



West Devon
Borough
Council

West Devon Council

Title:	Agenda																																
Date:	Tuesday, 5th April, 2016																																
Time:	4.30 pm																																
Venue:	Chamber - Kilworthy Park																																
Full Members:	<p style="text-align: center;">Chairman</p> <p style="text-align: center;">Vice Chairman</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	
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Substitutes:	Councillors:																																
Interests – Declaration and Restriction on Participation:	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.																																
Committee administrator:	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

Agenda Item 3

At the Meeting of the **WEST DEVON BOROUGH COUNCIL** held in the **COUNCIL CHAMBER, KILWORTHY PARK, TAVISTOCK** on **TUESDAY** the **16th** day of **FEBRUARY 2016** at **4.30pm** pursuant to Notice given and Summons duly served.

Present

Cllr D W Cloke – The Mayor (In the Chair)

Cllr R E Baldwin	Cllr K Ball
Cllr M J R Benson	Cllr R Cheadle
Cllr M Davies	Cllr C Edmonds
Cllr J Evans	Cllr L J G Hockridge
Cllr N Jory	Cllr P Kimber
Cllr A F Leech	Cllr J R McInnes
Cllr J B Moody	Cllr C Mott
Cllr D E Moyse	Cllr C R Musgrave
Cllr R J Oxborough	Cllr G Parker
Cllr A Roberts	Cllr R F D Sampson
Cllr P R Sanders	Cllr D K A Sellis
Cllr J Sheldon	Cllr J Yelland

Executive Director (Service Delivery and Commercial Development)
Monitoring Officer
Senior Case Manager

CM 45 APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllrs W G Cann OBE, T G Pearce, P J Ridgers, L Samuel, B Stephens and L Watts.

CM 46 DECLARATION 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.

CM 47 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 8 December 2015 meeting as a true record.”

CM 48 COMMUNICATIONS FROM THE MAYOR

In providing his update, the Mayor informed that he and the Deputy Mayor had attended a number of engagements since the last Council meeting including the South Hams District Council Civic Service and an event at Falmouth with the Air Cadets.

CM 49**BUSINESS BROUGHT FORWARD BY THE MAYOR**

Part 6 of the Constitution (Members' Allowance Scheme), Paragraph 9.1 stated that "no payment can be made of any travel and subsistence claim made more than three months after the meeting for which the claim was made without the authority of Council in every case".

A request had been received from Cllr P R Sanders for payment of expenses dating back to October 2015.

It was subsequently moved by Cllr M J R Benson, seconded by Cllr D K A Sellis and upon being submitted to the Meeting was declared to be **CARRIED** and "**RESOLVED** that payment could be made of the expense claims from Councillor P R Sanders (backdated to October 2015)."

CM 50**NOTICES OF MOTION**

It was moved by Cllr P R Sanders and seconded by Cllr R E Baldwin that:

'That authority be delegated to the Head of Paid Service in consultation with the Leader, Deputy Leader and Section 151 Officer on behalf of the Council, to consider and submit a response to the Government's technical consultation document on the future of the New Homes Bonus scheme.

In presenting his motion, the proposer made specific reference to:-

- The response carrying more weight when backed by a formal resolution;
- The difficulty in timing;
- The need to consolidate the comments from Sparse and District Council Network into the response, as both organisations had been instrumental in intense lobbying that saw a significant increase in rural payments.

When put to the vote, the motion was declared **CARRIED**.

Cllr R F D Sampson had given notice of his intention to propose the following motion at the meeting.

'That, with immediate effect and until further notice, the Overview & Scrutiny (Internal) Committee shall meet monthly:-

- (a) Being provided with up to date Management Information, to investigate Performance Indicators generally, but particularly those relating to Planning and Enforcement (including Our Plan and other strategic issues), IT and the Call Centre;

- (b) To refer urgent matters of concern to the next available meeting of the Hub Committee; and
- (c) To report fully at each meeting of the Council.

When asked to move his motion, Cllr Sampson declared that he would not move his motion and the motion therefore lapsed. In so doing, he advised that the motion had arisen from a frustration and sense of service delivery not being up to standard. However, he had since had discussions with senior officers and those discussions had identified the areas of concern and a way of addressing them. He added that he hoped that the relevant Hub Committee members would liaise with the chairmen of Overview and Scrutiny Committees to ensure matters of concern were appropriately referred.

The Leader of Council responded by thanking the Independent Group for raising the matter as set out in the agenda papers and stated that he shared their concerns.

