

EAST DEVON DISTRICT COUNCIL

Minutes of the Annual Meeting of the Council held at
Knowle, Sidmouth, on Wednesday, 25 May 2011

Present:

Councillors:

Michael Allen
David Atkins
Ray Bloxham
Roger Boote
Peter Bowden
Graham Brown
Derek Button
Bob Buxton
Geoff Chamberlain
Maddy Chapman
Iain Chubb
Trevor Cope
David Cox
Deborah Custance Baker
Alan Dent
Paul Diviani
Christine Drew
Vivien Duval Steer
Jill Elson
Martin Gammell
Steve Gazzard
Roger Giles
Graham Godbeer
Pat Graham
Peter Halse
Tony Howard
Mike Howe
Stuart Hughes

Douglas Hull
John Humphreys
John Jeffery
Stephanie Jones
Sheila Kerridge
David Key
Jim Knight
Andrew Moulding
Frances Newth
John O'Leary
Helen Parr
Geoff Pook
Ken Potter
Philip Skinner
Pauline Stott
Peter Sullivan
Brenda Taylor
Ian Thomas
Graham Troman
Phil Twiss
Chris Wale
Mark Williamson
Tim Wood
Eileen Wragg
Steve Wragg
Claire Wright
Tom Wright

Honorary Aldermen:

Ron Mudge
Dr Bill Waterworth
Tony Wilkinson

Officers:

Mark Williams, Chief Executive
Richard Cohen, Deputy Chief Executive
Denise Lyon, Deputy Chief Executive
Rachel Pocock, Corporate Legal and Democratic Services Manager
Debbie Meakin, Democratic Services Officer
Diana Vernon, Democratic Services Manager
Hannah Whitfield, Democratic Services

Apologies

Councillors:

Peter Burrows
David Chapman
Steve Hall
Ben Ingham

Honorary Aldermen

Margaret Rogers
David Scott

The meeting started at 6.30 pm and finished at 8.30 pm.

*1 Election of Chairman

Councillor Graham Liverton (Chairman) invited nominations for the office of Chairman of the Council for the ensuing year.

Councillor Paul Diviani proposed and Councillor Ray Bloxham seconded Councillor Peter Halse being elected Chairman of the Council for the ensuing year. In proposing, Councillor Diviani said that Councillor Halse was a respected local man whose family had lived and worked in the area for generations. He spoke of Councillor Halse's Christian faith which was central to his life. He described Councillor Halse as a gentleman who, as Chairman, would be a credit to the Council.

In seconding, Councillor Bloxham said that Councillor Halse would be a fine Chairman and an excellent ambassador for the Council.

There were no other nominations.

RESOLVED that Councillor Peter Halse be elected Chairman of the Council for the ensuing year.

Following the election Councillor Halse read and signed the Declaration of Acceptance of Office.

The Chairman then spoke in response to his election. He thanked all present for honouring him with the appointment and particularly thanked his proposer and seconder for their kind words. He recognised that the Council had challenges ahead and said that these would best be met by everyone working together, and moving forward together, for the benefit of the district as a whole.

On behalf of the Council, the newly elected Chairman thanked the retiring Chairman for his services. The Chairman said that it was hard to imagine EDDC without Graham Liverton who had worked hard to achieve the best for the district.

Councillor Liverton was presented with the Past Chairman's Badge and spoke in response. He congratulated Councillor Halse on his appointment. He thanked all present for giving him the honour of serving as Chairman. He spoke of the many events he had attended on behalf of the Council and the range of people he had met as a result. He particularly referred to the dedication of the voluntary sector. He spoke of the value of the Chairman role and its traditions which he entreated the Council to respect and retain. He spoke of his appreciation of the unstinting support given by Council officers and by his Vice Chairman. He thanked his wife for her sincere and wise counsel. He reminded Councillors that they had been the first couple to have each served as Council Chairman; they both recognised this as a great privilege. He said that we would always treasure memories of his service on the Council and the friendships made.

*2 Appointment of Vice Chairman

Councillor John Humphreys proposed and Councillor Christine Drew seconded Councillor Frances Newth being appointed Vice-Chairman of the Council. In proposing Councillor Humphreys said that Frances Newth had worked with him as his Vice Chairman on the Overview and Scrutiny Committee and he always knew her to be dedicated and hard working.

*2 Appointment of Vice Chairman (cont)..

In seconding, Councillor Drew said that Frances Newth had worked hard over the years for the benefit of the Council and her Ward.

Councillor Geoff Chamberlain proposed and Councillor Derek Button seconded Councillor Douglas Hull being appointed Vice Chairman of the Council. In proposing Councillor Chamberlain said that appointing Douglas Hull as Vice Chairman would be a fitting recognition of his years of service and his hard work.

