

WEST DEVON COUNCIL



West Devon
Borough
Council

Minutes of a meeting of the **West Devon Council** held on **Tuesday, 5th April, 2016** at **4.30 pm** at the **Chamber - Kilworthy Park**

Present: **Councillors:**

Chairman ***Vice Chairman***

Baldwin
Cllr R Cheadle
Davies
Evans
Jory
Leech
Moody
Moyse
Oxborough
Pearce
Sampson
Sanders
Stephens

Cllr M J R Benson
Clope
Edmonds
Cllr J Hockridge
Kimber
McInnes
Mott
Musgrave
Parker
Roberts
Samuel
Sellis
Yelland

In attendance:

Councillors:

Officers:

Catherine Bowen
Lisa Buckle
Steve Jorden

Section 151 Officer
Executive Director Head of Paid
Service

57. **Apologies for Absence**

Apologies for absence were received from Cllrs K Ball, W G Cann OBE,
P J Ridgers, J Sheldon and L Watts.

58. **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, but there were none made.

59. **Confirmation of Minutes**

It was moved by Cllr P R Sanders, seconded by Cllr R E Baldwin and upon the motion being submitted to the Meeting was declared to be **CARRIED** and **"RESOLVED** that the Council agree the Minutes of the 16 February 2016 meeting as a true record."

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

In providing his update, the Mayor made reference to his Mayoral Awards and Charity Cheque presentations, which were both due to take place on the rising of this Council meeting. The Mayor hoped that as many Members as possible would be able to attend these presentations.

61. **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. **Planning and Licensing Committee – 2 February 2016, 1 March 2016 and 29 March 2016**

It was moved by Cllr D K A Sellis, seconded by Cllr M J R Benson and upon being submitted to the Meeting was declared to be **CARRIED** and **"RESOLVED** that the Minutes of the 2 February 2016, 1 March 2016 and 29 March 2016 meetings be received and noted"

In respect of the Unstarred Minute:

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

It was moved by Cllr D K A Sellis, seconded by Cllr M J R Benson and upon being submitted to the Meeting was declared to be **CARRIED** and **"RESOLVED** that:

1. The revised Planning Scheme of Delegation (as presented at Appendix A of the published minutes (page 23 refers), 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."

b. Hub Committee – 25 February 2016 and 22 March 2016

It was moved by Cllr P R Sanders, seconded by Cllr R E Baldwin and upon being submitted to the Meeting was declared to be **CARRIED** and **"RESOLVED** that the Minutes of the 25 February 2016 and 22 March 2016 meetings be received and noted, with the exception of Unstarred Minutes HC 56, 63, 64, 65, 66, 67, 68 and 69".

In respect of the Unstarred Minutes:

i. HC 56 Planning Enforcement

It was moved by Cllr P R Sanders, seconded by Cllr R E Baldwin and upon being submitted to the Meeting was declared to be **CARRIED** and **"RESOLVED** that the costs for resourcing the planning enforcement team be met from the 2015/16 predicted revenue budget underspend of £70,000 (as per Table 1 and Table 2 of the agenda report that had been presented to the Hub Committee)."

ii. HC 63 Review of Roles and Responsibilities for the Hub Committee

It was moved by Cllr P R Sanders, seconded by Cllr R E Baldwin and upon being submitted to the Meeting was declared to be **CARRIED** and **"RESOLVED** 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."

iii HC 64 Corporate Debt Recovery Policy

It was moved by Cllr P R Sanders, seconded by Cllr R E Baldwin and upon being submitted to the Meeting was declared to be **CARRIED** and **"RESOLVED** that the Joint Corporate Debt Recovery Policy be adopted."

iv HC 65 Communications Policy and Protocols

It was moved by Cllr P R Sanders, seconded by Cllr R E Baldwin and upon being submitted to the Meeting was declared to be **CARRIED** and **"RESOLVED** 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."

