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TORRIDGE DISTRICT COUNCIL

ANNUAL MEETING OF THE COUNCIL

Town Hall, Bideford

23 May, 2011

PRESENT: Councillor M Brown (Chair)
Councillors: A P Boyd, D Brenton, M Brown, P Christie, P Collins, A Dart, P Davies, A Eastman, B Edwards, M Footitt, D C Fulford, R H Hicks, J Himan, S G Inch, A T Inch, R Johnson, M Langmead, D M Lausen, C J Leather, G E Lee, J Lewis, R A Lock, H Martin, K Murdoch, B M Parson, P W Pennington, H Ratledge, B Redwood, G G Tabor, P Watson, J Whittaker and K J James (arrived 6.40 pm).

ALSO PRESENT: J Wallace (Strategic Director – Resources)
K Miles (Solicitor & Monitoring Officer)
G Booth (Head of Finance & Performance)

Approximately 12 members of the public.

1. APOLOGIES

Apologies for absence were received from Nicola Bulbeck (Chief Executive) and Councillors: T Johns, A Symons and R Tisdale.

2. ELECTION OF CHAIR

The Strategic Director (Resources) invited nominations for Chair of the Council.

It was proposed by Councillor G Tabor, seconded by Councillor D Fulford, and:

Resolved: That Councillor A Eastman be elected Chair of the Council for the ensuing year.

Councillor A Eastman read and signed the acceptance of Office and took the Chair.

The newly elected Chair thanked the retiring Chair for all her hard work over the past four years.

(Vote: For 30, Abstention 1)

3. ELECTION OF VICE CHAIR OF THE COUNCIL

The Chair invited nominations for Vice Chair of the Council.

It was proposed by Councillor R Lock, seconded by Councillor A Boyd and:

Resolved: That Councillor A T Inch be elected Vice Chair of the Council for the ensuing year.

Councillor A T Inch read and signed the acceptance of Office.

(Vote: For 31, Abstention 1)

4. MINUTES

The minutes of the Meeting held on the 28th February 2011 were presented.

The following amendment was noted:

Agenda item 91 – Apologies

Councillor A Boyd asked his apologies be added to the Minutes.

It was proposed by Councillor S Inch, seconded by Councillor P Christie and:

Resolved: That subject to the amendment above, the minutes be confirmed as a correct record and signed by the Chair.

(Vote: For 26, Abstentions 6)

5. PUBLIC CONTRIBUTIONS

Mr Sweet highlighted a number of his concerns which included dog mess, fly tipping, dirty streets, vermin, and the cost of holding Council Meetings in rural areas. However, he felt most passionately about the safety aspect of the Westleigh Junction as two of his close friends had lost their lives there.

6. CORRESPONDENCE OR OTHER BUSINESS ESPECIALLY BROUGHT FORWARD BY THE DIRECTION OF THE CHAIR

The Chair referred to the email sent by the Chief Executive's PA to all Councillors advising them that Armed Forces Day was to be held on Monday 20 June 2011, when the raising of the flag would take place in Victoria Park, Bideford at 11 am.

He requested all Members to make every effort to attend.

7. QUESTIONS SUBMITTED UNDER PROCEDURAL RULE A9

Two written questions had been received from Councillor P Christie.

In accordance with the Constitution a written response had been circulated to all Members.

Councillor P Christie then asked supplementary questions:

In response to his question concerning business rates, the Strategic Director advised that approximately £9m is collected and goes back to the government. Approximately £5m is reimbursed to the Council in the way of re-distribution of business rates as a grant.

Councillor P Christie then asked for assurance that the Gypsy & Traveller Working Group would meet quickly and asked for further assurance that potential sites will be identified that are well away from residential areas.

The Strategic Director advised that a new Gypsy & Traveller Working Group would be established within the next few weeks. She could give no assurance with regard to potential sites as these were extremely limited and added that any decisions in this respect would be taken by Members.

