

## COUNCIL

25 May 2017

### Present:-

Councillor A Moulding

Councillors H Ackland, M Asvachin, Y Atkinson, S Aves, K Ball, S Barker, J Berry, F Biederman, R Bloxham, J Brazil, E Brennan, J Brodie, J Brook, C Channon, I Chubb, C Chugg, J Clatworthy, P Colthorpe, A Connett, P Crabb, R Croad, A Davis, A Dewhirst, A Eastman, R Edgell, R Gilbert, B Greenslade, G Gribble, I Hall, R Hannaford, J Hart, J Hawkins, L Hellyer, J Hodgson, G Hook, R Hosking, S Hughes, T Inch, A Leadbetter, J Mathews, J McInnes, B Parsons, R Peart, P Prowse, R Radford, S Randall-Johnson, Y Russell, P Sanders, A Saywell, R Scott, D Sellis, M Shaw, C Slade, J Trail, P Twiss, N Way, C Whitton and J Yabsley

### Apologies:-

Councillors M Squires and C Wright

### **Text of statement made by the Chairman of the County Council at the commencement of the meeting**

*'Before proceeding any further, I have been asked on behalf of the County Council and the people of Devon to express our support to all those affected by the terrible events of Monday night at the Manchester Arena and to offer our deepest condolences to the families of those that have lost loved ones. Our thoughts are with the victims and the families of all those who have been affected. We unequivocally condemn the perpetrators of this evil act'.*

**Members stood in silence as a mark of respect**

### ***COUNCILLOR MOULDING IN THE CHAIR***

#### **1 Election of Chairman**

Councillor Gribble **MOVED** and Councillor Berry **SECONDED** that Councillor R F Radford be elected Chairman of Devon County Council for the ensuing year.

The Motion was put to the vote and declared **CARRIED**.

### ***COUNCILLOR RADFORD IN THE CHAIR***

#### **2 Appointment of Vice-Chairman**

Councillor Yabsley **MOVED** and Councillor Mathews **SECONDED** that Councillor R C Edgell be appointed Vice-Chairman of Devon County Council for the ensuing year.

The Motion was put to the vote and declared **CARRIED**.

#### **3 County Returning Officer's Report**

The Council received the Report of the County Returning Officer (CS/1719) of persons elected at the County Council elections held on 4 May 2017.

**4      Appointment of Leader of the Council**

Councillor Clatworthy **MOVED** and Councillor Hughes **SECONDED** that Councillor T J Hart be elected Leader of Devon County Council until the date of the Quadrennial Elections in 2021.

The Motion was put to the vote and declared **CARRIED**.

**5      Appointment of Deputy Leader of the Council**

Councillor Hart, the Leader of the Council, **MOVED** and Councillor Hughes **SECONDED** that Councillor Clatworthy be appointed Deputy Leader of Devon County Council for the ensuing year.

The Motion was put to the vote and declared **CARRIED**.

**6      Cabinet Members and Allocation of Remits**

Councillor Hart, Leader of the Council, **MOVED** and Councillor Hughes **SECONDED**:

*"that the Council note that the Members shown in the Appendix circulated at the meeting have been appointed to the Cabinet and designated as Cabinet Members as indicated therein with the remits shown, to hold office until the date of the Annual Meeting of the Council in 2018".*

The Motion was put to the vote and declared **CARRIED**.

**7      Minutes**

The Chairman of the Council **MOVED** and it was duly **SECONDED** that the minutes of the meeting held on 27 April 2017 be signed as a correct record.

The Motion was put to the vote and declared **CARRIED**.

**8      Chairman's Announcements**

The Chairman:

welcomed all new and returning Members of the Council to their first meeting;

reported the death of former County Councillor John Lloyd, who had represented the former Exeter No 6 Division on the County Council between 1981 and 1985 and who passed away, peacefully, earlier this month after a long illness;

congratulated both Exeter Chiefs RFC and Exeter City FC upon reaching the 'play-off' finals of their respective league competitions and, on behalf of the people of Devon, wished them well in their matches on 27 and 28 May 2017 at Twickenham and Wembley Stadiums, respectively; and

welcomed Mr Hodgins who was attending the meeting in his capacity as a Co-opted Member of the Council's Standards Committee to observe and monitor compliance with the Council's ethical governance framework.

**9      Items Requiring Urgent Attention**

There was no item raised as a matter of urgency.