In seconding Councillor Button said that Douglas Hull was an experienced Councillor and that it would be appropriate to appoint a Liberal Democrat to the post of Vice Chairman as an indication of closer working between the groups. He said that Councillor Hull was a friend and colleague who worked hard for his community, helping to resolve local issues.

There being no further nominations, the appointment was put to the vote.

RESOLVED that Councillor Frances Newth be appointed Vice-Chairman of the Council for the ensuing year.

Following the election, Councillor Newth 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 said that she was delighted and privileged to be given the opportunity to serve as Vice Chairman of the Council. She confirmed that she would promote East Devon at every opportunity and would support the Chairman to the best of her ability.

On behalf of the Council, the newly elected Vice-Chairman thanked the retiring Vice-Chairman for his services and presented him with the Past Vice-Chairman's Badge. She referred to the significant contribution that Tony Reed had made to East Devon and said that he would be a hard act to follow.

In response, the past Vice-Chairman said that he regarded being appointed to the position of Vice-Chairman as a great accolade. He congratulated the Chairman on his election, reminding him that they had gone to Sunday School together in their youth. He believed that the Chairman would be a credit to the Council and believed that the newly elected Chairman and Vice-Chairman would enjoy their new roles, as he had enjoyed his time as Vice-Chairman. He referred to Graham Liverton as having been a beacon for the Council and had shown genuine commitment to the role. As Vice Chairman, Tony Reed had been honoured to represent East Devon with his wife at civic events. He said that he would miss his colleagues on the Council to whom he paid tribute. He also thanked the Chief Executive and his staff for their support over the years. He advised newly elected Councillor to make the most of the experience and wished the new Council well for the future.

*3 Prayer

Revd Roger Grant took a reading from Proverbs on the wisdom and knowledge of leadership. He then led the Council in prayer, seeking God's blessing on its work.

*4 Public Questions

The Chairman welcomed Honorary Aldermen, Councillors' visitors and members of the public to the meeting; no questions were raised at this part of the meeting.

*5 Minutes

The minutes of the meeting of the Council held on 13 April 2011 were confirmed and signed as a true record.

*6 Report of the Returning Officer

The report of the Returning Officer on the District Council elections held on 5 May 2011 was received.

*7 Royal Town and Planning Institute (South West Region) award

The Chairman reported that the Green Infrastructure Strategy for the Exeter Area and East Devon Growth Point had received a Highly Commended award at the Royal Town and Planning Institute South West Region Annual Award Ceremony on 24 January 2011. This award reflected the strength of the partnership of Exeter City, Teignbridge and East Devon District Councils, Natural England, Devon County Council and the Environment Agency. The Strategy would be used to effectively influence the future large scale development at the West End of the district. The Chairman extended his congratulations, recognising the effort involved and regarded effective partnership working as the best way forward.

*8 London Marathon

The Chairman congratulated Councillor Trevor Cope on behalf of the Council for completing the London Marathon in 5 hours 19 minutes and 32 seconds – about 15 minutes quicker than last year. He had managed to raise £1500 for charity.

*9 Extra Ordinary meeting

The Chairman advised Members that an Extra Ordinary meeting of the Council to consider conferring the title of Honorary Aldermen on former Councillors would be held at 6.00 pm on Wednesday 27 July 2011, prior to the Ordinary meeting of the Council on that date.

*10 Election of Leader of the Council

Councillor Ray Bloxham proposed and Councillor David Cox seconded Councillor Paul Diviani being elected Leader of the Council until the Annual Meeting following the May 2015 elections. The proposer referred to Councillor Diviani's extensive Council experience and positions of responsibility held since his election to EDDC. He believed that Councillor Diviani was the right man to lead the Council forward.

The seconder endorsed Councillor Bloxham's comments and referred to Councillor Diviani's experience and the roles undertaken to which he had brought his quick wit.

There were no other nominations.

*10 Election of Leader of the Council (cont)..

RESOLVED that Councillor Paul Diviani be elected Leader of the Council for the ensuing year.

The Leader then spoke in response to his election. He congratulated the Chairman and Vice-Chairman and thanked his proposer and seconder for their kind words. He paid tribute to his predecessor Sara Randall Johnson who had served on the Council for 20 years and as its Leader for the last 10. He said that under her Leadership, the Council had become one of the top performers nationally with one of the lowest Council Taxes and had successfully won the fight against the unitary bid. She had steered the recent budget decisions which had resulted in a balanced budget being delivered without cuts to front line services.

Speaking of his own vision, the Leader said that this was 'Safe, Clean, Green and Seen', emphasising the importance of effective communication and genuine consultation. He advised that his style of Leadership was of consensus and inclusivity with positions of responsibility being matched with talent. He recognised the need to facilitate sustainable communities and of the importance of helping small businesses including the High Streets survive and grow.