8. ELECTION OF LEADER OF THE COUNCIL

Nominations were invited for Leader of the Council.

It was proposed by Councillor G Lee, seconded by Councillor J Himan, and:

Resolved: That Councillor B Parsons be elected Leader of the Council for the ensuing year.

(Vote: For 31, Abstention 1)

The newly elected Leader of Council, Councillor B Parsons offered his congratulations to all Members on their recent election to Torridge District Council. He also thanked the previous Council administration who had been instrumental in Torridge becoming the "Second Most Improved Council in the Country".

Councillor Parsons highlighted a number of current key topics, namely -

- Shared Services – he suggested that in addition to sharing with other local authorities, the Council should investigate other avenues in which to provide better and more efficient services to the community, e.g. the voluntary sector.
- Gypsy and Traveller sites - an absolute and immediate priority for the district as a whole.

- Planning Department – an examination of the most successful UK rural authorities’ planning department’s operational procedures should be undertaken. He referred to the out-dated Local Development Plan and the need to be sensitive of our unique environment and give greater consideration to material considerations especially in helping our seaside resort, local businesses and those in greatest need. He added that the Council must be fair in the distribution across the whole of Torridge of socially sensitive development – including wind farms – and challenge inequalities across districts.
- The Big Society – provides a real opportunity to show just how much we value the support of volunteer groups.

Finally, Councillor B Parsons referred to the various regeneration projects throughout the district and wished to send the message out far and wide that “Torridge is open for Business”.

This was met with acclamation.

9. ELECTION OF DEPUTY LEADER OF THE COUNCIL

Nominations were invited for Deputy Leader of the Council.

It was proposed by Councillor J Whittaker, seconded by Councillor AT Inch, and:

Resolved: That Councillor R Johnson be elected Deputy Leader of the Council for the ensuing year.

(Vote: For 30, Abstention 1) One Member out of the room.

10. ELECTION OF CHAIRS AND VICE CHAIRS

a) Community & Resources Committee

Nominations were invited for the position of Chair of the Community & Resources Committee.

It was proposed by Councillor A Boyd, seconded by Councillor H Martin and:

Resolved: That Councillor B Parsons be elected Chair of the Community & Resources Committee.

(Vote: For 31, Abstention 1)

Nominations were invited for the position of Vice Chair of the Community & Resources Committee.

It was proposed by Councillor R Lock, seconded by Councillor P Davies and:

Resolved: That Councillor G Tabor be elected Vice Chair of the Community & Resources Committee.

(Vote: For 31, Abstention 1)

b) Audit & Governance Committee

Nominations were invited for the position of Chair of the Audit & Governance Committee.

It was proposed by Councillor B Parsons, seconded by Councillor R Johnson and:

Resolved: That Councillor G Lee be elected Chair of the Audit & Governance Committee.

(Vote: For 31, Abstention 1)

Nominations were invited for the position of Vice Chair of the Audit & Governance Committee.

It was proposed by Councillor R Johnson, seconded by Councillor B Parsons and:

Resolved: That Councillor D Lausen be elected Vice Chair of the Audit & Governance Committee.

(Vote: For 31, Abstention 1)

c) Plans Committee

Nominations were invited for the position of Chair of the Plans Committee.

It was proposed by Councillor R Johnson, seconded by Councillor D Fulford and:

Resolved: That Councillor R Lock be elected Chair of the Plans Committee.

(Vote: For 31, Abstention 1)

Nominations were invited for the position of Vice Chair of the Plans Committee.

It was proposed by Councillor B Parsons, seconded by Councillor G Tabor and:

Resolved: That Councillor M Brown be elected Vice Chair of the Plans Committee.

(Vote: For - unanimous)

d) Licensing Committee

Nominations were invited for the position of Chair of the Licensing Committee.

It was proposed by Councillor R Johnson, seconded by Councillor J Himan and:

Resolved: That Councillor A Boyd be elected Chair of the Licensing Committee.