10

### **Appointment of Committees**

Councillor Hughes **MOVED** and Councillor Hart **SECONDED**:

*“(a) that the Council adopts the Committee structure shown in the Appendices circulated at the meeting with terms of reference set out in the Council's Constitution or set out therein;*

*(b) that the Council appoints Committees, Joint Committees and Working Parties/Panels each with the total number of voting members as shown in the Appendix circulated at the meeting for the period expiring at the date of the Annual Meeting of the Council in 2018;*

*(c) that, as required by section 16(1) of the Local Government and Housing Act 1989, Members be appointed to Committees, Joint Committees, Joint Consultative Committees and Working Parties/Panels 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 at (b) above, as set out for the time being in the Appendix circulated at the meeting;*

*(d) that the Chief Executive be authorised to approve such changes to membership of the above bodies detailed in the Appendix circulated as may be notified from time to time by the relevant political group to which those seats have been allocated by the Council;*

*(e) that additional Members of Scrutiny Committees, Highways and Traffic Orders Committees, the Standards Committee and the Farms Estate Committee as detailed in the aforementioned Appendix (or to be nominated by those bodies listed thereon) be appointed for the period expiring at the date of the Annual Meeting of the Council in 2018 or as otherwise shown (subject to any change notified by the nominating body) or, in the case of parent governor representatives on the Children's Scrutiny Committee, following a ballot of eligible parent governors;*

*(f) that meetings of the Children's Scrutiny Committee, the Health & Adult Care Scrutiny Committee and the Corporate, Infrastructure and Regulatory Services Scrutiny Committee be held respectively on the dates currently shown in the Council's calendar of meetings for the People's, Health & Wellbeing and Corporate Services Scrutiny Committees (with the dates of the Place Scrutiny Committee being deleted) and the current Scrutiny Budget process be reviewed with a view to making it more relevant, the Council being of the mind that the Joint Budget Scrutiny Meeting be no longer held;*

*(g) that, consequently, the Council's Public Participation rules be revised accordingly to provide a common deadline, as for the Cabinet, for public questions and representations to any and all meetings which currently permit of such participation.”*

The Motion was put to the vote and declared **CARRIED**, nem com.

11

### **Appointment of Chairmen and Vice-Chairmen of Committees**

Councillor Hughes **MOVED** and Councillor Hart **SECONDED**:

*“that Members shown in the Appendix circulated at the meeting be appointed Chairmen and Vice-Chairmen of Committees as indicated therein to hold office until the date of the Annual Meeting of the Council in 2018”.*

The Motion was put to the vote and declared **CARRIED**, nem com.

**12      Appointments to Outside Bodies**

Councillor Hughes **MOVED** and Councillor Hart **SECONDED**:

*"(a) that persons shown in the Appendix circulated at the meeting be appointed to those outside bodies listed to hold office until the date of the Annual Meeting of the Council in 2021 as amended or such other date as indicated therein;*

*(b) that the Chief Executive be authorised to approve such changes to representation on the above bodies detailed in the Appendix circulated as may be notified from time to time by the political group to which those places have been allocated by the Council".*

The Motion was put to the vote and declared **CARRIED**, nem com.

**13      Petitions from Members of the Council**

There was no petition received from a Member of the Council.

**14      Public Participation: Petitions, Questions and Representations**

There was no petition or oral representations received at the meeting from a Member of the public: the Leader of the Council having previously been presented with a petition containing a number of signatures from parents of children at Uplowman CE Primary School seeking additional funding through the funding formula.

In accordance with the Council's Procedure Rules, the Leader would respond direct to a question from a member of the public (who was not present at the meeting) on energy matters.

*[NB: A copy of the question and answer is appended to these minutes] .*

**15      Questions from Members of the Council**

In accordance with the Council's Procedure Rules, the Leader provided written responses to 7 questions submitted by Members of the Council relating to Air Quality Strategy, Disposal of Care Homes, Mental Health Support, Traffic Regulation Orders and the Parking Dispensation Permit Scheme responding orally, as appropriate, to any supplementary questions arising therefrom.

*[NB: A copy of the questions and answers are appended to these minutes and supplementary questions and answers may be observed through the webcast of this meeting – see Notes below].*

**16      Devon County Council Constitution**

Councillor Hart, Leader of the Council, **MOVED** and Councillor Clatworthy **SECONDED**:

*"that, subject to necessary amendments to reflect the foregoing (Minutes 6 and 10 above) the Council adopt formally the existing Devon County Council Constitution, previously circulated"*

The Motion was put to the vote and declared **CARRIED**.

**17      Notices of Motion**

There was no Notice of Motion for discussion at this meeting.

[NOTES:

*Prayers were offered prior to the commencement of the meeting, to those who wished to attend, by Rev Clive Sedgewick, Team Rector of the Axe Valley Mission Community.*

*The Minutes of this meeting are available on the County Council's Website.*

*Minutes should be read in association with any Reports or documents referred to therein, for a complete record.  
A recording of the webcast of this meeting will also be available to view for up to 12 months from the date of the meeting, at <http://www.devoncc.public-i.tv/core/portal/home>*

The Meeting started at 2.15 pm and finished at 3.12 pm