*11 Appointment of Deputy Leader

The Leader advised of his appointment of Councillor Andrew Moulding as Deputy Leader of the Council.

*12 Cabinet Members and Portfolio Holders

The Leader advised changes to the titles and remit of the Portfolio Holders and drew Members' attention to the structure table (Appendix A to these minutes). This showed logical links between the Chief Executive/Deputy Chief Executives/ Heads of Service, with the Portfolio Holders whose remit would include input and support from their Member Champions.

The Leader advised that the membership of the Cabinet would comprise 10 Conservative Members, including 7 Portfolio Holders and 2 Deputy Portfolio Holders.

Councillor Geoff Chamberlain, Leader of the Liberal Democrats Group spoke against the decision to have an all Conservative Cabinet. Councillor Trevor Cope, Leader of the Independents re-iterated these comments and advised that he was disappointed with the decision.

In response, the Leader advised that all Councillors would have the same access to meetings where they would be invited to fully contribute.

*12 Cabinet Members and Portfolio Holders (cont)..

The Leader advised that, (in compliance with Articles 6.02 and 6.04 of the Constitution), he now appointed the following Members (additional to the Leader and Deputy Leader) to the Cabinet (**Appendix B**) namely:

Ray Bloxham (Corporate Business),
Iain Chubb (Environment),
David Cox (Finance),
Jill Elson (Sustainable Homes & Communities),
Graham Godbeer (Economy),
Ian Thomas (Corporate Services)

with the Deputy Leader being appointed Strategic Development and Partnerships Portfolio Holder

and Stephanie Jones as Deputy Portfolio Holder, Sustainable Homes and Communities and Chris Wale as Deputy Portfolio Holder, Environment.

*13 Committees

RESOLVED

- (1) that Committees be established for the municipal year as set out in Articles 7, 8 and 9 of the Constitution ,
- (2) that the size and terms of reference for those Committees be as set out in Articles 7, 8 and 9 of the Constitution.
- (3) that the membership of the Standards Committee be confirmed, namely:

Council representatives: Chairman of the Council, Councillors Peter Bowden, Geoff Chamberlain and Tim Wood.

***Independent representatives:** Ted Butt, Ray Davidson and Alison Willan.

and ***Parish/Town Council representatives:** Councillors Simon Pollentine, David Mason and Courtney Richards.

*At the Annual Council meeting in 2010, Members agreed to amend the Standards Committee terms of reference to allow the independent and parish council members to serve two 4-year terms (as per the Standards for England's Guidance) instead of two 3-year terms. This enabled the Council to retain the experienced Chairman and the most experienced parish council member who had served 6 years. This agreement means that no change to the independent and parish council membership is needed this year.

*13 Committees (cont)..

- (4) that, following the original tenant/leaseholder representatives on the Board stepping down after having served the maximum five years and subsequent invitation to all East Devon Council tenants/leaseholders to apply to stand as representatives on the Board, the non-Councillor membership of the Housing Review Board be confirmed as follows:

Tenant and/or Leaseholder representatives: Victor Kemp, Sally Lancaster, Christine Morrison, Pat Rous and Sue Saunders.

and **Independent Community representatives:** Julie Adkin and Rob Finch (for a further year).

*14 Report of the Chief Executive

- a) Allocation of seats to different political groups on Committees, Sub Committees, Advisory Panels/Forum
- b) Amendments to the Council's Constitution

Councillor Chamberlain put forward a proposal contrary to the Officer's report, namely that a Member of the Opposition Group be appointed to the position of Vice Chairman of the Council's Overview and Scrutiny Committee. This did not achieve majority support.

- c) Annual report of the Overview and Scrutiny Committees

The Chairman invited Councillor Ray Bloxham, Chairman of the Co-ordinating Committee to address the Council on the work carried out by the Overview and Scrutiny Committees during the year. Councillor Bloxham reported that the Committee had reviewed the Council's scrutiny function in detail with its recommendations being supported by the Executive Board. The concentration of the Overview/Scrutiny function in one Committee would enable Task and Finish Forum and Portfolio Holder Think Tanks to have a greater role in the new Council.

Councillor Bloxham gave credit to all Councillors who had contributed to the useful and full debates at the four Overview and Scrutiny Committees in 2010/11. He thanked his Vice-Chairman, Bob Peachey, and the Chairmen and Vice Chairmen of the Communities, Economy and Service Delivery and Performance Overview and Scrutiny Committees. He thanked Debbie Meakin and the rest of the Democratic Services Team for their contribution to the effective scrutiny carried out during the year.

