

WEST DEVON COUNCIL



West Devon
Borough
Council

Minutes of a meeting of the **West Devon Council** held on **Tuesday, 23rd July, 2019** at **4.00 pm** at the **Chamber - Kilworthy Park**

Present: **Councillors:**

Chairman Cllr Leech
Vice Chairman Cllr Mott

Cllr Ball	Cllr Bolton
Cllr Bridgewater	Cllr Cheadle
Cllr Coulson	Cllr Crozier
Cllr Davies	Cllr Daniel
Cllr Edmonds	Cllr Ewings
Cllr Heyworth	Cllr Hipsey
Cllr Jory	Cllr Kemp
Cllr Moody	Cllr Moyse
Cllr Pearce	Cllr Ratcliffe
Cllr Samuel	Cllr Sellis
Cllr Southcott	Cllr Vachon
Cllr Wood	Cllr Yelland

In attendance:

Officers:
Chief Executive
Deputy Monitoring Officer
Senior Specialist – Democratic
Services

20. **Apologies for Absence**

Apologies for absence were received from Cllrs P Kimber, C R Musgrave, M Renders, P J Ridgers and J Spettigue.

21. **Declarations of Interest**

The Mayor invited Members to declare any interests in the items of business to be considered during the course of the meeting and these were recorded as follows:-

Cllr T G Pearce declared a personal interest in Item 9 (ii): 'Minutes of Committees: (b) Hub Committee and specifically Unstarred Minute HC 08 'Community Housing Delivery – Capital Requirements' (Minute CM 24 b ii below refers) by virtue of being the Chairman of Brentor Parish Council and he remained in the meeting during the debate and vote on this unstarred minute; and

Cllrs K Ball and J Yelland both declared a Disclosable Pecuniary Interest in Item 9 (ii): 'Minutes of Committees: (b) Hub Committee and specifically Unstarred Minute HC 17 'Parking Order Amendments – Electrical Charging and Additional Parking in Okehampton' (Minute CM 24 b iv below refers). Cllr Ball declared his interest by virtue of one of the three areas being in close proximity to his home address and Cllr Yelland declared her interest by virtue of her husband's business interests and, whilst both Members remained in the meeting, they abstained from the vote on this unstarred minute.

22. **Confirmation of Minutes**

It was moved by Cllr N Jory, seconded by Cllr L Samuel and upon the motion being submitted to the Meeting was declared to be **CARRIED** and **"RESOLVED** that the Council agree the Minutes of the 21 May 2019 Annual Meeting as a true record."

23. **Business brought forward by or with the consent of the Mayor**

The Mayor advised that he had agreed for one item of urgent business to be raised at this meeting that related to Housing Standards. This item had been deemed urgent in light of the time constraints associated with this matter.

At this point, the Mayor invited Cllr T G Pearce to **PROPOSE** the following motion:

'This Council will lobby MPs and write to MHCLG to express its concerns about the standards of new housing, calling for:

- 1. A minimum number of inspections to be carried out on every new dwelling by the Building Control body, local authority or private sector;*
- 2. Quality of work to be incorporated to a higher degree than present, in the Building Regulations;*
- 3. Newly constructed timber framed housing to be included in the Governments Building Safety Programme; and*
- 4. Local Authorities to become the sole provider of Building Control, at least on high risk and all new residential buildings.'*

The motion was then **SECONDED** by Cllr R Cheadle.

In his introduction, the proposer made reference to:-

- there being an increased number of build issues relating to the construction of new dwellings. In addition, this problem was magnified as a result of national building companies frequently employing their own Building Inspectors. As an example, it was often the case that private Building Inspectors would undertake one site inspection and a desktop survey, in comparison to up to six visits that were carried out by officers employed by the Devon Building Control Partnership;
- a version of this motion having already been approved by South Hams and Teignbridge District Councils;
- the competitive nature of the market resulting in price margins being incredibly tight, which was proving to be to the detriment of build standards.

During the ensuing debate, the following points were raised:-

- (a) It was noted that this issue was being experienced across the country and a number of local authorities were in the process of approving similar motions and were lobbying central government and their local MPs accordingly;
- (b) Some concerns were expressed over part 4 of the motion and an amendment was **PROPOSED** and **SECONDED** as follows:

‘That Building Control on high risk and all new residential buildings is to be carried out by properly accredited surveyors independent of the Developers.’

At the invitation of the Mayor, the Deputy Monitoring Officer advised that, since private Inspectors were deemed as being independent of the Developers, then this amendment would simply result in the status quo being retained.

In light of this advice, the proposer and seconder proceeded to withdraw their amendment;

- (c) To reassure the wider membership, some Members were of the view that any attempts to improve build quality standards should be supported.

