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West Devon
Borough
Council

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Date:

Dear Councillor

WEST DEVON BOROUGH COUNCIL - TUESDAY, 8TH DECEMBER, 2020

I refer to the agenda for the above meeting and attach papers in connection with the following item(s).

Agenda No Item

5. **To receive Minutes of the following Committees, to note the delegated decisions and to consider the adoption of those Recommendations which require approval:**
 - (iv) **Hub Committee**
Meeting held on 1 December 2020

6. **Draft Recovery Plan (Pages 7 - 18)**

8. **Planning Delegation Scheme (Pages 19 - 26)**

10. **Car Park Charges (Pages 27 - 34)**

Yours sincerely

Darryl White
Senior Specialist – Democratic Services

Encs

Agenda Item 5

At a Meeting of the **HUB COMMITTEE** held via Teams on **TUESDAY** the **1st** day of **December 2020** at **2:00 pm**

Present:

Cllr N Jory – Chairman
Cllr L Samuel – Vice Chairman

Cllr R Cheadle	Cllr C Edmonds
Cllr A F Leech	Cllr J Moody
Cllr C Mott	Cllr T G Pearce
Cllr D K A Sellis	

In attendance:

Chief Executive
Deputy Chief Executive
Director of Place and Enterprise
Director of Governance & Assurance
Monitoring Officer
Democratic Services Manager
Head of Housing, Revenues and Benefits
Specialists – Place Making
Specialist - Heritage

Other Members in attendance:

Cllrs Crozier, Ewings, Heyworth, Hipsey, Kemp, Kimber, Moyse, Ratcliffe, Renders, Southcott, Spettigue, Vachon, Wood and Yelland

***HC 32 APOLOGIES**

No apologies were received in advance of this meeting.

***HC 33 DECLARATIONS OF INTEREST**

Members were invited to declare any interests in the items of business to be discussed and these were declared as follows:

Cllr N Jory declared a Disclosable Pecuniary Interest in agenda item 3: 'Urgent Business' (Minute *HC 34 below refers) by virtue of his employment with the Business Information Point and left the meeting during consideration of this agenda item.

***HC 34 URGENT BUSINESS**

The Lead Member for Economy proceeded to advise that one urgent item had been agreed to be raised at this Committee meeting. The item related to the Additional Restrictions Grant (ARG) scheme and was considered urgent in line of the associated time constraints.

At this point, the meeting considered the urgent item and, in discussion, particular reference was made to:-

(a) monitoring the effectiveness of the Scheme. When questioned, officers gave an assurance that the effectiveness of the Scheme would be reported via the weekly Bulletin updates that were currently being issued to all Members;

- (b) the organisations that could be entitled to be in receipt of financial support from the business support element of the ARG scheme. It was noted that no decisions had been made on which organisations would be supported through this element of the scheme and each decision would be looked at on an individual case-by-case basis;
- (c) the work of officers in developing and administering the Scheme. The importance of this Scheme was reiterated by a number of Members and officers were thanked for their hard work and commitment in setting up and administering the Scheme so quickly.

It was then **RESOLVED** that:

1. the Additional Restrictions Grant (ARG) Scheme (as outlined in Appendix 1 of the presented agenda report), including the Scheme of Delegation to administer the scheme contained therein, be noted; and
2. approval be given to the use of £50,000 from the ARG funding for wider business support measures (in addition to a potential further £50,000 that is subject to a separate report later on the agenda for approval for the Broadband Reserve (Minute HC 40 below refers)). (NB. this would bring the total ARG funding for wider business support to £100,000); and
3. authority be delegated to the Director of Place and Enterprise and Head of Placemaking, in consultation with the lead Hub Committee Member for the Economy, to allocate expenditure from this Reserve.

***HC 35 MINUTES OF LAST MEETING**

The Minutes of the Hub Committee meeting held on 20 October 2020 were confirmed as a true and correct record.

***HC 36 PUBLIC QUESTION TIME**

In accordance with the Hub Committee Procedure Rules, there were no questions submitted by members of the public.

***HC 37 HUB COMMITTEE FORWARD PLAN**

Members were presented with the most recently published Hub Committee Forward Plan that set out items on the agenda for Hub Committee meetings for the next four months.

The contents of the Forward Plan were duly noted.

***HC 38 COVID-19 RECOVERY PLAN PROGRESS UPDATE**

Consideration was given to a report that provided an update on the progress of the Task and Finish Groups and the Council's ongoing Response and Recovery activity.

In discussion, the following points were raised:-

- (a) It was recognised that the Plan would be a constantly evolving document that would require regular monitoring by the Hub Committee;

- (b) In emphasising the importance and relevance of the financial situation, support was expressed for the proposed approach that was outlined in the presented agenda report.

It was then **RESOLVED** that:

1. the Council's continuing response to the COVID-19 Pandemic be noted;
2. the Council's progress in developing and delivering the Recovery and Renewal Plan be noted;
3. the progress of the Localities and Communities and the Consultation and Engagement Task and Finish Groups be noted; and
4. officers be requested to finalise the Recovery and Renewal Plan in-line with the approach set out in the presented agenda report and present a final version to the next Council meeting for adoption.

***HC 39**

HOUSING STRATEGY PUBLIC CONSULTATION

The Committee considered a report that sought to approve the draft Housing Strategy for a public consultation exercise that would commence on 7 December 2020 for a five week period.

During discussion, reference was made to:-

- (a) an updated version of the draft Strategy. Officers advised that the version of the draft Strategy that had been published with this Committee agenda had since been updated. The Committee was informed that there was one significant update to the originally published version that sought to recognise the potential pre-determination concerns associated with the following sentence:

'We will support an appropriately located planning application for an Extra Care housing scheme in West Devon'.