The Chairman of the Council thanked Councillor Bloxham for the depth and value of the work undertaken and to the fairness and inclusivity of his approach.

c) Annual report of the Overview and Scrutiny Committees (cont)..

In response to questions raised about the role of the Portfolio Holder Think Tanks, Councillor Bloxham advised that the Portfolio Holders would diarise meetings of their Think Tanks and Members allocated to these Think Tanks would be properly involved and consulted.

The Chairman invited Councillor Pauline Stott, Chairman of the Housing Review Board to address the Council on the work carried out by the Board during the year. Councillor Stott thanked her Vice Chairman and particularly thanked the Council tenants/leaseholder Members of the Board for their valued contribution. The Board had worked well together and much had been achieved.

The Chairman of the Council thanked Councillor Stott for guiding the important work of the Housing Review Board.

d) Member Champions

The joint report of the Member Champion had been included within the agenda papers. The Chairman described this as a clear and concise report that set out the achievements of the Member Champions in terms of the Corporate Priorities.

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)	72.4%	63
Liberal Democrats Group	(10 Members)	17.2%	15
Independents	(6 Members)	10.4%	9

Total (59 Members) 87

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

- (b) that the allocation of seats on individual overview, scrutiny, regulatory and other committees be as set out on Page 32 of the agenda,
- (2) that the political balance for Advisory Panels/Forum/Steering Boards and Joint Bodies set out at Pages 33 and 34 of the agenda, be agreed,
- (3) that the following amendments to the Constitution be approved with the Chief Executive being given delegated authority to make consequential drafting amendments to the Constitution in line with the report and keep it up-dated to reflect minor/consequential amendments required by legislative change,

Report of the Chief Executive (cont)..

- (a) The table of Constitutional amendments listed on pages 2 and 3 of the additional agenda pages booklet,
 - (b) The Constitution be up-dated to reflect the new role of Overview and Scrutiny in calling flood risk management authorities to account,
 - (c) The terms of reference of the Local Development Framework Panel,
 - (d) The Chief Executive be appointed as Harbour Master under the Axmouth Harbour Act 1830,
 - (e) The Chief Executive/Monitoring Officer/Deputy Monitoring Officer be given authority to further amend the Constitution to keep it up-dated to reflect minor/consequential amendments required by legislative change.
- (4) that the annual reports of the Corporate Overview and Scrutiny Committees and the Housing Review Board be received and noted,
- (5) that the joint report of the Member Champions on key areas of work and their contribution towards achieving the Council's key priorities be received and noted.

*15 Chairmen and Vice Chairmen of Committees

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
Overview and Scrutiny	Stuart Hughes	John Humphreys
Housing Review Board	Pauline Stott	To be appointed by the HRB
Development Management and Planning Inspections	Mark Williamson	Helen Parr
Audit and Governance	Ken Potter	Peter Bowden
Interviewing (Chief Officers)	Leader	Deputy Leader
Employment Appeals	Deputy Leader	David Cox
Licensing and Enforcement	Steve Hall	Jim Knight

NOTE: Under the Constitution, there are specified arrangements for chairing the Standards Committee.

*16 Appointment of Member Champions

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

Affordable Homes	David Key
Asset Management	Bob Buxton
Branding and Marketing	Alan Dent
Business and Tourism	Graham Brown
Culture	John O'Leary
Customer Services (including Equalities)	Deborah Custance Baker
Exmouth Town	Tim Wood
Localism and Big Society	Graham Troman
Member Development & Engagement	Maddy Chapman
Plain English	Trevor Cope
Planning Design and Heritage	Helen Parr
Procurement	Mark Williamson
Public Amenity, Beach & Foreshore	Tom Wright
Recycling	Roger Giles
Rural Broadband	Philip Skinner
Rural Communities (including Post Offices)	Ken Potter
Seaton Town	Stephanie Jones
Youth	Christine Drew

*17 Appointment of Members to Committees

Members of the Council considered the nominations, put forward by the political groups, for membership of various committees.

RESOLVED that the membership of Committees for 2011/12 be as set out on **Appendix B** to these minutes.

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

RESOLVED that the membership of the Leader's/Portfolio Holders 'think tanks' for 2011/12 be as set out on **Appendix C** to these minutes.

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

RESOLVED that appointments be made to Steering Boards, Forum, Panels, Joint Bodies for 2011/12 as set out on **Appendix D** to these minutes.

*20 Outside Bodies

RESOLVED that appointments and nominations to various bodies be made for 2011/12 as set out in **Appendix E** to these minutes.

*21 Council and Committee Meetings 2011/12

RESOLVED

that the programme of ordinary meetings of the Council, Executive Board and Committee meetings for 2011/12 be approved as set out on **Appendix F** to these minutes.

Chairman Date