

WEST DEVON COUNCIL



West Devon
Borough
Council

Minutes of a meeting of the **West Devon Council** held on **Tuesday, 22nd November, 2022** at **4.00 pm** at the **Chamber - Kilworthy Park**

Present: **Councillors:**

Chairman Cllr Mott
Vice Chairman Cllr Pearce

Cllr Ball	Cllr Blackman
Cllr Bolton	Cllr Cheadle
Cllr Daniel	Cllr Edmonds
Cllr Ewings	Cllr Heyworth
Cllr Jory	Cllr Kimber
Cllr Leech	Cllr Moody
Cllr Moyse	Cllr Ratcliffe
Cllr Renders	Cllr Samuel
Cllr Southcott	Cllr Spettigue
Cllr Turnbull	Cllr Yelland

In attendance:

Councillors:
Cllr Kemp (via Teams) Cllr Vachon (via Teams)
Cllr Wood (via Teams)

Officers:
Chief Executive
Deputy Chief Executive
Section 151 Officer
Director – Place & Enterprise
Monitoring Officer
Democratic Services Manager
Senior Specialist – Climate Change (via Teams)
Head of Environmental Health & Licensing (via Teams)

45. **Moment's Reflection**

CM 45/22

Since this was the first meeting of Full Council since former Mayor and West Devon Borough Councillor, Robin Musgrave, had sadly passed away, Members stood to observe a moment's reflection in his memory.

46. **Apologies for Absence**
CM 46/22
Apologies for absence were received from Cllrs Bridgewater, Coulson, Crozier, Davies, Kemp (who joined the meeting via Teams in a non-voting capacity) Ridgers, Sellis, Vachon (who joined the meeting via Teams in a non-voting capacity) and Wood (who joined the meeting via Teams in a non-voting capacity).
47. **Confirmation of Minutes**
CM 47/22
The minutes of the Council meeting held on 27 September 2022 were confirmed as a true and correct record.
48. **Declarations of Interest**
CM 48/22
Members were invited to declare any interests in the items of business to be discussed and the following were made:

Cllr A F Leech declared a personal interest in Item 8 'Minutes of Committees (Minute CM 53/22 (c) below refers) by virtue of being a Trustee of the Okehampton Community Transport Group. He remained in the meeting and took part in the debate and vote thereon;
49. **Business brought forward by or with the consent of the Mayor**
CM 49/22
The Mayor informed that she had one item of business to bring forward to the Meeting which pertained to fundraising for her chosen Charity for the year, the North Dartmoor Search and Rescue Group.
50. **The Mayor or person presiding to answer questions which people in West Devon can ask and to receive deputations or petitions under Council Procedure Rule 21**
CM 50/22
The Mayor informed the Meeting that no Public Questions had been received in accordance with the Council Procedure Rules.
51. **To consider (any) questions submitted under Council Procedure Rule 21**
CM 51/22
Members noted that no Questions on Notice had been received from the membership in accordance with the Council Procedure Rules.
52. **To consider (any) Motions of which notice has been duly submitted by Members in accordance with Council Procedure Rule 15**
CM 52/22

The Mayor advised that no Motions on Notice had been received from the membership in accordance with the Council Procedure Rules.

53.

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

CM 53/22

a. Audit Committee Meetings - 5 July 2022 and 6 September 2022

It was moved by Cllr K Ball, seconded by Cllr Yelland and upon being submitted to the Meeting was declared to be **CARRIED** and **"RESOLVED** that the Minutes of the meetings held on 5 July 2022 and 6 September 2022 be received and noted.

b. Overview and Scrutiny Committee Meetings - 26 July 2022 and 4 October 2022

It was moved by Cllr M Ewings, seconded by Cllr P Kimber and upon being submitted to the Meeting was declared to be **CARRIED** and **"RESOLVED** that the Minutes of the meetings held on 26 July 2022 and 4 October 2022 be received and noted.

c. Hub Committee Meetings - 27 September 2022 and 1 November 2022

It was moved by Cllr N Jory, seconded by Cllr C Edmonds and upon being submitted to the Meeting was declared to be **CARRIED** and **"RESOLVED** that the Minutes of the 27 September 2022 and 1 November 2022 meetings be received and noted with the exception of Recommendations HC 38/22 Part 1 (1-5), HC 49/22 (Parts 2, 3 and 4) and HC 55/22".

