

# West Devon Council



West Devon  
Borough  
Council

|  |  |         |           |      |        |                   |         |      |         |                |         |       |        |        |         |         |        |       |      |                  |          |      |       |        |         |       |       |         |          |      |        |       |  |
|--|--|---------|-----------|------|--------|-------------------|---------|------|---------|----------------|---------|-------|--------|--------|---------|---------|--------|-------|------|------------------|----------|------|-------|--------|---------|-------|-------|---------|----------|------|--------|-------|--|
| <b>Title:</b>  | <b>Agenda</b>  |         |           |      |        |                   |         |      |         |                |         |       |        |        |         |         |        |       |      |                  |          |      |       |        |         |       |       |         |          |      |        |       |  |
| <b>Date:</b>   | <b>Tuesday, 5th April, 2016</b>  |         |           |      |        |                   |         |      |         |                |         |       |        |        |         |         |        |       |      |                  |          |      |       |        |         |       |       |         |          |      |        |       |  |
| <b>Time:</b>   | <b>4.30 pm</b>   |         |           |      |        |                   |         |      |         |                |         |       |        |        |         |         |        |       |      |                  |          |      |       |        |         |       |       |         |          |      |        |       |  |
| <b>Venue:</b>  | <b>Chamber - Kilworthy Park</b>  |         |           |      |        |                   |         |      |         |                |         |       |        |        |         |         |        |       |      |                  |          |      |       |        |         |       |       |         |          |      |        |       |  |
| <b>Full Members:</b>   | <p style="text-align: center;"><b>Chairman</b></p> <p style="text-align: center;"><b>Vice Chairman</b></p> <p><i>Members:</i></p> <table> <tr> <td>Baldwin</td><td>Oxborough</td></tr> <tr> <td>Ball</td><td>Pearce</td></tr> <tr> <td>Cllr M J R Benson</td><td>Ridgers</td></tr> <tr> <td>Cann</td><td>Roberts</td></tr> <tr> <td>Cllr R Cheadle</td><td>Sampson</td></tr> <tr> <td>Cloke</td><td>Samuel</td></tr> <tr> <td>Davies</td><td>Sanders</td></tr> <tr> <td>Edmonds</td><td>Sellis</td></tr> <tr> <td>Evans</td><td>John</td></tr> <tr> <td>Cllr J Hockridge</td><td>Stephens</td></tr> <tr> <td>Jory</td><td>Watts</td></tr> <tr> <td>Kimber</td><td>Yelland</td></tr> <tr> <td>Leech</td><td>Moody</td></tr> <tr> <td>McInnes</td><td>Musgrave</td></tr> <tr> <td>Mott</td><td>Parker</td></tr> <tr> <td>Moyse</td><td></td></tr> </table> | Baldwin | Oxborough | Ball | Pearce | Cllr M J R Benson | Ridgers | Cann | Roberts | Cllr R Cheadle | Sampson | Cloke | Samuel | Davies | Sanders | Edmonds | Sellis | Evans | John | Cllr J Hockridge | Stephens | Jory | Watts | Kimber | Yelland | Leech | Moody | McInnes | Musgrave | Mott | Parker | Moyse |  |
| Baldwin  | Oxborough  |         |           |      |        |                   |         |      |         |                |         |       |        |        |         |         |        |       |      |                  |          |      |       |        |         |       |       |         |          |      |        |       |  |
| Ball   | Pearce   |         |           |      |        |                   |         |      |         |                |         |       |        |        |         |         |        |       |      |                  |          |      |       |        |         |       |       |         |          |      |        |       |  |
| Cllr M J R Benson  | Ridgers  |         |           |      |        |                   |         |      |         |                |         |       |        |        |         |         |        |       |      |                  |          |      |       |        |         |       |       |         |          |      |        |       |  |
| Cann   | Roberts  |         |           |      |        |                   |         |      |         |                |         |       |        |        |         |         |        |       |      |                  |          |      |       |        |         |       |       |         |          |      |        |       |  |
| Cllr R Cheadle   | Sampson  |         |           |      |        |                   |         |      |         |                |         |       |        |        |         |         |        |       |      |                  |          |      |       |        |         |       |       |         |          |      |        |       |  |