The Committee welcomed this revision which was reflected in the recommendation that was then **PROPOSED** and **SECONDED** and when put to the vote declared **CARRIED**;

- (b) feedback from the public consultation exercise. The lead Member hoped that the Council would be in receipt of a number of constructive representations during the proposed public consultation exercise;
- (c) the work of those officers involved in developing the draft Strategy;
- (d) mixed affordable housing tenures. Members expressed the hope that the Strategy would ultimately lead to an increased number of affordable homes being developed through a greater number of mixed housing tenures. In addition, Members hoped that the Strategy would enable the opportunity for more local residents to be able to at least own a share of their own home;

- (e) the deliverability of the Strategy. Officers confirmed that an Annual Delivery Plan would underpin the Strategy and it was hoped that the first version of this document would be published alongside the revised Strategy in March 2021;

It was then **RESOLVED** that the Hub Committee:

1. approve the updated ('Version 5') draft Housing Strategy 2021-26 for consultation;
2. authorise the Head of Housing, Revenues and Benefits to carry out a public consultation exercise on the draft Housing Strategy; and
3. note that a report on the outcome of the consultation exercise will be presented to Members in March 2021.

HC 40

BROADBAND COMMUNITY SUPPORT

A report was considered that set out how the Council would support communities that would not be included in the current Connecting Devon and Somerset programme.

In discussion, reference was made to:-

- (a) the risks associated with the proposals. Whilst acknowledging that the Council would be liable in the event of any funding shortfall, Members were of the view that the risk of this occurrence was low;
- (b) the commitment and efforts of the Sydenham Damerel Community Fibre Partnership. A number of Members paid tribute to the dedication and commitment of the Partnership and felt that this scheme could be seen to be a flagship for other Community Groups that were suffering from a similarly poor standard of Broadband provision;
- (c) the customer service of BT Openreach. In terms of managing expectations, a Member wished to make the point that BT Openreach was often a difficult organisation to make contact with and it did not tend to deliver schemes at a particularly fast pace.

It was then **RESOLVED** that:

1. the development of a Broadband Community Support Strategy be approved to support the Council's Economic and Health & Wellbeing Objectives;
2. Council be **RECOMMENDED** to approve the creation of a Broadband Community Support Earmarked Reserve of £100,000, to be financed by transferring:
 - £50,000 from the existing Business Rates Retention Earmarked Reserve; and
 - £50,000 from the Business Rates Discretionary Fund (Additional Restrictions Grants (ARG) Scheme);

3. the Council enter into a Memorandum of Understanding with the Sydenham Damerel Community Fibre Partnership on terms to be agreed by the Director of Customer Service Delivery, in consultation with the Head of Legal Services;
4. subject to completion of the Memorandum of Understanding, the Council enter into a contract with BT Openreach in order to provide a scheme in Sydenham Damerel on behalf of the Sydenham Damerel Community Fibre Partnership; and
5. the actions taken to date be noted and endorsed.

HC 41 CORNWALL AND WEST DEVON MINING LANDSCAPE WORLD HERITAGE SITE: MANAGEMENT PLAN 2020-2025

The Committee considered a report that outlined the process for, and progress made in, reviewing the Cornwall and West Devon Mining Landscape World Heritage Site (WHS) Management Plan. In addition, the report also requested that the final Plan be recommended for adoption.

In discussion, reference was made to:-

- (a) the annual contributions from the Borough Council. When questioned, it was confirmed that the annual contribution from the Borough Council amounted to £4,000;
- (b) the potential benefits associated with World Heritage Status;
- (c) Peter Tavy and Mary Tavy. The local Ward Member for Peter Tavy and Mary Tavy parishes expressed his disappointment that these areas had been excluded from the Site area. In response, the lead Hub Committee Member (in her capacity as the Council's appointed representative on the Partnership) informed that she would relay these concerns at the next Board meeting.

It was then **RESOLVED** that the Hub Committee **RECOMMEND** to Council that the World Heritage Site Management Plan 2020-2025 be endorsed for immediate adoption.

(The meeting terminated at 4:00 pm)

Chairman

(NOTE: THESE DECISIONS, WITH THE EXCEPTION OF MINUTES HC 40 PART 2 AND HC 41 WHICH ARE RECOMMENDATIONS TO THE FULL COUNCIL MEETING ON 8 DECEMBER 2020, WILL BECOME EFFECTIVE FROM WEDNESDAY 9 DECEMBER 2020 UNLESS CALLED IN, IN ACCORDANCE WITH SCRUTINY PROCEDURE RULE 18).

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Report to: **Council**

Date: **8 December 2020**

Title: **COVID-19 Recovery and Renewal Plan**

Portfolio Area: **Governance and Assurance**
Cllr Neil Jory - Leader of the Council

Wards Affected: **All**

Urgent Decision: **N** Approval and clearance obtained: **Y**

Date next steps can be taken: **Immediately following this meeting**

Author: **Drew Powell** Role: **Director of Governance & Assurance**

Contact: Drew.Powell@swdevon.gov.uk

Recommendation:

That Council adopt the Covid-19 Recovery and Renewal Plan (as attached at Appendix A).

1. Executive summary

- 1.1 The Council has been developing a Recovery and Renewal Plan in recognition of the need to respond to the impacts of the Covid-19 pandemic.
- 1.2 The draft plan ('The Plan') has now been refined and is presented to Council for adoption through this report.