In respect of the Recommendations:

HC 38/22 Medium Term Financial Strategy 2023/24 to 2025/26

It was moved by Cllr N Jory, seconded by Cllr C Edmonds and upon being submitted to the Meeting was declared to be **CARRIED** and **"RESOLVED** that the Council:

1. continue to respond to Government consultations on Business Rates Reform; and
2. continue to actively lobby and engage with the Government, Devon MPs, South West Councils and other sector bodies such as the District Councils' Network and the Rural Services Network, for a realistic business rates baseline to be set for the Council for 2024 onwards, when the business rates reset is predicted to happen (NB. this is the earliest date it might happen);

3. continue to lobby both in support of the Government eliminating Negative Revenue Support Grant in 2023/24 (and thereafter) and for Rural Services Delivery Grant allocations which adequately reflect the cost of rural service provision;
4. note the strategic intention with its Council Tax setting strategy (as set out in paragraph 3.6 of the published agenda report). (NB. the actual council tax for 2023/24 will be decided by Council in February 2023); and
5. use the Revenue Grant Earmarked Reserve to fund the Council's share of the costs of a two-year fixed term post responsible for driving improved customer service and operational efficiency by exploiting technology and transformation (as set out in Appendix D, section 1.9 of the presented report to the Hub Committee). (The total cost for West Devon is £80,000)."

HC.49/22 Key Partnership Agreements

It was moved by Cllr N Jory, seconded by Cllr C Edmonds and upon being submitted to the Meeting was declared to be **CARRIED** and **"RESOLVED**

2. that the funding for the following key partners be extended for a further two years as follows:
 - West Devon CVS £5,100;
 - OCRA Sport £1,333;
 - Okehampton Community Transport £6,533;
 - Tavistock Community Transport £6,533;
 - Young Devon £2,500; and
 - World Heritage Site £4,000;
3. that an increase in funding for each of the next two years' in recognition of the additional support required by Citizens Advice be agreed;
4. that the decision taken at the Hub Committee meeting held on 27 September 2022 to continue to financially contribute £8,835 to the Tamar Valley AONB Partnership be noted."

HC.55/22 Devon Carbon Plan

In debate a Member questioned why the Council was being recommended to 'note' and not to 'endorse' the Devon Carbon Plan as set out in the original report to the Hub Committee meeting. In reply, the Leader stated that:

- The Council was very supportive of the work being undertaken by Devon County Council to reduce carbon emissions, but that the Borough Council must concentrate on what it could do

effectively to reduce the organisation's carbon footprint and to support all local communities to play a role in reducing emissions and capturing carbon;

- The Hub Committee recommendation provided an opportunity for the Council to take an in-depth look at and revise its own Action Plan and assess how the recommendations contained within it might particularly affect rural communities;
- In addition to revising the West Devon Action Plan, this was an opportunity to assess the financial and resource implications to show how the Council would contribute to the delivery of the Devon Carbon Plan;
- A Natural Environment Hub Advisory Group meeting had been arranged for early December to consider the Devon Carbon Plan and to bring forward specific actions that were relevant to the Borough Council's equivalent Plan.

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

1. the ambition and objectives set out within the Devon Carbon Plan be noted, and
2. the Council's Climate Change Strategy and Action Plan be revised and the financial and resource implications required be assessed to show how it would contribute to delivering the Devon Carbon Plan."

d. Development Management and Licensing Committee Meeting - 11 October 2022

It was moved by Cllr J Yelland, seconded by Cllr C Mott and upon being submitted to the Meeting was declared to be **CARRIED** and **"RESOLVED** that the Minutes of the meeting held on 11 October 2022 be received and noted.

54. Scheme of Members' Allowances: Review

CM 54/22

Consideration was given to a report that set out the recommendations of the Independent Remuneration Panel resulting from their review of the Scheme of Members' Allowances.