| Cloke  | Samuel   |         |           |      |        |                   |         |      |         |                |         |       |        |        |         |         |        |       |      |                  |          |      |       |        |         |       |       |         |          |      |        |       |  |
| Davies   | Sanders  |         |           |      |        |                   |         |      |         |                |         |       |        |        |         |         |        |       |      |                  |          |      |       |        |         |       |       |         |          |      |        |       |  |
| Edmonds  | Sellis   |         |           |      |        |                   |         |      |         |                |         |       |        |        |         |         |        |       |      |                  |          |      |       |        |         |       |       |         |          |      |        |       |  |
| Evans  | John   |         |           |      |        |                   |         |      |         |                |         |       |        |        |         |         |        |       |      |                  |          |      |       |        |         |       |       |         |          |      |        |       |  |
| Cllr J Hockridge   | Stephens   |         |           |      |        |                   |         |      |         |                |         |       |        |        |         |         |        |       |      |                  |          |      |       |        |         |       |       |         |          |      |        |       |  |
| Jory   | Watts  |         |           |      |        |                   |         |      |         |                |         |       |        |        |         |         |        |       |      |                  |          |      |       |        |         |       |       |         |          |      |        |       |  |
| Kimber   | Yelland  |         |           |      |        |                   |         |      |         |                |         |       |        |        |         |         |        |       |      |                  |          |      |       |        |         |       |       |         |          |      |        |       |  |
| Leech  | Moody  |         |           |      |        |                   |         |      |         |                |         |       |        |        |         |         |        |       |      |                  |          |      |       |        |         |       |       |         |          |      |        |       |  |
| McInnes  | Musgrave   |         |           |      |        |                   |         |      |         |                |         |       |        |        |         |         |        |       |      |                  |          |      |       |        |         |       |       |         |          |      |        |       |  |
| Mott   | Parker   |         |           |      |        |                   |         |      |         |                |         |       |        |        |         |         |        |       |      |                  |          |      |       |        |         |       |       |         |          |      |        |       |  |
| Moyse  |  |         |           |      |        |                   |         |      |         |                |         |       |        |        |         |         |        |       |      |                  |          |      |       |        |         |       |       |         |          |      |        |       |  |
| <b>Substitutes:</b>  | Councillors:   |         |           |      |        |                   |         |      |         |                |         |       |        |        |         |         |        |       |      |                  |          |      |       |        |         |       |       |         |          |      |        |       |  |
| <b>Interests – Declaration and Restriction on Participation:</b> | Members are reminded of their responsibility to declare any disclosable pecuniary interest not entered in the Authority's register or local non pecuniary interest which they have in any item of business on the agenda (subject to the exception for sensitive information) and to leave the meeting prior to discussion and voting on an item in which they have a disclosable pecuniary interest.  |         |           |      |        |                   |         |      |         |                |         |       |        |        |         |         |        |       |      |                  |          |      |       |        |         |       |       |         |          |      |        |       |  |
| <b>Committee administrator:</b>                                  | Member.Services@swdevon.gov.uk   |         |           |      |        |                   |         |      |         |                |         |       |        |        |         |         |        |       |      |                  |          |      |       |        |         |       |       |         |          |      |        |       |  |