Upon being submitted to the Meeting, it was then declared to be **CARRIED** and **RESOLVED** that:

This Council will lobby MPs and write to MHCLG to express its concerns about the standards of new housing, calling for:

1. A minimum number of inspections to be carried out on every new dwelling by the Building Control body, local authority or private sector;
2. Quality of work to be incorporated to a higher degree than present, in the Building Regulations;
3. Newly constructed timber framed housing to be included in the Governments Building Safety Programme; and

4. Local Authorities to become the sole provider of Building Control, at least on high risk and all new residential buildings.”

24.

To receive the Minutes of the following Committees, to note the delegated decisions and to consider the adoption of those Unstarred Minutes which require approval

a. Development Management and Licensing Committee – 4 June 2019

It was moved by Cllr J Yelland, seconded by Cllr T G Pearce and upon being submitted to the Meeting was declared to be **CARRIED** and **“RESOLVED** that the Minutes of the 4 June 2019 meeting be received and noted”.

b. Hub Committee – 4 June 2019 and 16 July 2019

It was moved by Cllr N Jory, seconded by Cllr L Samuel and upon being submitted to the Meeting was declared to be **CARRIED** and **“RESOLVED** that the Minutes of the 4 June 2019 and 16 July 2019 meetings be received and noted, with the exception of Unstarred Minutes HC 07, HC 08, HC 13, HC 14, HC 16 (parts 3 and 4 only), HC 17 and HC 19”. With regard to Unstarred Minutes HC 13, HC 14 and HC 19, it was noted that these were to be considered later at this meeting (Minutes CM 25, CM 26 and CM 27 below refer).

In respect of the remaining Unstarred Minutes:

i. HC 07 Devon Housing Assistance Policy

It was moved by Cllr N Jory, seconded by Cllr L Samuel and upon being submitted to the Meeting was declared to be **CARRIED** and **“RESOLVED** that the existing 2018-19 Homes Assistance Policy be updated with the revised 2019-21 Devon Housing Assistance Policy.”

ii. HC 08 Community Housing Delivery

It was moved by Cllr N Jory, seconded by Cllr L Samuel and upon being submitted to the Meeting was declared to be **CARRIED** and **“RESOLVED** that:

1. Community Housing Development expenditure of up to £4.3 million be approved to build out the first two Community Housing Schemes thereby delivering 29 residential units;
2. funding of up to £4.3 million be approved from a combination of internal borrowing and external borrowing (from the Public Works Loan Board);
3. specialist Treasury Management and Legal advice be taken on the optimum way of financing the Community Housing schemes and the proposals outlined in the published agenda report that was presented to the Hub Committee meeting;

4. authority be delegated to the Head of Assets Practice and the Section 151 Officer to approve associated long leaseholds and disposals, in consultation with the Leader of the Council.”

iii. **HC 16 Medium Term Financial Position for 2020/21 Onwards**

It was moved by Cllr N Jory, seconded by Cllr L Samuel and upon being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that:

1. the Borough Council consults with all of the Town and Parish Councils within the Borough on the basis that the Borough Council is ‘minded to’ withdraw the Council Tax Support Grant from Town and Parish Councils with effect from 1 April 2020; and
2. a capital budget provision be approved for remedial works to the Tavistock Viaduct with the budget provision being funded from usable capital receipts.

iv. **HC 17 Parking Order Amendments – Electrical Charging and Additional Parking in Okehampton**

It was moved by Cllr N Jory, seconded by Cllr L Samuel and upon being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that:

1. the three areas in Okehampton (named: ‘North Road’, ‘Rear of Northfield Road’ and ‘Neville Road’) be added to the Off Street Parking Places Order so that the land may be protected for the future and so that enforcement may be undertaken; and
2. the Off-Street Parking Places Order be amended to include reference to Electric Charging Points to thereby enable future provision and enforcement.”

c. **Overview and Scrutiny Committee – 11 June 2019 and 9 July 2019**

It was moved by Cllr M V L Ewings, seconded by Cllr A Coulson and upon being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that the Minutes of the 11 June 2019 and 9 July 2019 meetings be received and noted, with the exception of unstarred minute O&S 18”.

In respect of the unstarred minute:

i. **O&S 18 Overview and Scrutiny Annual Report**

It was moved by Cllr M V L Ewings, seconded by Cllr A Coulson and upon being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that the Overview and Scrutiny Annual Report for 2018/19 be approved.”

d. Audit Committee – 25 June 2019

It was moved by Cllr M Davies, seconded by Cllr S Hipsey and upon being submitted to the Meeting was declared to be **CARRIED** and **"RESOLVED** that the Minutes of the 25 June 2019 meeting be received and noted".

25. **Tavistock Hotel Action Plan Update**

Members considered a report that sought approval of the Action Plan arising from the Internal Audit report on Tavistock Hotel.

The lead Hub Committee Member introduced the report and, with no questions or debate ensuing, it was then proposed by Cllr C Edmonds, seconded by Cllr L Samuel and upon being submitted to the Meeting was declared to be **CARRIED** and **"RESOLVED** that the contents of the Internal Audit report (Tavistock Hotel) Action Plan be approved."