(Vote: For 31, Abstention 1)

Nominations were invited for the position of Vice Chair of the Licensing Committee.

It was proposed by Councillor R Johnson, seconded by Councillor A Boyd and:

Resolved: That Councillor R Tisdale be elected Vice Chair of the Licensing Committee.

(Vote: For 31, Abstention 1)

e) Overview and Scrutiny (External) Committee

Nominations were invited for the position of Chair of the Overview & Scrutiny (External) Committee.

It was proposed by Councillor R Lock, seconded by Councillor R Johnson and:

Resolved: That Councillor P Pennington be elected Chair of the Overview & Scrutiny (External) Committee.

(Vote: For - unanimous)

Nominations were invited for the position of Vice Chair of the Overview & Scrutiny (External) Committee.

It was proposed by Councillor P Pennington, seconded by Councillor M Footitt and:

Resolved: That Councillor J Whittaker be elected Vice Chair of the Overview & Scrutiny (External) Committee.

(Vote: For - unanimous)

f) Overview and Scrutiny (Internal) Committee

Nominations were invited for the position of Chair of the Overview & Scrutiny (Internal) Committee.

It was proposed by Councillor P Christie, seconded by Councillor R Johnson and:

Resolved: That Councillor P Collins be elected Chair of the Overview & Scrutiny (External) Committee.

(Vote: For - unanimous)

Nominations were invited for the position of Vice Chair of the Overview & Scrutiny (Internal) Committee.

It was proposed by Councillor R Johnson, seconded by Councillor J Himan and:

Resolved: That Councillor B Edwards be elected Vice Chair of the Overview & Scrutiny (Internal) Committee.

(Vote: For 31, Abstention 1)

g) Standards Committee

The Solicitor addressed the Meeting and advised that it was a requirement of the Constitution that the Chair be a non-elected member. He requested Members to agree to delegate authority to the Standards Committee to elect a Chair and Vice Chair.

It was proposed by Councillor R Lock and seconded by Councillor G Tabor and:

Resolved: That the positions of Chair and Vice Chair be appointed by the Standards Committee.

(Vote: Unanimous)

h) Local Development Framework Steering Group

Nominations were invited for the position of Chair of the Local Development Framework Steering Group.

It was proposed by Councillor P Collins, seconded by Councillor R Johnson and:

Resolved: That Councillor D Lausen be elected Chair of the Local Development

Framework Steering Group.

(Vote: For - unanimous)

Nominations were invited for the position of Vice Chair of the Local Development Framework Steering Group.

It was proposed by Councillor R Lock, seconded by Councillor P Davies and:

Resolved: That Councillor G Tabor be elected Vice Chair of the Local Development Framework Steering Group.

(Vote: For 31, Abstention 1)

11. ALLOCATION OF SEATS ON COMMITTEES AND ALTERNATIVE ARRANGEMENTS FOR LICENSING COMMITTEE

The Solicitor and Monitoring Officer presented this Report, the purpose of which was to seek Member approval for the allocation of seats on Committees and the continuation of alternative arrangements for the Licensing Committee.

The Solicitor circulated to the meeting a Schedule showing the group allocations.

It was proposed by Councillor A Boyd, seconded by Councillor R Johnson and:

Resolved:

That the Licensing Committee be exempt from the requirements of s15 of the Local government and Housing Act 1989 in accordance with s17 of that Act

(Vote: For – unanimous)

It was proposed by Councillor R Johnson, seconded by Councillor A Boyd and:

Resolved:

That seats on Committees of the Council be allocated in accordance with the Schedule

(Vote: For – unanimous)

12. TO AGREE SIZE AND MEMBERSHIP OF COMMUNITY & RESOURCES AND OTHER COMMITTEES ON THE PROPORTIONAL BASIS OF POLITICAL GROUPS, AND TO CONFIRM THE TERMS OF REFERENCE FOR THOSE COMMITTEES AS SET OUT IN PART 3 OF THE CONSTITUTION

The Solicitor explained that this agenda item was in three parts.

