

EAST DEVON DISTRICT COUNCIL

Minutes of the Extra Ordinary Meeting of the Council held at Knowle, Sidmouth, on Wednesday, 8 December 2010

Present:

Councillors:

Graham Liverton (Chairman)
Tony Reed (Vice Chairman)

Vivienne Ash	John Humphreys
David Atkins	Ben Ingham
Ray Bloxham	Stephanie Jones
Peter Bowden	David Key
Graham Brown	Jim Knight
Peter Burrows	Ann Liverton
Derek Button	Stuart Luxton
Bob Buxton	Andrew Moulding
David Chapman	Frances Newth
Iain Chubb	Darryl Nicholas
Trevor Cope	Marion Olive
David Cox	Helen Parr
Andrew Dinnis	Bob Peachey
Paul Diviani	Ken Potter
Christine Drew	Sara Randall Johnson
Vivien Duval Steer	Philip Skinner
Jill Elson	Pauline Stott
Chris Gibbings	Brenda Taylor
Roger Giles	Ian Thomas
Graham Godbeer	Graham Troman
Mike Green	Mark Williamson
Steve Hall	Tim Wood
Peter Halse	Eileen Wragg
May Hardy	Steve Wragg
Stuart Hughes	

Also Present

Officers:

Mark Williams, Chief Executive
Diccon Pearse, Corporate Director
Rachel Pocock, Head of Legal, Licensing and Democratic Services
Diana Vernon, Democratic Services Manager

Apologies

Councillors:

Roger Boote
Geoff Chamberlain
Malcolm Florey
Ray Franklin
Pat Graham
Douglas Hull
John Jeffery
Barry Nicholson

Honorary Aldermen
Jennifer Sharratt
Barry Willoughby

The meeting started at 6.15pm and finished at 6.28 pm.

***47 Public question time**

There were no questions from the public raised at this point of the meeting.

***48 Executive and Governance arrangements**

Members considered the report of the Head of Legal, Licensing and Democratic Services on governance models for the Council's Executive Arrangements. The Local Government and Public Involvement in Health Act 2007 required every authority operating a Leader and Cabinet model of Executive to change its executive arrangements. The Council was still statutorily required to pass the appropriate resolution by 31 December 2010.

The public had been invited to comment on the two governance options, namely Leader and Cabinet or Elected Mayor. Only 36 responses had been received; these indicated a preference for the elected mayor option.

Following debate, the Overview and Scrutiny Co-ordinating Committee had indicated a preference for the Leader and Cabinet model but did not support the proposed election of a Leader for a four year period and wanted the Leader to be elected annually. In response to concerns about this four year commitment, the Chief Executive confirmed that following the Executive Board meeting last week, a letter had been sent to the Government Office from the Council advising that it did not support a four year term for the Council leader.

The Coalition Government's intentions would be clearer following the publication of the awaited Localism Bill which was expected to contain a clause removing the four year term Leader and Cabinet model. It was anticipated that this would give councils scope to decide which model of governance it wanted to adopt.

On 1 December 2010, the Executive Board had resolved that an Extra Ordinary meeting of the Council be held to pass a resolution concerning the Executive and Governance Arrangements of East Devon District Council based on current legislation.

The Council noted and took into account the views of the Overview and Scrutiny Co-ordinating Committee, feedback from public consultation, and the Executive Board's preference for the Leader and Cabinet model of Governance.

- RESOLVED**
- (1) that the following changes in the Council's governance arrangements, to come into effect on 8 May 2011, be approved:
 - (a) The Executive to be the "new style" Leader and Cabinet executive,
 - (b) The Leader of the Council be appointed for a fixed term of four years (the Council will have the power to remove the Leader from office during the fixed term, by Resolution),
 - (c) The decision on whether there is to be any change in the size of the Cabinet [Executive Board] or to delegated powers to Executive Board members or other constitutional changes, will be taken by Full Council following the elections in May 2011,

*48 **Executive and Governance arrangements (cont)..**

- (2) that the Head of Legal, Licensing and Democratic Services report back to Full Council at its meeting on the 13th April 2011, setting out the proposed changes to the Constitution, necessary to give effect to the new form of Executive,
- (3) that, in the expectation of legislation being passed before May 2011, which provides the Council with further options regarding its constitutional and governance arrangements, the Head of Legal, Licensing and Democratic Services reports back to Executive Board and Full Council.

Chairman

Date