**1. Apologies for Absence**

**2. Declarations of Interest**

Members are invited to declare any personal or disclosable pecuniary interests, including the nature and extent of such interests they may have in any items to be considered at this meeting.

If Councillors have any questions relating to predetermination, bias or interests in items on this Summons, then please contact the Monitoring Officer in advance of the meeting.

**3. Confirmation of Minutes**

**1 - 10**

To approve and adopt as a correct record the Minutes of the Meeting of Council held on 16 February 2016

**4. To receive communications from the Mayor or person presiding**

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

**6. To respond to any questions submitted by the public and to receive deputations or petitions under Council Procedure Rule 21**

**7. To consider motions of which notice has been submitted by Members of the Council in accordance with Council Procedure Rule 15**

**8. To consider questions submitted by Members under Council Procedure Rule 21**

**9. 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:**

**11 - 58**

**(i) Planning and Licensing Committee**

Meeting held on 2 February 2016

Meeting held on 1 March 2016

Meeting held on 29 March 2016

**Unstarred Minute to agree**

Members are recommended to agree:

**P&L 62 Planning Scheme of Delegation**

**RESOLVED** to **RECOMMEND** to Council that:

1. The revised Planning Scheme of Delegation (as presented at Appendix A of the published Council Summons), be adopted; and
2. Authority to make any further minor amendments prior to adoption be delegated to the Community of Practice lead Specialist Development Management, in consultation with the Chairman and Vice Chairman of P&L Committee.

**(ii) Hub Committee**

Meeting held on 25 February 2016

**Unstarred Minute to agree**

Members are recommended to agree:

**HC 56 Planning Enforcement**

**RESOLVED** to **RECOMMEND** that the costs for resourcing the planning enforcement team are met from the 2015/16 predicted revenue budget underspend of £70,000 (as per Table 1 and Table 2 of the agenda report presented to the Hub Committee).

Meeting held on 22 March 2016

**Unstarred Minutes to agree**

Members are recommended to agree:

**HC 63 Review of Roles and Responsibilities for the Hub Committee**

**RESOLVED** to **RECOMMEND** that the existing governance arrangements are working well and should therefore be retained, subject to the approval of some minor amendments as outlined in section 5 of the presented agenda report.

**HC 64 Corporate Debt Recovery Policy**

**RESOLVED** to **RECOMMEND** that the Joint Corporate Debt Recovery Policy be adopted.

**HC 65 Communications Policy and Protocols**

**RESOLVED** to **RECOMMEND** that the:

- (i) joint Communications and Social Media Policies be adopted for West Devon Borough Council; and
- (ii) protocols in the revised Communications protocol be acknowledged and adopted.

**HC 66 The future of the Devon Authorities Waste Reduction and Recycling Committee (DAWRRC)**

**RESOLVED** to **RECOMMEND** that:

- 1. the proposal to wind up the Devon Authorities Waste Reduction and Recycling Committee be supported;
- 2. the establishment of the joint Devon Authorities Strategic Waste Committee be agreed on the draft terms of reference as set out in the Operating Rules attached at Appendix 1 of the presented agenda report and that any significant changes to the terms of reference be brought back to Council for further approval;
- 3. the Lead Hub Committee Member for Commercial Services be appointed as the West Devon Member of the Devon Authorities Strategic Waste Committee, and that a named substitute, with full voting rights, will attend in the absence of the Lead Hub Committee Member for Commercial Services; and
- 4. any changes considered necessary to the terms as highlighted be delegated to the Lead Specialist Waste Strategy (Strategy & Commissioning) in consultation with the Lead Hub Committee Member for Commercial Services

**HC 67 Procurement Strategy**

**RESOLVED** to **RECOMMEND** that:

- 1. the Devon Districts Procurement Strategy 2015-18 be formally adopted and the contents therein be implemented; and
- 2. a lead Member for Procurement be established, as per output 21 under Theme C: Leadership of the draft Strategy.

**HC 68 Report of Other Bodies: Overview and Scrutiny (External) Committee Meeting – 15**

**March 2016**

**O&S(E) 32 Our Plan Review**

**RESOLVED** to **RECOMMEND** that:

1. *the progress on the 2015/16 Our Plan: Annual Activity Programme (appendix 1 of the presented agenda report refers) be noted;*
2. *the West Devon Our Plan (as outlined at appendix 2 of the presented agenda report) be adopted and published for the 2016/17 Financial Year as a document that:-*
  - *recognises West Devon Our Plan as the single comprehensive Council Plan;*
  - *restates the Council's Corporate Vision and Objectives;*
  - *establishes the common basis for the Council's Financial Plan, Asset Management Plan, Local Plan and all other Plans and Strategies;*
  - *establishes priorities for delivery, including a delivery plan commencing in 2016/17 (appendix 4 of the presented agenda report refers);*
  - *establishes mechanisms for delivery;*
  - *establishes engagement, monitoring and review procedures;*
  - *provides context for subsequent incorporation of the Local Plan element currently subject to separate preparation.*

*Subject to any amendments, which are to be delegated to the Lead Specialist – Place and Strategy, in consultation with the Leader of Council and the Hub Committee Lead Member for Strategic Planning.*
3. *a joint WD/SH Member Working Group be established to agree the scope and details of the economic development work; and*
4. *further work be undertaken to identify Key Measures for the 8 Our Plan themes that are clear expressions of the Councils intentions and which can be measured and readily promoted. Agreement of these to be delegated to the Lead Specialist – Place and Strategy, in consultation with the Leader of Council and the Hub Committee lead Member for Strategic Planning.*

**HC 69 Income Generation Proposals**

**RESOLVED** to **RECOMMEND**:

1. That the income generation and business

development principles (as outlined in the presented agenda report) be agreed and approved in principle, subject, as appropriate, to individual business case sign off and consideration of the full legal and financial implications;

2. That the sum which is uncommitted New Homes Bonus funding (as detailed in paragraph 2.7 of the presented agenda report) is allocated to an earmarked "Invest to Earn" reserve to fund income generating initiatives;
3. That the sum which is currently a Capital Budget for Affordable Housing be reallocated as a Capital Budget for "Invest to Earn" income generating initiatives;
4. Where funding for these initiatives is not available from the "Invest to Earn" reserve or capital budget, funding could be drawn from prudential borrowing, subject, as appropriate, to individual business case sign off by the relevant delegated authority and consideration of the full legal and financial implications;
5. That the Developments and Disposals (as detailed in paragraph 3.1.9 of the presented agenda report), be supported in principle in accordance with the adopted Asset Management Strategy and subject to consideration of the full legal and financial implications;
6. That the amount estimated to complete the feasibility work in relation to development proposals detailed in paragraphs 3.1.9.1 to 3.1.9.4 of the presented agenda report be approved. This will be financed from the 'Invest to Earn' budget. Once complete, individual business cases will be presented for approval by the relevant delegated authority enabling consideration of the full legal and financial implications; and
7. That the proposal to invest monies from the "Invest to Earn" reserve to acquire 2 properties within West Devon, as detailed in paragraph 3.3 of the presented agenda report, be approved in principle, subject, as appropriate, to individual business case sign off by the relevant delegated authority and consideration of full legal and financial implications.

**(iii) Overview & Scrutiny (Internal) Committee**  
Meeting held on 8 March 2016

- (iv) Standards Committee**  
Meeting held on 15 March 2016

- (v) Audit Committee**  
Meeting held on 15 March 2016

**Unstarred Minutes to agree**  
Members are recommended to agree:

**AC 32 2016/17 Treasury Management Strategy**  
**RESOLVED** to **RECOMMEND** that Council approve the following:

1. The prudential indicators and limits for 2016/17 to 2018/19 contained within Appendix A of the presented agenda report.
2. The Minimum Revenue Position (MRP) statement contained within Appendix A of the presented agenda report which sets out the council's policy on MRP.
3. The Treasury Management Strategy 2016/17 and the treasury prudential indicators 2016/17 to 2018/19 that are contained within Appendix B of the presented agenda report.
4. The Investment Strategy 2016/17 (as contained within Appendix C of the presented agenda report) and the detailed criteria included in Appendix D of the presented agenda report.

**AC 33 Review of the Council's Constitution**  
**RESOLVED** to **RECOMMEND** that Council approve the amendments to the West Devon Borough Council Constitution (as summarised in paragraph 2 of the presented agenda report and fully outlined on the website) and that the revised Constitution be formally adopted at the Annual Council Meeting in May 2016.

**AC 34 Strategic Risk Assessment – Regular Update**  
**RESOLVED** to **RECOMMEND** to Council that the Audit Committee has reviewed the strategic risks and has been given the opportunity to make recommendations to Council on any further action that should be considered.

- (vi) Overview and Scrutiny (External) Committee**  
Meeting held on 15 March 2016