Part one required Members to agree the current number of seats on each committee. Details of which were shown on the agenda.

Under part two, the Solicitor requested Members to approve the Terms of Reference for Committees as set out in Part 3 of the Constitution.

The final part was to request Members to delegate authority to the Group Leaders to agree membership of the committees within twenty-one days.

It was proposed by Councillor P Collins, seconded by Councillor G Lee, and :

Resolved that the three parts referred to above be approved.

(Vote: For – unanimous)

13. APPOINTMENT OF REPRESENTATIVES ON OUTSIDE BODIES

The Solicitor and Monitoring Officer presented this item and recommended to Members that representatives on outside bodies be delegated to Group Leaders.

Officers will look at the current list and update as required.

It was proposed by Councillor G Lee, seconded by Councillor A Boyd, and:

Resolved: That the appointment of Representatives on Outside Bodies be referred to the group leaders.

(Vote: For – unanimous)

14. SUBSTITUTION AT COMMITTEES

The Solicitor explained that the Constitution requires an annual review of the Substitution Scheme. The Scheme had previously been amended by Council and an up to date version of the Constitution had been provided to all Members. This prompted Councillor P Collins to ask when the changes had occurred. The Solicitor agreed to provide details to Councillor Collins.

Councillor P Pennington referred to the requirement for Members to receive training. The Solicitor advised that a resolution had been passed by Council to the effect that all Members sitting or substituting on Plans and Licensing Committees must be

qualified by training to do so. He added that all Members are required to have received training on the Code of Conduct.

Councillor D Brenton asked whether this was a legal requirement. The Solicitor reiterated that that Council had previously passed a resolution to this effect.

It was proposed by Councillor G Lee, seconded by Councillor G Tabor, and:

Resolved: That this Procedural Rule remain unchanged for the ensuing 12 months.

(Vote: For – unanimous)

15. REVIEW OF SCHEME OF DELEGATION

The Constitution requires an annual review of the Scheme of Delegation. The Solicitor advised there had been no changes within the last twelve months, and recommended Members to reconfirm the implementation of the Scheme of Delegation as detailed in Part 3 of the Constitution.

In response to Councillor P Christie's comments concerning Dog Control Orders, the Solicitor advised that following the current consultation exercise all representations would be presented to Members when they are asked to consider adoption of the Order.

It was proposed by Councillor A T Inch, seconded by Councillor P Davies, and:

Resolved: That the current Scheme of Delegation be reconfirmed.

(Vote: For – unanimous)

16. COMMITTEE REPORTS

PLANS COMMITTEE – 7 APRIL 2011 & 21 APRIL 2011

Councillor R Lock presented the Minutes of the Meetings held on the 7 April and 21 April 2011.

It was proposed by Councillor R Lock, seconded by Councillor R Johnson, and:

Resolved: That the Minutes as presented be noted.

(Vote: For 24, Abstentions 8)

OVERVIEW & SCRUTINY (EXTERNAL) COMMITTEE – 26 APRIL 2011

The Minutes of the meeting held on the 26 April were presented by Councillor P Pennington. He highlighted some amendments which would be dealt with at the next meeting of his Committee.

It was proposed by Councillor P Pennington, seconded by Councillor C Leather, and:

Resolved: That the Minutes as presented be noted.

(Vote: For 23, Abstentions 9)

17. PETITIONS

There were no petitions.

18. NOTICE OF MOTION

There were no Notices of Motion.

19. THANKS

Councillor A Eastman expressed a vote of thanks to the retiring Chair, Councillor Margaret Brown, who had been Chair of the Council for the past 4 years. This was met with acclamation.

The meeting commenced at 6.30 pm and closed at 8.15 pm

Chair:

Dated: