

EAST DEVON DISTRICT COUNCIL

Minutes of the Annual Meeting of the Council held at Knowle, Sidmouth, on Wednesday, 23 May 2007

Present:

Councillors:

Miss V Ash	D R H Hull
D G Atkins	J Humphreys
R Bloxham	B O Ingham
Mrs M J Boote	H J Jeffery
R W Boote	Mrs S Jones
P N Bowden	D R A Key
G P Brown	J A Knight
D G Button	Mrs A E Liverton
G P Chamberlain	G K Liverton
I R Chubb	S C Luxton
T A Cope	A T Moulding
A E J Dinnis	Mrs F I Newth
P A Diviani	K D Nicholas
Mrs C E Drew	J B Nicholson
Ms V Duval Steer	Mrs H E Parr
Miss J M Elson	R C Peachey
M Florey	K C Potter
R G Franklin	Miss S M Randall Johnson
K W George	A W J Reed
C F A Gibbings	Mrs M A Rogers
A R Giles	P J Skinner
G Godbeer	Mrs P A Stott
Mrs P A Graham	Mrs B O Taylor
M J L Green	C T Tratt
S Hall	G M Troman
J P Halse	J M Williamson
Mrs M Hardy	Mrs E E Wragg
S Hughes	S C Wragg

Apologies

Councillors:

D J Cox
T J R Wood

The meeting started at 6.30 pm and finished at 8.35 pm.

1 Prayer

The Reverend Nigel Freathy of Stockland with Dalwood and Kilmington with Shute opened the meeting with prayer.

2 Election of Chairman

Councillor Lt Col A J M Drake (Chairman) invited nominations for the office of Chairman of the Council for the ensuing year.

Councillor Mrs A E Liverton proposed and Councillor G P Brown seconded Councillor P A Diviani being elected Chairman of the Council for the ensuing year.

There were no other nominations.

RESOLVED

that Councillor P A Diviani be elected Chairman of the Council for the ensuing year.

2 **Election of Chairman (cont)..**

Following the election Councillor Diviani was invested with the Chain and Jewel of Office. Having read and signed the Declaration of Acceptance of Office, he took the Chair vacated by Councillor Lt Col Drake.

The Chairman then spoke in response to his election. He thanked his proposer and seconder. He said that he had enjoyed serving on the Council and particularly being Economy Portfolio Holder. He acknowledged the work of the Council and the professionalism of the Officers which he regarded as the Council's greatest asset. He said that he would use his best endeavours in carrying out the role of Chairman. He thanked Officers and his family for their support and Lt Col Drake for his guidance, wisdom and wit.

Councillor Lt Col Drake was presented with the Past Chairman's Badge and spoke in response. He said that he enjoyed being Chairman – he had chaired Development Control for two years prior to being elected Chairman of the Council. He believed that being a Chairman was the ultimate position and he had enjoyed his two years serving as Chairman and promoting the Council and district. He had introduced receptions for the 'great and good' which had been well received and recommended that they be continued. He thanked the Council staff for their help, particularly the Corporate Directors, the Chairman's secretaries for their efficiency, the Chief Executive for his guidance and the Leader and all Members for their continual support over the last two years.

3 **Appointment of Vice Chairman**

Councillor Miss J M Elson proposed and Councillor Mrs C E Drew seconded Councillor Mrs P A Stott being appointed Vice-Chairman of the Council for the ensuing year.

There were no other nominations.

RESOLVED that Councillor Mrs P A Stott be appointed Vice-Chairman of the Council for the ensuing year.

Following the election, Councillor Mrs P A Stott was invested with the Chain of Office and read and signed the Declaration of Acceptance of Office.

The Vice Chairman then spoke in response to her appointment. She thanked her proposer and seconder. She saw challenges ahead but believed that these could be met with the Council working together. She was honoured to have been appointed Vice Chairman and proud to represent the Council in this role. She thanked Councillor Chamberlain for his support.