2. Background

- 2.1 The Coronavirus (COVID-19) global pandemic has affected the lives of everybody in our Borough. The response has, by necessity, been large-scale and complex involving all sectors of the community from the Government through to individual volunteers.
- 2.2 The pandemic continues and, at the time of writing, we have just moved from a second National Lockdown into a new 'Tier 2' restrictions that continue to impact on freedom of movement and important sectors of our economy, particularly hospitality.

- 2.3 The long term impacts are many and varied including the tragic loss of lives, major disruption to education and an unmeasured economic shock.
- 2.4 The Council continues to play a key role, alongside partners, in both response and recovery to the short, medium and long-term impacts of the pandemic and in the implementation of a range of essential support for individuals, the wider community and business.
- 2.5 The Plan, which by necessity remains a living document, was developed following a series of Member workshops and has been considered by Overview and Scrutiny Committee.
- 2.6 The Hub Committee considered the Plan at their meeting on 1st December 2020 and now recommend the plan to Council for adoption.

3. Outcomes/outputs

- 3.1 This report seeks to secure the adoption of the Plan by the Council.
- 3.2 Once adopted, work will be undertaken to implement the plan and to provide updates on progress to the Hub Committee.

4. Refining the Recovery and Renewal Plan

- 4.1 It is essential that the adopted Plan focusses on the key work needed to support recovery across the Borough. In view of this, the Plan has been refined and where actions are better delivered through, for example, existing or emerging strategies or activity, they have been reallocated to allow the Plan to focus on core Recovery and Renewal activity.
- 4.2 The Plan will remain a living, interim document whilst work continues on the development of a new Corporate Strategy.

5. Proposed Way Forward

- 5.1 It is proposed that Council adopt the Covid-19 Recovery and Renewal Plan as set out at Appendix A.

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance	Y	The COVID-19 Recovery Plan is a plan/or strategy reserved to full Council under the scheme of delegation.
Financial implications to include reference to value for money	Y	The areas being actioned are set out within the Financial Stability Recovery and Renewal Theme of the COVID19 Recovery Plan. Monthly Government returns on COVID costs and loss of income have been completed.

		<p>Regular Revenue and Capital Budget Monitoring reports have also been presented to the Hub Committee.</p> <p>The next Revenue Budget Monitoring report is an item on the Hub Committee agenda for 8th December, alongside Draft Revenue Budget Proposals for 2021/22.</p> <p>On 16th November, the Financial Stability Review Group (FSRG) reviewed the current Capital Programme for 2020/21.</p> <p>The Medium Term Financial Strategy has been updated and was considered by the Hub Committee on 20th October.</p> <p>The Audited Accounts were published by 30th November, having been approved by the Audit Committee for publication, subject to the finalisation of the audit work of Grant Thornton.</p> <p>On 22th September, Council approved an Amended Budget for 2020-21.</p> <p>The Council has responded to Government consultations, in particular on the Comprehensive Spending Review (CSR), to lobby for fairer funding, early notification of some of the financial elements of the next Finance Settlement for 2021/22 onwards and a change in some of the 'rules' affecting Local Government finances.</p>
Risk	Y	The risk implications are outlined in detail within the original published report to the Meeting (Appendix A refers).
Supporting Corporate Strategy	Y	The action plan accompanying this report contributes to all corporate strategy themes
Climate Change - Carbon / Biodiversity Impact	Y	The report recommends that a number of actions from the Member Recovery workshops be included within the Climate and Biodiversity Strategy Action Plan.
Comprehensive Impact Assessment Implications		
Equality and Diversity	N	There are no direct Equality and Diversity Impacts as a result of this report
Safeguarding	N	There are no direct safeguarding impacts as a result of this report
Community Safety, Crime and Disorder	N	None
Health, Safety and Wellbeing	N	None

Other implications	N	None
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Supporting Information

Appendices:

- Appendix A – Recovery Plan

Background Papers:

- Item HC15 –Coronavirus Recovery & Renewal Plan Development Update [Click here for link to Item HC15 - September 2020 Hub Report](#)
- Item 7. Covid-19 Recovery Plan Hub Update <http://mg.swdevon.gov.uk/ieListDocuments.aspx?CIId=221&MIId=1527&Ver=4>

Business & Economy

Action	What are we (or partners) already doing / proposing to do	Proposed way forward for WDBC	Timescales	Responsible – Team/Group /Strategy	
Ensuring that we support the skills and training needs of local businesses					
1.1	Consider the role that the Council can play in encouraging the sharing of best practice	Online Pop up business schools delivered	Develop a plan for future business support training (including further pop up business schools)	Short term	Recovery Management Team
1.2	Explore opportunities for Enterprise Hubs to encourage sharing of best practice and networking	a) Team Devon will look to extend the Devon Workhubs programme, securing £1m to build on the existing network and enable rural communities and smaller towns to grow their own local service provision	Engage with Team Devon and HOTWS LEP to ensure West Devon benefits from the Work Hub programme	Medium term	Recovery Management Team
1.3	Develop a strategy for supporting businesses to adapt skills for the future	a) Team Devon will engage additional staff resources to support Agriculture, Food and Drink producers to diversify and access new markets. Additionally £1m of additional resources will be sought in order to support reskilling of those leaving tourism, retail and other hard hit sectors	Monitor and ensure (through our Team Devon links) that local businesses benefit from the available support	Medium term	Recovery Management Team
		b) Team Devon will develop a grant scheme to support projects that look to extend the Tourism season and reinforce local supply chains	Ensure that we promote and support applications from businesses within West Devon	Short term	Recovery Management Team
		c) Team Devon will look to maximise Devon's sustainable agriculture and food potential	West Devon will explore how Planning Policy can support enterprise through, for example, diversification of agriculture[1]	Medium term	Development Management
		d) Team Devon exploring options for grants of £5,000 to support adaption costs for tourism sector (initially from Kick Start fund)	Promote the scheme to businesses within our area	Short/Medium	Recovery Management Team
		e) Team Devon – implementing a regional certification scheme on opening safely	Promote scheme to local businesses	Short term	Environmental Health
Ensuring that we engaging with Businesses to understand the challenges they are facing and the support they require					

1.4	Engage with existing businesses to understand what support they require	a) Capacity of the Place and Enterprise team increased with the for creation of an Economic Development Officer post as part of the 2020/21 budget setting process	b) Review of existing roles within the team to ensure that there is sufficient capacity to progress this area of work	Short term	Recovery Management Team
			c) Hold sector specific discussions/ surveys to understand local need including online workshops	Short term	Recovery Management Team
			d) Re-establish Business Forums as a regular route to engage with businesses across the Borough (once we understand what our businesses want)	Medium term	Recovery Management Team
		e) We have renewed our contract with Business Information Point for 2020/21 to provide support and advice to existing businesses that are considering establishing in West Devon	f) Consider the support packages we want to commission from the end of the current contract on 31 st March 2021	Short term	Recovery Management Team
		g) Team Devon will aim to secure £600,000 of additional business support capacity across Devon	h) Promote scheme within West Devon and monitor success through links with Team Devon	Medium term	Recovery Management Team,
Developing our tourism offer					
1.5	Encourage a Devon wide approach to tourism.	a) Team Devon are establishing an enhanced business support offer for the Tourism Sector	b) Promote the support that is available through our re-established Business Forums (see 1.4C)	Medium term	Recovery Management Team
			c) Develop the West Devon Place narrative	Medium term	Recovery Management team
1.6	Identify and ensure that key infrastructure is in place in order to encourage tourism	a) Team Devon will develop a sustainable tourism, hospitality and leisure support package which will include accessible tourism, activity, culture and wellness tourism		TBC	Recovery Management Team
Ensuring adequate Infrastructure					
1.7	Lobby for better Broadband to enable diversification of business in West Devon – including increased homeworking	a) Team Devon will work with communities to maximise the Rural Gigabit Voucher Programme and local Mobile Boost Voucher schemes in addition piloting new solutions where poor coverage remains	b) Monitor at this stage and when launched, consider how we can support applications from within West Devon	Medium term	Recovery Management Team
		c) WDBC have supported a bid from Plymouth City Council to connect public buildings across the Borough – this will increase potential for better broadband for residents / businesses	d) Continue to work with PCC to ensure the benefits of the scheme are realised	Medium term	Head of IT Practice

1.8	Understand from our businesses what infrastructure they need in place for the 'new normal'		Discuss with businesses through the actions set out in 1.4b to inform an infrastructure plan	Short term	Recovery Management Team
Regeneration and Commercial					
1.9	1.9 Consider how we attract and retain businesses in West Devon	We have begun talking to Town Councils to jointly consider options.	a) Consider a West Devon 'Backing Business Campaign	Medium Term	Recovery Management Team
			b) Lead the development of 'Buy Local' Campaigns	Medium Term	Recovery Management Team
1.10	1.10 Engage with other partners including Western Power, South West Water etc to understand the impact of Covid-19 on their plans for West Devon	Team Devon will engage with Western Power distribution to enable smart energy management infrastructure and renewable energy generation through upgrading the national grid network	Engage with Team Devon to ensure that West Devon is represented in lobbying of Government	Medium term	Recovery Management Team

Place and Environment

Action	What are we (or partners) already doing / proposing to do	Proposed way forward for WDBC	Timescales	Responsible – Team/Group /Strategy	
Built Environment					
2.3	2.3 Develop plans to support our future highstreets :	a) Team Devon are pursuing up to £15m funding for regeneration projects within Town's which will contribute to the visitor economy in 8 rural and coastal locations	WDBC to engage with Team Devon and Town Councils to ensure that Towns within the Borough are in the best position to access this funding.	Short term	Recovery Management Team
2.4	Seek views of retailers on what they consider the future high street experience could be		b) Ensure that WDBC Officer resource is available to support Towns in any application / bid process	Short term	Recovery Management Team
		c) Team Devon will seek investment to facilitate city/town centre living with an initial investment in development of vacant high street property in 3 pilot locations	Ensure that if considered appropriate, we bid for pilot funding for a West Devon town	Short term	Recovery Management Team
2.5	2.4 How do we encourage more shared spaces in our highstreets ? Costly to develop but can do in small parts. Also a Devon wide approach to marketing our highstreets	a)Team Devon will facilitate the safe use of public spaces through effective licencing and planning to encourage market traders to bring in activity and animate places	Ensure that our planning and licencing approach support the Team Devon proposals	Short/medium term	Recovery Management Team
		b) Team Devon will Lobby MP's re licencing changes for use of public spaces	Provide local lobbying of MP's aligned to Team Devon approach	Short term	Leader /Council
			c) Link in to action 1.2 to encourage Workhubs in empty high street spaces		
2.6	2.5 Explore the potential of public wifi access in our town centres		a) Discuss potential with key public broadband providers and link in with action 1.7a	Medium / Long term	Recovery Management Team

Residents, Communities and Partnerships

Action	What are we (or partners) already doing / proposing to do	Proposed way forward for WDBC	Timescales	Responsible – Team/Group /Strategy
Local Knowledge and Expertise				
3.1 Improve awareness of the support available from the Council and partners		Develop briefings / resources for our Town and Parish Council Colleagues on support available	Medium term	Recovery Management Team
Supporting Future Resilience				
3.5 Develop plans for how we harness and support the successful community response demonstrated through Covid-19	Team Devon are currently developing their response to any local lockdowns. WDBC is an active participant in these discussions.	Carry out a Covid-19 Lessons Learnt with key stakeholders including community groups and other responders (foodbanks etc)	Short term	Being carried out by Team Devon
		Encourage Town and Parish Councils to update emergency plans including considering details of volunteers	Medium term	Recovery Management Team

Service Recovery

Action	What are we (or partners) already doing / proposing to do	Proposed way forward for WDBC	Timescales	Responsible – Team/Group /Strategy
How we will resource activities within the recovery plan				
4.1 Consider the Accommodation Strategy in light of revised requirements for the future.	Work has been ongoing to ensure that we maximise the use of accommodation at KP	Accommodation Working Group to be re-established to consider our future accommodation requirements and any joint opportunities with South Hams (link in to developing Customer Access Strategy 4.4)	Short term	Accommodation Working Group
4.2 Review Strategic Capacity to deliver our future priorities.	Business Managers have undertaken a review of how we adapted service delivery during the initial Covid-19 response in order identify any future opportunities.	As Members priorities are developed from each of the themes, we will firm up resourcing and delivery plan.	Short term	Business Managers

Communications and Governance

Action	What are we (or partners) already doing / proposing to do	Proposed way forward for WDBC	Timescales	Responsible – Team/Group /Strategy
Strengthen our community leadership voice				
	Members have led a number of community zoom calls which have been successful in understanding local issues	b)Continue with the successful Member led Zoom calls with community groups	Short term	Members
Strengthening our regional voice and messaging				
5.6 Play an active part in the Team Devon response and recovery	This is ongoing. Officers and Leaders are already participating in Team Devon planning to ensure that our voice is reflected in final plans.	Continued engagement with HOTSW LEP, best practice sharing, horizon scanning etc.	Ongoing	Recovery Management Team
Strengthen Member engagement and development				
5.7 Explore potential for Member 360 reviews / appraisals as a way to support our Member Development programme		Engage with Devon Member Development team to develop an outline proposal	Short term	Political Structures Working Group
5.8 Include Member development opportunities from this action plan in the future programme including - Refresh on Council and Committee process – raising motions to Council etc - Social Media Engagement		Forward Plan of member training and development to be updated – consider timing of training – maybe half day formal meetings, half day training Roll out E-Learning for Members for some of the courses that need a regular refresh – Data Protection / FOI / Information Security / Safeguarding etc	Short term Short term	Political Structures Working Group Democratic Services / HR
Strengthen the decision making process				
5.9 Identify ways of understanding member views when developing policy and strategy – for example online polls		Identify best practice from other Local Authorities for consideration by PSWG	Short term	Political Structures Working Group

	5.10 Ensure that the Constitution reflects current ways of working and is easier to access online		Update by Monitoring Officer and PSWG	Medium term	Political Structures / Monitoring Officer
	5.12 Build on the positives of Informal Council	Informal Councils work well for free-flowing debate	Consider shorter, single topic discussions / briefings etc	Short term	Leader / Dem Services
	5.13 Opportunities to strengthen scrutiny		Explore opportunities for more 'experts' to inform Scrutiny discussions using technology	Medium term	Dem Services
Realising the benefits of remote meetings					
	5.14 Look to build on the benefits of remote meetings (supporting our carbon neutral aim and increasing ability to attend)	Current legislation enables formal remote meetings until May 2021. We continue to hold successful remote meetings.	Explore range of meetings that we could continue to hold remotely , which we should aim to reinstate face to face and where there is a hybrid	Ongoing	Political Structures working Group
		We have already begun looking at options for streaming meetings and better linking that stream to the associated papers	Officers will consider the process and technology used for participating in streaming meetings to see if any further improvements can be made or better public participation can be included	Short term	Recovery Management Team
	5.15 Understand the limitations of the Council Chamber for meetings given the likelihood for longer term social distancing		Consider future accommodation options	Short/Medium term	Accommodation Working Group
Closer Working with other Local Authorities					
		We have developed effective working relationships with other Devon Councils. Team Devon will support inclusive growth and community wealth building by bringing together anchor institutions (those large, typically public organisations) in order to maximise social gain through our procurement practices	West Devon Procurement Officer will engage with this group and identify potential joint opportunities.	Short term	Procurement Lead Officer

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Report to: **Council**

Date: **8 December 2020**

Title: **Planning Delegation Scheme**

Portfolio Area: **Cllr Caroline Mott /Cllr Neil Jory**

Wards Affected: **All**

Urgent Decision: **N** Approval and clearance obtained: **Y**

Date next steps can be taken: Immediately following this meeting

Author: **David Fairbairn** Role: **Head of Legal Services and Monitoring Officer**

Contact: **Telephone: 01803 861359/email: david.fairbairn@swdevon.gov.uk**

Recommendations:

It is recommended that the Council agrees the changes to the Scheme of Delegation set out in Appendix A.

1. Executive summary

- 1.1 At the following meeting on 24 November 2020 the Development Management and Licensing Committee agreed an action plan to implement the recommendations arising from the review of the decision to grant outline planning permission at Plymouth Road, Tavistock (Minute DM&L 36 refers). The action plan provided for a report to come before Council making initial proposals for changes to the Scheme of Delegation to clarify the scope of the Head of Development Management's delegated powers.

2. Background

- 2.1 On 27 October 2020 the Development Management and Licensing Committee considered the outcome of a review of concerns raised in connection with the grant of outline planning permission at Plymouth Road, Tavistock ("the Review"). The Committee agreed with the Review's recommendations which were aimed at:
 - 2.1.1 giving Members more information about planning applications;

- 2.1.2 ensuring that decisions on planning applications are taken on a sound basis;
 - 2.1.3 making the Council’s decision-making arrangements clearer and more accountable; and
 - 2.1.4 encouraging proactive and constructive working with town and parish councils on planning applications (Minute DM&L 25 refers).
- 2.2 This report seeks to give effect to the recommendations relating to scope of the Head of Development Management’s delegated powers and the call-in of applications by members. Those amendments are set out in Appendix A.
- 2.3 Further proposals to clarify the scheme of delegation as it relates to the roles of the Development Management and Licensing Committee and the Director Place and Enterprise as well as enforcement delegated powers will be the subject of a wider review of the scheme of delegation.

3. Outcomes/outputs

- 3.1 The Council aims to deliver efficient and effective services, working together with its communities, while protecting the natural environment. In granting planning permission the Council has the ability to affect the lives of those in its community.
- 3.2 Providing clarity as to decision making helps ensure that decisions are taken lawfully and in a way that is understood by the public.

4. Options available and consideration of risk

- 4.1 A lack of clarity and transparency in decision making can result in a risk of reputational damage. Not making the changes would result in the sorts of concern that led to the Review being raised.

5. Proposed Way Forward

- 5.1 The proposals are the first of the actions that have been agreed as part of the Action Plan to implement the Review recommendations.

6. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance	Y	The Council’s Scheme of Delegation under the Local Government Act 1972 sets out who is to make the decision and any internal procedures to be followed.

Financial implications to include reference to value for money	N	There are no financial implications arising from the report.
Risk	Y	If agreed the recommendations in the Review the Council will reduce the risks of reputational damage, legal non-compliance, poor performance and customer satisfaction.
Supporting Corporate Strategy	Y	Please see paragraph 3.1 of the main body of the report.
Climate Change - Carbon / Biodiversity Impact	N	There are no direct climate change, carbon or biodiversity impacts arising from this report.
Comprehensive Impact Assessment Implications		
Equality and Diversity	N	There are no direct equality and diversity implications arising from this report.
Safeguarding	N	There are no direct safeguarding implications arising from this report.
Community Safety, Crime and Disorder	N	There are no direct community safety, crime and disorder implications arising from this report.
Health, Safety and Wellbeing	N	There are no health, safety and wellbeing implications arising from this noting report.
Other implications		

Supporting Information

Appendices:

Appendix A – Revisions to the Head of Development Management’s delegated powers.

Background Papers:

None

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Planning Delegation - Development Management

Definitions:

- **HoP Lead:** Community of Practice Lead Specialist Development Management
- **In writing:** shall include email
- **DM Committee:** Development Management & Licensing Committee at West Devon Borough Council
- **Working days:** days which are not weekends or bank holidays
- **Planning Application:** full, outline and reserved matters only
- **Representation:** means representations from any source excluding internal consultees
- **Immediate family:** parent, spouse, child, sibling (including 'step' and 'adopted')

1. General Planning Delegation to Officers

1.1 Subject to paragraphs 1.2 and 1.3 below, the HoP Lead has delegated authority for all functions assigned to the DM Committee under the Town and Country Planning Acts, Orders, and Regulations except those Planning Applications; Listed Building Consents; Advertisement Consents; TPO final confirmations (excluding emergency TPOs); and Works to TPO trees, which:

1.1.1 relate to the Council's own land;

1.1.2 include proposals under which the Council may acquire an interest in or over all or any part of the land or buildings proposed to be developed;

1.1.3 is an application submitted by a Councillor (or an immediate family member), (including Councillor as agent or professional advisor) or an Officer (or an immediate family member); or

1.1.4 which in the reasonable opinion of the HoP Lead are of sub-regional or district-wide significance or which due to all of the circumstances of an application including the scale and nature of the development proposed; the degree of compliance with the Joint Local Plan or national planning policy; any technical issues raised; or the number of representations received etc it is appropriate for the application ought to be determined by the DM Committee.

1.2 In the case of Planning Applications, Listed Building Consents, Advertisement Consent Applications and TPO Confirmations (excluding emergency TPOs) and Works to TPO trees, where any written representations are received, including those from a Parish or Town Council, which are contrary to the HoP Lead's recommendations and where the representations are considered to raise material and relevant planning issues, the HoP Lead shall have delegated authority to determine these the matter in accordance with the HoP Lead's recommendation only where and subject to paragraph 1.3:

1.2.1 agreement to issuing a delegated decision has been ~~sought~~ requested in writing from the Ward Member(s) and,

- 1.2.2 no written request (supported by material planning reasons) to call the application to DM Committee has been received from the Ward Member(s) within the notification period. The notification period is defined as **five working days**, ~~unless a Ward Member requests an extension of time (of up to 48 hours) and giving good reason for doing so.~~ The notification period commences when the Ward Member has been notified of the request that a delegated decision be made.
- 1.3 Where the HoP Lead's recommendation is to grant planning permission subject to the completion of a section 106 agreement on the heads of terms set out in the report accompanying the request to issue a delegated decision and either:
- 1.3.1 there is a material difference between the heads of terms and the final section 106 agreement; or
- 1.3.2 it has not been possible to complete the section 106 agreement on those heads of terms within three months of the date on which the Ward Member agreed to the decision being dealt with under delegated powers or in the event that the Ward Member did not reply to the request to agree to the exercise delegated powers by the Hop Lead, the date by which the Ward Member was asked to reply,
- the HoP Lead shall re-consult the Ward Member in accordance with paragraph 1.2. It would be expected that the Ward Member would only depart from their previous position where the change was material and of sufficient weight so as to be capable of tipping the planning balance, or in the case of the non-completion of the section 106 agreement where the applicant has not engaged fully and as a result there is no realistic prospect of agreement being reached in the near future.
- 1.4 Where a Ward Member is unavailable for consultation (for whatever reason e.g. holiday, DPI or other interest) then s/he should nominate an alternative member to carry out this role and notify Member Services and the HoP Lead accordingly in writing

2 Call-in to DM Committee by Members

- 2.1 Any Members can call any Planning Applications, Listed Building Consents, Advertisement Consents, TPO final confirmations (excluding emergency TPOs), and Works to TPO trees to DM Committee, by notifying the HoP Lead with material planning reasons, prior to the expiry of the public consultation period. Non-Ward Members will only call in an application after confirming that they have consulted ~~consultation~~ with Ward Member(s).
- 2.2 ~~For the avoidance of doubt all Members in a multi-Member ward shall be notified/consulted by the HoP Lead~~ Ward Members can call any Planning Applications, Listed Building Consents, Advertisement Consents, TPO final confirmations (excluding emergency TPOs), and Works to TPO trees in their ward to DM Committee by notifying the HoP Lead with material planning issues at any time prior to the expiry of the consultation period referred to on paragraph 1.2.2 above.
- ~~2.3 Unless a Ward Member requests an extension of time of up to 48 hours for a response, s/he must advise the HoP Lead of his/her views within **three working days of being notified.**~~

2.4 In the absence of a ~~Ward Member consultation response~~ Member call-in request within the permitted time frames, the HoP Lead shall determine the matter ~~in accordance with the officer recommendation, without the Member's views.~~

2.5 Where a Ward Member is unavailable for consultation (for whatever reason e.g. holiday, DPI or other interest) then s/he should nominate an alternative member to carry out this role and notify Member Services accordingly in writing

3 Action on decisions of the DM Committee

3.1 Where the Committee **approves** an application, the HoP Lead will issue the Approval Notice including such conditions as are reasonably required to give effect to the Committee's decision.

3.2 Where the Committee **refuses** an application which the HoP Lead recommended should be approved, the Committee shall give the reasons for the decision, but the HoP Lead shall determine the precise wording of the reasons for refusal.

4 Enforcement [outside of the terms of the Review]

5 Section 106 Agreements

5.1 The HoP Lead may:

5.1.1 authorise the execution of a section 106 agreement where required in advance of the grant of planning permission or in connection with a planning appeal against the refusal of permission by the Council.

5.1.2 in consultation with the Ward Member, vary the terms of a section 106 agreement (or take such other action as necessary) to secure the objectives of the Committee which agreed the 106 agreement

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Report to: **Council**
Date: **8 December 2020**
Title: **Car Parking Charges**
Portfolio Area: **Car Parking (Cllr Terry Pearce)**
Wards Affected: **All**
Urgent Decision: **N** Approval and clearance obtained: **Y**

Date next steps can be taken: Immediately following this meeting.

Author: **Emma Widdicombe** Role: **Senior Specialist Parking**

Contact: Emma.Widdicombe@swdevon.gov.uk

Recommendations:

That Council is RECOMMENDED to:

- 1. Amend the pay and display charges in the long stay West Devon off street car parks in accordance with Appendix A.**
- 2. Make consequential changes to the Council's Off Street Parking Places Order 2015.**

1. Executive summary

- 1.1 At the meeting of full Council on February 18th 2020 (CM 64), it was agreed work be commissioned firstly, to review the range of current tariffs in different car parks across the borough and secondly, to model the effect of increasing car parking fees by approximately 4% in 2020/21. This was undertaken on the basis car parking fees would not increase in 2021/22.
- 1.2 This report requests Members consider the recommendation to amend pay and display charges in accordance with Appendix A.
- 1.3 These changes are not proposed to increase income but instead, the amendments are intended, by an increase in cost of long stay parking, to increase the turnover of parking bays and as a result, contribute to the vibrancy of towns in the Borough.

2. Background

- 2.1 Following the Council meeting on the 28th April (CM80) where the decision was taken to defer the outcome of the pay & display review to a future Council meeting for consideration due to the COVID-19 pandemic, this report now requests that members consider the recommendation to amend the pay & display charges in accordance with Appendix A. This decision was made on the basis that car parking fees would not increase again in 2021/22. The last fee increase was July 2018.
- 2.2 A decision was taken to delay implementation of the parking increase until a time when communities were not battling with the first wave of the COVID crisis.
- 2.3 Further to the agreement for work to be commissioned to review the range of tariffs and to model the effect of increasing car parking fees by approximately 4%, Officers have been engaging with key stakeholders and ward members. The changes have been discussed and comments taken on board prior to arriving at the final proposal ahead of formal consultation.
- 2.4 The proposed increase in parking charges was originally intended for implementation in April 2020/21. The COVID-19 pandemic has seen the Council and our communities facing unrepresented times and the review was therefore placed on hold. However, should the recommendations be resolved and public consultation receive limited objections, it is proposed any increase be implemented at the beginning of March 2021.
- 2.5 It is recognised the position reached in Appendix A does not represent all stakeholder requests. However, it does reflect the aims of our tariffs to meet community need and encourage increased town centre footfall and economic vibrancy.

3. Outcomes/outputs

- 3.1 In order to manage car park use, it is recommended the cost of long stay parking is increased to encourage turnover of vehicles. It is anticipated this will, in turn, improve the vibrancy of towns and provide visitors and shoppers better access to parking.
- 3.2 Following the parking survey previously conducted, there was a view the single long stay tariff, implemented in Tavistock when car parks were underused, is now outdated. There is now a requirement to allow more flexibility in the use of car parks.
- 3.3 It is anticipated the recommended amendments to the pay and display charges will result in increased turnover in car parks and better availability of parking for visitors and shoppers.