CM 51 MINUTES OF COMMITTEES

- a. **Planning and Licensing Committee – 8 December 2015**
It was moved by Cllr D K A Sellis, seconded by Cllr M Benson and upon being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that the Minutes of the 8 December 2015 meetings be received and noted”.
- b. **Overview & Scrutiny (Internal) Committee – 12 January 2016**
It was moved by Cllr C R Musgrave, seconded by Cllr C Edmonds and upon being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that the Minutes of the 12 January 2016 meeting be received and noted”.
- c. **Joint Overview and Scrutiny (External) and (Internal) Committee – 12 January 2016**
It was moved by Cllr C R Musgrave, seconded by Cllr J Sheldon and upon being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that the Minutes of the 12 January 2016 meeting be received and noted.
- d. **Audit Committee – 19 January 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 19 January 2016 be received and noted, with the exception of Unstarred Minute AC 27”.

In respect of the Unstarred Minute:

i. **AC27 – Treasury Management Mid-Year Review**

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**:

1. That the counterparty limit for counterparties set out in Appendix A of the presented agenda report (with the exception of Lloyds PLC) be increased from £2 million to £3 million; and
2. That the counterparty limit for Lloyds Bank PLC (the Council's Bank) be increased from £3 million to £4 million. This allows flexibility to maintain a working balance of up to £1 million in the account, with the option to invest up to £3 million additional funds at any one time”.

e. **Hub Committee – 26 January 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 26 January 2016 meeting be received and noted, with the exception of Unstarred Minutes HC 50, 51 and 52”.

In respect of the Unstarred Minutes:

i) **HC 50 Our Plan – Local Plan Arrangements**

It was moved by Cllr G Parker, seconded by Cllr M J R Benson and upon being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED**:

1. That the principle of a Joint Local Plan within the Housing Market Area (HMA) be agreed as set out in Option 2 of the presented agenda report, subject to appropriate arrangements being put in place with neighbouring planning authorities;
2. That a detailed Collaboration Agreement establishing the operation of the Joint Local Plan be developed with neighbouring planning authorities (and any other relevant organisations);
3. That the Collaboration Agreement include, but not necessarily be limited to, the following matters:-
 - a. Strategic Context;
 - b. Objectives and Priorities;
 - c. Joint Spatial Framework;
 - d. Governance and working arrangements;

- e. Local Development Scheme and timescales;
 - f. Evidence;
 - g. Infrastructure;
 - h. Policies;
 - i. Allocations;
 - j. Engagement and Consultation;
 - k. Resources and Staffing;
 - l. Examination;
 - m. Assessments; and
 - n. Monitoring and Review.
4. That a further report be submitted to the Hub Committee and Council setting out the detailed policy and allocation proposals that are to be subject to consultation, consideration and submission within the Joint Local Plan element of *West Devon - Our Plan*; and
 5. That those contents which are to be agreed under recommendations 1, 2 and 3 (above) be delegated to the Lead Specialist – Place and Strategy, in consultation with the Hub Committee Lead Member and the Leader of Council”.

ii) HC 51 Community Right to Build Orders – Delegated Procedures

It was moved by Cllr G Parker, seconded by Cllr M J R Benson and upon being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED**”:

1. That authority to approve the Community Right to Build Orders Procedure (as set out in Appendix 2 of the presented agenda report), be delegated to the Lead Specialist – Place and Strategy in consultation with the Lead Hub Committee Member for Strategic Planning and Housing and the local Ward Member(s) for the relevant neighbourhood area; and
2. That, subject to approval of recommendation 1 above, the appropriate changes be made to the Council’s Neighbourhood Planning Protocol”.

iii) HC 52 Safeguarding 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 Safeguarding Policy be adopted”.

BUDGET PROPOSALS 2016/17

A report was considered that updated Members on the revenue budget position for the year 2016/17. In introducing the report, the Leader informed that it would be his intention to propose that the Council should increase Council Tax by £5 and he set out the resulting impact on Band D properties of this proposal. To enable the debate, the recommendations were then moved by Cllr P R Sanders and seconded by Cllr R E Baldwin.

In the subsequent discussion, reference was made to the additional funds received however it was noted that rather than being an extra amount received this was in fact a smaller reduction in government grant. Members also expressed thanks to local MPs for their support and for working together to make a difference.

In accordance with statutory legislation, two recorded votes were then called for. The first recorded vote was called for on part 1 only of the recommendation, with the second recorded vote being called for on parts 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13 of the recommendation.

The voting on part 1 of the recommendation (i.e. that Council Tax should be increased by £5) was recorded as follows:-

For the motion (25): Cllrs Baldwin, Ball, Benson, Cheadle, Cloke, Davies, Edmonds, Evans, Hockridge, Jory, Kimber, Leech, McInnes, Moody, Mott, Moyse, Musgrave, Oxborough, Parker, Roberts, Sampson, Sanders, Sellis, Sheldon and Yelland

Against the motion (0):

Abstentions (0):

Absent (6): Cllrs W G Cann OBE, Pearce, Ridgers, Samuel, Stephens and Watts

and the vote was therefore declared **CARRIED**.