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

It was moved by Cllr P R Sanders, seconded by Cllr R F D Sampson and upon being submitted to the Meeting was declared to be **CARRIED** and "**RESOLVED** 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."

vi **HC 67 Procurement Strategy**

It was moved by Cllr P R Sanders, seconded by Cllr R F D Sampson and upon being submitted to the Meeting was declared to be **CARRIED** and "**RESOLVED** 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."

vii. **HC 68 Reports of Other Bodies: Overview and Scrutiny (External)**

Committee Meeting – 15 March 2016

It was moved by Cllr P R Sanders, seconded by Cllr R E Baldwin and upon being submitted to the Meeting was declared to be **CARRIED** and "**RESOLVED** that:

1. the progress on the 2015/16 Our Plan: Annual Activity Programme (appendix 1 of the presented agenda report to the Overview and Scrutiny Committee refers) be noted;
2. the West Devon Our Plan (as outlined at appendix 2 of the presented agenda report to the Committee) 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."

viii. **HC 69 Income Generation Proposals**

Having been moved by Cllr P R Sanders and seconded by Cllr R E Baldwin, some Members sought clarity in respect of the reference in some of the recommendations to 'the relevant delegated authority.' In response, officers advised that the delegated authority often depended on the nature of the issue. For example, any decision which would require prudential borrowing would have to be determined by Council whereas a proposal that required an asset disposal may be approved by the Hub Committee.

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

1. the income generation and business development principles (as outlined in the presented agenda report to the Committee) 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. the sum which is uncommitted New Homes Bonus funding (as detailed in paragraph 2.7 of the presented agenda report to the Committee) is allocated to an earmarked “Invest to Earn” reserve to fund income generating initiatives;
 3. 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. the Developments and Disposals (as detailed in paragraph 3.1.9 of the presented agenda report to the Committee), be supported in principle in accordance with the adopted Asset Management Strategy and subject to consideration of the full legal and financial implications;
 6. 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 to the Committee 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. 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 to the Committee, 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.”

c. Overview & Scrutiny (Internal) Committee – 8 March 2016

Having been moved by Cllr C R Musgrave and seconded by Cllr J Yelland, a Member highlighted an inaccuracy in the minutes which would be amended in time for their sign-off as a true and correct record at the next Committee meeting.

A Member questioned the implications of removing the letters of representation from the website for those determined planning applications that were then appealed against. In reply, the Head of Paid Service advised that he would provide a written response to this question outside of the meeting and ensure that all Members received a copy.

Upon being submitted to the Meeting, it was then declared to be **CARRIED** and **"RESOLVED** that the Minutes of the 8 March 2016 meeting be received and noted".

d. Standards Committee – 15 March 2016

It was moved by Cllr A F Leech, seconded by Cllr J Yelland and upon being submitted to the Meeting was declared to be **CARRIED** and **"RESOLVED** that the Minutes of the 15 March 2016 meeting be received and noted.

e. Audit Committee – 15 March 2016

It was moved by Cllr M Davies, seconded by Cllr J Moody and upon being submitted to the Meeting was declared to be **CARRIED** and **"RESOLVED** that the Minutes of the 15 March 2016 be received and noted, with the exception of Unstarred Minute AC 32, 33 and 34".

In respect of the Unstarred Minutes:

i. AC 32 – Treasury Management Strategy

It was moved by Cllr M Davies, seconded by Cllr J B Moody and upon being submitted to the Meeting was declared to be **CARRIED** and **"RESOLVED** that approval be given to the:

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

ii. AC 33 – Review of the Council's Constitution

It was moved by Cllr M Davies, seconded by Cllr J B Moody and upon being submitted to the Meeting was declared to be **CARRIED** and **"RESOLVED** that:

1. the amendments to the Council Constitution (as summarised in paragraph 2 of the agenda report presented to the Committee and fully outlined on the website) be approved; and
2. the revised Constitution be formally adopted at the Annual Council Meeting in May 2016."

iii. **AC 34 – Strategic Risk Assessment – Regular Update**

It was moved by Cllr M Davies, seconded by Cllr J B Moody and upon being submitted to the Meeting was declared to be **CARRIED** and "**RESOLVED** 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."

f. **Overview and Scrutiny (External) Committee – 15 March 2016**

It was moved by Cllr D W Cloke, 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 15 March 2016 meeting be received and noted".

The Meeting concluded at 5.05 pm

Signed by:

Chairman