26. **Commercial Investment Strategy**

The Council considered a report that sought approval of the revised Commercial Investment Strategy.

In discussion, the following points were raised:

- (a) In the event of the revised Strategy being approved, it was recognised that there were opportunities in renewable energy storage and generation that could then be explored by the Invest to Earn Committee;
- (b) Reassurances were given to the meeting that the proposed revisions would not provide any additional restrictions or limitations on the Committee when it considered investment decisions.

It was then proposed by Cllr R Cheadle, seconded by Cllr T G Pearce and upon being submitted to the Meeting was declared to be **CARRIED** and **"RESOLVED** that the updated Commercial Investment Strategy be approved."

27. **SLT Restructure**

Consideration was given to a report that sought to approve a revised Senior Leadership Team structure, roles and salaries.

(During the debate on this item, the Senior Leadership Team left the meeting room).

In discussion, Members wished to acknowledge the work that had been put in by the Chief Executive; Group Manager – Support Services and Customer First; and the Section 151 Officer since two of the current Group Manager posts had become vacant in May 2019.

It was then proposed by Cllr N Jory, seconded by Cllr L Samuel and upon being submitted to the Meeting was declared to be **CARRIED** and **"RESOLVED** that:

1. With effect from 1 September 2019, a new Senior Leadership Team structure be developed that has the capacity to meet the Councils' needs and addresses four requirements:
 - Customer Facing;
 - Community Facing;
 - Financial; and
 - Governance and Assurance.

To meet these requirements, the team will comprise of the Chief Executive and four Director Roles: Strategic Director of Customer Service and Delivery; Strategic Director of Place and Enterprise; Corporate Director of Governance and Assurance; and Corporate Director of Strategic Finance (and Section 151 Officer).

For each of the four Director roles, the role profiles and salaries be approved as set out in Appendix A of the presented agenda report;

2. That the Chief Executive be requested to review and implement changes to the Extended Leadership Team and pay structure to take account of the new Senior Leadership Team structure, other recent changes in the organisation and benchmarking data by the end of December 2019; and
3. That it be noted that the combined restructures will achieve ongoing annual revenue savings estimated to be at least £120,000 per annum (£60,000 per annum for each Council)."

28. **Climate Change Emergency Update**

A report was considered that outlined recent developments with regard to Climate Change and that set out initial proposals to investigate how the Council could further reduce its carbon footprint in response to the Intergovernmental Panel on Climate Change (IPCC) report and the declaration of a Climate Change and Biodiversity Emergency.

In discussion, reference was made to:-

- (a) the next Working Group meeting having been scheduled to be held on 13 August 2019;
- (b) the significance of maritime issues on Climate Change. In response to a Member being of the view that there was a lack of emphasis currently being given to maritime issues, officers committed to raise this point at the next Tactical Officer Group meeting;

- (c) the Committee report template. To reflect its significance, a Member asked that consideration be given to updating the Committee report template to include Climate Change implications as an additional category;
- (d) a recent presentation. A Member highlighted his attendance at a recent global warming presentation and advised that he would circulate a copy of the presentation material to all Members.

It was then proposed by Cllr M Davies, seconded by Cllr C Kemp and upon being submitted to the Meeting was declared to be **CARRIED** and **"RESOLVED** that:

1. authority be delegated to the Head of Paid Service, in conjunction with the Leader of the Council, to sign the 'Devon Climate Declaration';
2. the progress of the Climate Change and Biodiversity Working Group (established in response to the declaration of a 'Climate Change and Biodiversity Emergency' at the Annual Council Meeting on 21 May 2019) be noted; and
3. that the Climate Change and Biodiversity Working Group develop an Action Plan to be presented back to the Council for approval at its 10 December 2019 meeting."

29.

Outside Bodies

Members considered a report that requested that the Council made appointments to two additional Outside Bodies: the Tavistock College Endowment Fund and the Tavistock Townscape Heritage Partnership.

The Council proceeded to note that the Group Leaders had been invited to submit their nominations for these Outside Bodies and the following had been received:

- Tavistock College Endowment Fund Trustees – two nominations (Cllrs M Ewings and J Yelland) for one position; and
- Tavistock Townscape Heritage Partnership – one nomination (Cllr A Bridgewater) for one position.

It was then proposed by Cllr N Jory, seconded by Cllr L Samuel and upon being submitted to the Meeting was declared to be **CARRIED** and **"RESOLVED** that for the remainder of the 2019/20 Municipal Year:

1. the Council be represented by Cllr J Yelland on the Tavistock College Endowment Fund Trustees and Cllr A Bridgewater on the Tavistock Townscape Heritage Partnership;
2. attendance at meetings of these Bodies be regarded as an 'Approved Duty' (for the purposes of Members' Allowances); and

3. these appointed Members provide regular feedback and consultation on issues affecting the Bodies concerned.”

The Meeting concluded at 5.30 pm

Signed by:

Chairman