The voting on parts 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13 of the recommendation was recorded as follows:-

For the motion (25): Cllrs Baldwin, Ball, Benson, Cheadle, Cloke, Davies, Edmonds, Evans, Hockridge, Jory, Kimber, Leech, McInnes, Moody, Mott, Moyse, Musgrave, Oxborough, Parker, Roberts, Sampson, Sanders, Sellis, Sheldon and Yelland

Against the motion (0):

Abstentions (0):

Absent (6): Cllrs W G Cann OBE, Pearce, Ridgers, Samuel, Stephens and Watts

and the vote was therefore declared **CARRIED**.

It was consequently **"RESOLVED** that:

- (i) Council Tax is increased by £5
(which equates to a Band D council tax of £213.39 for 2016/17, an increase of £5 per year or 10 pence per week). This equates to a Council Tax requirement of £4,210,912 (as shown in Appendix B1))
- (ii) The financial pressures in Appendix A of £836,000 are accepted
- (iii) The proposed savings of £845,000 set out in Appendix A are adopted
- (iv) The Collection Fund surplus of £280,000 be agreed
- (v) £1,000,000 of New Homes Bonus funding is used to balance the 2016-17 Revenue Budget.
- (vi) The Budget Surplus for 2016/17 of £669,292 is transferred to an Earmarked Reserve, with a future report to be presented to Council regarding its use.
- (vii) The Total Net Expenditure of the Council for 2016/17 is £7,253,325 (Appendix B1)
- (viii) The 2016/17 Capital Programme projects totalling £651,000 as per 8.1 is approved.
- (ix) The 2016/17 Capital Programme of £651,000 is financed by using £412,000 of New Homes Bonus funding and £239,000 of Better Care Funding (as per 8.1).
- (x) The Council transfers £24,136 of its allocation of New Homes Bonus for 2016/17 to an Earmarked Reserve called 'Community Investment Fund – Dartmoor National Park', to be applied for and drawn down by Dartmoor National Park as required. This amount is a one-off payment and the position will be considered annually by the Council as part of the budget process. The condition is that this is for use within the boundaries of the Borough Council only.
- (xi) The Council Tax Support Grant of £77,509 be passed onto Town and Parish Councils for 2016/17. (This is a reduction of 11.2% from 2015/16) as per Appendix D.
- (xii) The minimum level of the Unearmarked Revenue Reserves be maintained at £750,000 as per Section 9.

- (xiii) The level of reserves as set out within this report and the assessment of their adequacy and the robustness of budget estimates be noted. This is a requirement of Part 2 of the Local Government Act 2003.

CM 53 PROPOSALS RELATING TO A LOCAL AUTHORITY CONTROLLED COMPANY

A report was considered that proposed the establishment of a company jointly owned by West Devon Borough Council and South Hams District Council to deliver services, and to other organisations as contracts are won, subject to the further approval of a detailed business case and implementation plan.

In introducing this agenda item, the Leader reiterated that the recommendation stated 'subject to further approval of a detailed business case'.

During debate, Members discussed the inclusion of the waste collection service and stated that the Council should seek to maintain and enhance the service and that full Member input was essential.

It was then proposed 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. A Local Authority Controlled Company be established jointly with South Hams District Council to deliver services for West Devon Borough Council and South Hams District Council, and to other organisations as contracts are won, subject to the further approval of a detailed business case and implementation plan;
2. The Council's waste collection and street cleansing services are delivered by the newly formed company when the current contract ends in March 2017, subject to the further approval of a detailed business case and implementation plan;
3. The Councils' costs for the preparation of the detailed business case and implementation plan of £300,000 be met from the cost pressure built into the 2016/17 Revenue Budget for each Council (£150,000 for each Council).

CM 54**HEART OF THE SOUTH WEST FORMAL DEVOLUTION BID**

A report was considered that set out the detail of a shared Devolution Statement of Intent from the authorities within the Heart of the South West Bid and the opportunities that would arise from West Devon Borough Council from devolution.

The Leader introduced the report. During debate, Members noted that the document did not include a date or version number.

It was then proposed 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 Leader's current approach to devolution and the drafting of proposals, their submission and negotiation of a deal for the Heart of the South West be endorsed, namely:

Working with local authorities, National Parks and the Heart of the South West Local Enterprise Partnership to deliver full proposals for devolution which will seek a formal agreement with Government on a formal devolution deal as set out in Appendix 1

2. the final devolution proposal be approved; and
3. It be agreed that, should government timescales change, or minor amendments become necessary, authority be delegated to the Head of Paid Service in consultation with the Leader of the Council to approve the final proposal.

