TOTAL	99	42	28	24	5	99
		43	28	24	4	99
		Need to lose 1	Correct	Correct	Need to Gain 1	Correct

<i>Other Bodies</i>	<i>No on Group</i>	CON 13	LD 8	IND 7	GRN 1	29
PWG	8	3.43 4	2.29 2	1.90 2	0.38 0	8
Planning Policy Advisory Group	9	3.86 4	2.57 2	2.14 2	0.43 1	9
GESP Member Reference Forum	5	2.14 2	1.43 2	1.19 1	0.24 0	5
Development Delivery Advisory Group	7	3.00 3	2.00 2	1.67 2	0.33 0	7
TOTAL	29	13	8	7	1	29
		13	8	7	1	29
		Correct	Correct	Correct	Correct	Correct