The Chairman presented the Past Vice-Chairman's Badge to Councillor G P Chamberlain who spoke briefly in response. He said that it had been an honour to be Vice Chairman. It had been the first time that a Liberal Democrat had been appointed to this role. He had been a Councillor for 27 years and looked forward to serving the Council for a further four.

4 **Minutes**

The minutes of the meeting of the Council held on 11 April 2007 were confirmed and signed as a true record.

5 **Notices**

The Chairman reminded Councillors to collect their post from the pigeon holes.

He announced that the winner of the Welcome Day Quiz was Councillor I Chubb.

Councillor Miss Randall Johnson advised Members that Councillor Cox had suffered a mild heart attack and that she would write to him on behalf of the Council to wish him well.

6 **Report of the Returning Officer**

The report of the Returning Officer was received as to the District Council elections held on 3 May 2007.

7 **Election of Leader of the Council**

Councillor P Skinner proposed and Councillor C Gibbings seconded Councillor Miss S M Randall Johnson being elected Leader of the Council for the ensuing year.

There were no other nominations.

RESOLVED that Councillor Miss S M Randall Johnson be elected Leader of the Council for the ensuing year.

Councillor Miss Randall Johnson then spoke in response to her election. She congratulated the Chairman on his appointment and thanked Lt Col Drake and Councillor Chamberlain for their two years' service on behalf of the Council. She thanked her proposer and seconder and for the confidence of the Council.

She acknowledged that there were major challenges ahead including recycling, refuse and composting. She advised that a solution had to be reached to address these issues, balancing the needs of the public with the increasing levels of waste being generated, the diminishing availability of land fill sites and pressure from Central Government.

She also advised that the Council would re-examine the Corporate Plan and Council priorities.

The Leader wanted all Councillors to be involved in Local Development Framework issues so that each Ward Member had a say in getting the best for their area and for the district as a whole. Local Development Framework teams would be set up with rural hinterlands, working with the Town and Parish Councils, to develop the Council's vision for the future. Fundamentally, the Council's aim was to continue to deliver good quality services to the people of East Devon.

8 **Election of Deputy Leader**

Councillor R Peachey proposed and Councillor A T Moulding seconded Councillor R G Franklin being elected Deputy Leader of the Council for the ensuing year.

There were no other nominations.

RESOLVED that Councillor R G Franklin be elected Deputy Leader of the Council for the ensuing year.

Councillor Franklin spoke briefly on his re-election, congratulating and thanking the Leader.

9 **Executive Board Members and Portfolio Holders**

The Leader thanked the Portfolio Holders for the work that they had carried out over the last Council year.

She proposed changes to the Portfolios, increasing the number to seven and making consequential amendments to their remit. Two additional Portfolios had been established – Strategic Planning and Regeneration and Street Scene. The details and remit of all Portfolios, as amended, had been circulated to all Members prior to the meeting.

The Leader proposed that the membership of the Executive Board include the Group Leaders of Liberal Democrats and Independents.

The Leader of the Liberal Democrats put forward an amendment for Councillor Chamberlain to be given the Liberal Democrat place on the Executive Board due to his wealth of experience. The amendment was voted on and was lost.

- RESOLVED**
- (1) that Members (additional to the Leader and Deputy Leader) be appointed to the Executive Board as set out on Appendix A to these minutes, namely: T A Cope, D J Cox, Miss J M Elson, M J L Green, J P Halse, S Hughes, G K Liverton and A T Moulding.
 - (2) that the amended remit and details of Portfolios, set out in Appendix B to these minutes, be approved, and the Constitution amended accordingly.

10 **Committees**

Councillor Miss Ash asked for the recommendations of the Member Involvement Task and Finish Forum to be taken into account. One of the recommendations had been to increase the Membership of the Development Control Committee to form two sub committees. This recommendation did not have the support of the Council.