In discussion the following points were raised:

- (a) A Member queried whether this was the right time for the Scheme of Members' Allowance to be reviewed. In response, whilst the point was acknowledged, unfortunately the ability to automatically adjust the Basic Allowance to a prescribed index had now been in

place for the maximum period permissible (five years) and a Review was therefore required. As part of the Review, it had become apparent that the Basic Allowance that a West Devon Borough Council Member was entitled to claim was amongst the lowest in the South West region. In addition, the rural nature of the Borough resulted in Members travelling lengthy distances despite car mileage rates not increasing, so the proposed increase in the Basic Allowance would also help to offset rising fuel costs. Finally, it was stated that, with the forthcoming local elections in May 2023, the Council was looking for a range of candidates to stand and that, by offering an increase in the Basic Allowance may help to compensate those prospective candidates who were in employment for earnings lost whilst they were engaged in Council business;

- (b) In light of the additional responsibilities and time commitments placed upon Members of the Development Management and Licensing Committee, a Member felt that it would be appropriate for them to each be entitled to claim a Special Responsibility Allowance. Since this matter had not been raised prior to the Panel sitting earlier in the month, it was agreed that this issue should be raised as part of the next scheduled review in the Autumn of 2023;
- (c) In light of the Civic Allowance having been retained at the same level for a number of years, an addition to the recommendation was **PROPOSED** and **SECONDED** as follows:

"That the Head of Paid Service write to the Panel requesting it reconsiders the Civic Allowances payable to the Mayor and Deputy Mayor and report back to a meeting of Full Council prior to the Review due in Autumn 2023"

And when put to the vote, this addition was declared **CARRIED**.

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

1. the recommendations of the Independent Panel on Members' Allowances (as presented at paragraph 3 of the presented report) be agreed and that the revised draft Scheme of Members Allowances (as shown at Appendix C of the presented report) be adopted with immediate effect, with any consequent increases in Allowances being backdated to 1 May 2022; and
2. The Head of Paid Service write to the Panel requesting it reconsiders the Civic Allowances payable to the Mayor and Deputy Mayor and report back to a meeting of Full Council prior to the Review due in Autumn 2023."

55. **Annual Review of Health and Safety Policy Statement**

CM 55/22

The Council considered a report that sought to adopt the annual Joint Health and Safety at Work Policy.

In discussion, a Member queried as to which Body of the Council were the Health and Safety Audit findings reported. In reply, officers advised that the Audit and Governance Committee was the responsible Body and that, for clarity, this information would be added to the Policy.

It was then proposed by Cllr N Jory, seconded by Cllr C Edmonds and upon being submitted to the Meeting was declared to be **CARRIED** and **"RESOLVED** that the annual joint health and safety at work policy be adopted and signed by the Head of Paid Service and the Leader of the Council."

56. **Exclusion of Public and Press**

CM 56/22

It was then **RESOLVED** that "in accordance with Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting during consideration of the following item of business as the likely disclosure of exempt information as defined in paragraphs 3 and 5 of Schedule 12A to the Act is involved."

57. **Waste & Recycling Services Contract Update**

CM 57/22

Consideration was given to an exempt report which provided Members with an update on the Waste and Recycling Services Contract.

Following a brief debate in exempt session, it was then proposed by Cllr C Mott, seconded by Cllr R Cheadle and upon being submitted to the Meeting was declared to be **CARRIED** and **"RESOLVED** that "the public and press be re-admitted to the Meeting."

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

1. the progress on negotiations with FCC Environment to amend the current contract following the exit of South Hams District Council be noted; and
2. authority be delegated to the Head of Paid Service (Chief Executive) and Director of Customer Service Delivery, in consultation with the Leader and Lead Hub Committee Member for Natural Environment, to conclude the negotiations based on the outline of draft settlement terms (as set out in Appendix A of the

presented agenda report) and to finalise the settlement agreement and any other necessary agreements.”

The Meeting concluded at 4.55 pm

Signed by:

Chairman