3.4 The new charges will be monitored closely by officers.

4. Options available and consideration of risk

- 4.1 Consultation has been undertaken with town councils and key stakeholders.
- 4.2 A further 21 day public consultation will be undertaken following the meeting.
- 4.3 During the consultation period, customers who wish to object to or comment on recommendations will have the opportunity to do so. It is anticipated this exercise will commence in January 2021. Objections will be considered prior to implementation of any changes.
- 4.4 A recent survey for parking in Tavistock highlighted a number of respondents wanted a sliding scale of charges to be reintroduced, due to the perception available parking in the town is scarce.
- 4.5 Appendix A shows the revised pay and display tariffs. It is anticipated the use of all day parking tariffs will reduce with customers opting to purchase the 4 hour tariff instead.

5. Proposed Way Forward

- 5.1 The proposed amendments to the Off Street Parking Places Order proceed in accordance with the recommendations.
- 5.2 Should the Recommendations be accepted, the following steps will occur:
 - a. A 21 day consultation commences (Jan 2021) to which customers will be alerted by a notice in the local press and on the Council's website, together with notices in all affected car parks. This will allow customers to make comments on and/or objections to the proposals, should they wish to do so.
 - b. If a significant number of representations are received, the matter would be referred to the Hub Committee for further consideration,
 - c. Otherwise, the detailed implementation of recommendations should be delegated to the Head of Assets in consultation with the Portfolio Holder for car parking for implementation.

5.3 This proposal fits with the following priorities:

Council
Communities
Environment

6. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance	Y	<p>The Council has power to provide and to regulate off-street parking under the Road Traffic Regulation Act 1984 The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 set out the procedures to be followed before and after making any order regulating the use of car parks.</p> <p>The Council has the power to deal with the provision, management and control of car parks.</p>
Financial implications to include reference to value for money		<p>The cost of implementing the changes will be met from the car parking budget.</p> <p>The difference between the income and expenditure on Off Street Car Parking is used to support costs associated with the operation and maintenance of parking services, its infrastructure and the maintenance of off street car parks. It is also used to support and provide other Council services such as street cleansing, parks and open spaces and other lawfully incurred identified expenditure.</p>
Risk		<p>There is a risk that a significant number of objections to the proposals may be received, which would postpone any implementation, as the objections would have to be considered by Hub Committee ahead of any changes.</p> <p>The forecast financial position may not be achieved if the tariff does not drive usage as modelled.</p>
Supporting Corporate Strategy		Council Communities Environment

Climate Change - Carbon / Biodiversity Impact		There are no negative impacts. There may be small positive impacts with customers considering alternative means of transport or care sharing.
Comprehensive Impact Assessment Implications		
Equality and Diversity		No implications.
Safeguarding		No implications.
Community Safety, Crime and Disorder		No implications.
Health, Safety and Wellbeing		No implications.
Other implications		None.

Supporting Information

Appendices:

Appendix A – proposed Pay and Display charges.

Background Papers:

Council Report of the 28th April 2020

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Appendix A

Current Parking Tariffs

Parking Place	Max Waiting Period	1/2 hour	1 hour	2 hours	3 hours	4 hours	all day
TAVISTOCK							
Abbey	4 hours	£0.70	£1.30	£2.00	£2.60	£3.00	
Bedford	all day						£2.50
Brook Street	3 hours/all day		£1.30	£2.00	£2.60		£2.50
Riverside	all day						£2.00
Bedford Sawmills	all day			£1.20			£2.40
Chapel Street	3 hours	£0.70	£1.30	£2.00	£2.60		
Wharf	3 hours	£0.70	£1.30	£2.00	£2.60		
Russell Street	2 hours	£0.70	£1.30	£2.00			
Bank Square	1 hour	£0.70	£1.30				
Guildhall	1 hour	£0.30	£0.60				
OKEHAMPTON							
Mill Road	all day			£1.50		£2.00	£2.50
Market Street	3 hours	£0.50	£1.00	£1.80	£2.20		
HATHERLEIGH							
Hatherleigh	all day		£0.30	£1.00	£1.10	£1.60	£2.20
CHAGFORD							
Chagford	all day		£0.50	£1.00	£1.50	£2.00	£2.50

Proposed Tariff Increase (those tariffs effected highlighted in grey)

Parking Place	Max Waiting Period	1/2 hour	1 hour	2 hours	3 hours	4 hours	all day
TAVISTOCK							
Abbey	4 hours	£0.70	£1.30	£2.00	£2.60	£3.00	
Bedford	all day					£2.00	£4.00
Brook Street	3 hours/all day		£1.30	£2.00	£2.60		£4.00
Riverside	all day						£2.50
Bedford Sawmills	all day			£1.20			£2.40
Chapel Street	3 hours	£0.70	£1.30	£2.00	£2.60		
Wharf	3 hours	£0.70	£1.30	£2.00	£2.60		
Russell Street	2 hours	£0.70	£1.30	£2.00			
Bank Square	1 hour	£0.70	£1.30				
Guildhall	1 hour	£0.50	£1.00				
OKEHAMPTON							
Mill Road	all day			£1.70		£2.40	£3.00
Market Street	3 hours	£0.50	£1.00	£1.80	£2.20		
HATHERLEIGH							
Hatherleigh	all day	£0.30	£0.50	£1.00	£1.30	£1.60	£2.20
CHAGFORD							
Chagford	all day		£0.50	£1.20	£1.60	£2.00	£3.00