- RESOLVED**
- (1) that Committees be established for the municipal year as set out in articles 7, 8 and 9 of the Constitution (pages 28-33),
 - (2) that the size and terms of reference for those Committees be as set out on pages 28-33 (Article 7, 8 and 9), 49-53 and 62-71 of the Constitution.
 - (3) that the non-Councillor membership of the Standards Committee be confirmed for a further term, namely,

Independent representatives: Dr J A Rees, Mrs J A Durrant and Mr E Butt,

and Parish/Town Council representatives: Mr S Pollentine, and Mr C Pole-Carew with one vacancy to fill.
 - (4) that the non-Councillor membership of the Housing Review Board be confirmed for a further term, namely,

Tenant and/or Leaseholder representatives: Mr R Bristow, Mr T Brown, Mr V Kemp, Mrs C Morrison and Mrs S Saunders,

and Independent Community representatives: Mr R Finch and Mrs H Williamson.

11 **Report of the Chief Executive in respect of:****Allocation of seats to different political groups on Committees, Sub Committees, Advisory Panels/Forum****Proposed changes to the Constitution****Annual report of the Corporate Overview and Scrutiny Committees, Housing Review Board and Audit and Governance Committee.**

RESOLVED (1) (a) that the allocation to different political groups of seats to be filled by the Council, in accordance with political balance rules, be determined as follows in respect of Overview, Scrutiny, Regulatory and other Committees:

Conservative Group	(43 Members)	72.9%	69
Liberal Democrats Group	(10 Members)	16.9%	17
Independents	(6 Members)	10.2%	10

Total (59 Members) **96**

(The political balance rules do not apply to the Executive Board or the Standards Committee).

- (b) that the allocation of seats on individual overview, scrutiny, regulatory and other committees be as set out on Page 16 of the agenda,
- (2) that the political balance for Sub-Committees, Advisory Panels/Forum, set out at Page 17 of the agenda, be agreed,
- (3) that the proposed amendments to the Constitution, including the Scheme of Delegations be approved as set out on Pages 18 to 31 of the agenda, (subject reference to the Tourism Advisory Forum and Seaton Town Centre Regeneration Scheme Forum being deleted, reference to the Sidmouth Manor Pavilion and Arts Centre Steering Committee being retained and changes made to the remit and detail of the Portfolio Holders being included – see minute 9 (2) above), with the Chief Executive being given delegated authority to make consequential drafting amendments to the Constitution,
- (4) that the annual reports of the Corporate Overview and Scrutiny Committees, the Housing Review Board and the Audit and Governance Committee be received and noted,

12 **Chairmen and Vice Chairmen of Committees**

The Leader proposed Chairmen and Vice Chairmen of the Committees as set out on Page 48 of the agenda. It was proposed that the Scrutiny Committee be chaired by an Independent Member, namely Councillor Giles, and that the Vice Chairman be a Liberal Democrat Member, namely Councillor Chamberlain.

The Leader of the Liberal Democrats put forward an amendment for Councillor Mrs Wragg to be appointed Chairman of the Scrutiny Committee. This amendment was voted on and was lost. The Leader of the Liberal Democrats then put forward a further amendment for Councillor Mrs Wragg to be appointed Vice Chairman of the Scrutiny Committee. This was put to the vote and the amendment lost.

12 **Chairmen and Vice Chairmen of Committees (cont)..**

The proposal for Councillor Chamberlain to be appointed Vice Chairman of the Scrutiny Committee was voted on and supported. The Council felt that Councillor Chamberlain's knowledge and experience would be of particular benefit to that Committee. Councillor Chamberlain was asked if he would be willing to accept the role and this he confirmed.

RESOLVED that the following be appointed as the Chairmen and Vice-Chairmen of the Committees indicated below for the ensuing year:-

Committees	Chairman	Vice-Chairman
Corporate Overview	D R A Key	R C Peachey
Scrutiny	A R Giles	G P Chamberlain
Development Control and Planning Inspections	A W J Reed	Mrs H E Parr
Audit and Governance	S C Luxton	T J R Wood
Interviewing (Chief Officers)	Leader of the Council	Deputy Leader
Employment Appeals	A T Moulding	J P Halse
Licensing and Enforcement	Mrs C E Drew	Mrs F I Newth

NOTE:

- Under the Constitution, there are specified arrangements for chairing the Standards Committee.
- The Housing Review Board will nominate its own Chairman and Vice Chairman

13 **Appointment of Member Champions**

RESOLVED (1) that the following Councillors be appointed as Member Champions to assist the Portfolio Holders in driving service improvements in key areas:

Business	G P Brown
Community Safety	C F A Gibbings
Design	A E J Dinnis
Equalities	A T Moulding
Post Offices	K Potter
Procurement	J M Williamson
Sustainability (Eco issues)	Mrs F I Newth
Towns – Strategic Planning (Exmouth)	P J Skinner

- (2) that other Champions, including Strategic Planning Champions for all other East Devon Towns and for Culture, be appointed in due course.
- (3) that the role of Member Champions be as set out in the additional paper circulated in advance of the meeting.

14 **Appointment of Members to Committees**

Members of the Council considered the nominations put forward by the political groups for Membership of the various Committees. These were set out in the agenda pages. Proposed amendments to the appointment of Members to Committees, circulated prior to the start of the meeting, were noted, namely that Councillor Godbeer would be included on the Scrutiny Committee (and not on the Overview Committee as printed on the agenda) and Councillor Knight would be included on the Overview Committee (and not the Scrutiny Committee as printed).

As a result of Councillor Chamberlain's appointment to Vice Chairmanship of the Scrutiny Committee, (Minute 12 above refers), the nominations of Liberal Democrats to that Committee had to be adjusted. Members voted on the proposal, which was carried, to include Councillor Chamberlain on the Membership of the Scrutiny Committee with the removal of Councillor Hull from the list of nominations to that Committee.

RESOLVED that the membership of Committees for 2007/08 be as set out on Appendix A to these minutes.

(Councillor D Hull asked for his vote against the proposed Membership of the Scrutiny Committee to be recorded.)

As a result of the decision, Councillors D Button, T Cope, Mrs P Graham, D Hull, Mrs M Rogers, Mrs B Taylor, Mrs E Wragg and S Wragg left the Chamber.

Appointment of Members to Leader's/Portfolio Holders 'think tanks'

RESOLVED that the membership of the Leader's/Portfolio Holders 'think tanks' for 2007/08 be as set out on Appendix C to these minutes.

15 **Council and Committee Meetings 2007/08**

Councillor Miss V Ash spoke against the proposed change being made to the starting time of the Development Control Committee. She said that concerns had been raised due to the size of the agendas and changing the start time from 5.30 pm to 2.00 pm did not address this issue.

Councillor Franklin explained that the change in the start time had been in response to feedback from Development Control meetings which had been too long and had gone on too late. The Portfolio Holder – Environment suggested that the 2 pm start time should be trialled and that Ward Members who were unable to attend due to work commitments could submit their comments in writing, to be read out at the meetings.

RESOLVED that the programme of ordinary meetings of the Council, Executive Board and Committee meetings for 2007/08 be approved as set out on Appendix D to these minutes.

16 **Appointment of Steering Boards, Forum, Panels, and Joint Bodies**

RESOLVED that appointments be made to Steering Boards, Forum, Panels, Joint Bodies be as set out on Appendix E to these minutes.

17 **Outside Bodies**

RESOLVED that appointments and nominations to various bodies be made for 2007/07 (or beyond if applicable) as set out in Appendix F to these minutes.

18 **Gambling Act 2005 – setting Premises Licence Fees**

Members considered the report of the Licensing Manager setting out the fee levels for Premises Licences, taking into account Government guidance. The fees had to be in place in readiness for transitional applications which could be made from 21 May 2007.

RESOLVED that the Premises Licence fees for 2007.08 for the Gambling Act 2005 as set out in the report, be approved.

Chairman Date