CM 55**WDBC RESPONSE TO NATIONAL PLANNING POLICY FRAMEWORK CONSULTATION**

A report was considered that sought to agree the submission of the draft consultation response to the Department for Communities and Local Government subject to inclusion of any amendments agreed at the meeting. In introducing the report, the Hub Lead Member for Strategic Planning and Housing stated that it was important to stress the importance of maintaining a stock of affordable homes for rent in perpetuity. It was also important to keep a range of land uses in villages, the idea that one size fits all did not apply in rural areas.

It was then proposed by Cllr G Parker, seconded by Cllr M J R Benson and upon being submitted to the Meeting was declared to be **CARRIED** and **"RESOLVED** that:

1. the draft consultation response be submitted to the Department for Communities & Local Government (as set out at Appendix 1), subject to inclusion of any amendments agreed at the meeting; and

2. authority be delegated to the Lead Specialist – Place and Strategy, in consultation with the lead Member for Strategic Planning and Housing, to agree the precise wording of the final submission.

CM 56 PAY POLICY STATEMENT 2016/17

A report was considered that sought to adopt the Pay Policy Statement 2016/17, as set out in the presented appendix. The Leader introduced the report.

It was then proposed 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:

The Pay Policy Statement for 2016/17 be adopted.

(The Meeting terminated at 5.55 pm)

Mayor

Agenda Item 9

At a Meeting of the **PLANNING & LICENSING COMMITTEE** held at the Council Chamber, Council Offices, Kilworthy Park, Drake Road, **TAVISTOCK** on **TUESDAY** the **2nd** day of **FEBRUARY 2016** at **10.00am**

Present:

Cllr D K A Sellis – Chairman	
Cllr M J R Benson – Vice-Chairman	
Cllr R E Baldwin	Cllr W G Cann OBE
Cllr L J G Hockridge	Cllr C Mott
Cllr D E Moyse	Cllr G Parker
Cllr A Roberts	

Substitutes: Cllr R Cheadle for Cllr T G Pearce

Lead Specialist - Development Management (PW)
Specialists (CG & TF)
Solicitor (SN)
Senior Case Manager (KT)

In attendance: Cllrs K Ball, D Cloke, J Evans, P Kimber, A Leech, J McInnes, P Sanders and J Yelland

***P&L 48 APOLOGIES**

Apologies were received from Cllr T G Pearce, for whom Cllr R Cheadle acted as substitute.

***P&L 49 DECLARATION OF INTEREST**

Members were invited to declare any interests in the items of business to be considered by none were made.

***P&L 50 CONFIRMATION OF MINUTES**

The Minutes of the Planning and Licensing Committee Meeting held on 8 December 2015 (page 1 to the Agenda), were confirmed and signed by the Chairman as a correct record, subject to minor amendments being included that Minute P&L 46 and P&L 47 should read as:

‘It was then **RESOLVED** that Council be **RECOMMENDED** that:’

(rather than ‘It was then **RECOMMENDED** that Council be **RECOMMENDED** that’)

***P&L 51 PLANNING, LISTED BUILDING, TREE PRESERVATION ORDER AND ENFORCEMENT REPORTS**

The Committee considered the applications prepared by the Development Management Specialists and considered also the comments of Town and Parish Councils together with other representations received, which were listed within the presented agenda report and summarised below, and **RESOLVED**:

Application No: 01092/2015 Ward: Okehampton North

Site Address: 22 North Street, Okehampton

Change of use from a first floor function room ancillary to drinking establishment (use class A4) to a wholesale mixing and distribution facility for the distribution of ethanol alcohol to drinks manufacturers

RECOMMENDATION: Conditional Approval

COMMITTEE DECISION: Site Inspection

Application No: 01182/2015 Ward: Hatherleigh

Site Address: Part of Glebelands, Hatherleigh

Outline application with all matters reserved for change of use of land and construction of live work accommodation

Speakers included: Supporter – Mr Brock

RECOMMENDATION: Refusal

COMMITTEE DECISION: Site Inspection

Application No: 00987/2015 Ward: Okehampton North

Site Address: NGR SX 590990, Okehampton, EX20 3BD

Full application for erection of new agricultural livestock building and siting of a temporary agricultural workers dwelling

RECOMMENDATION: Conditional Approval

COMMITTEE DECISION: Site Inspection

***P&L 52 PLANNING APPEALS UPDATE**

The Committee received and noted the updated list of Planning Appeals including enforcement appeals. The Lead Specialist Development Management agreed to provide more detailed information on specific decisions where requested.

(The Meeting terminated at 11.05 am)

Dated this

Chairman

At a Meeting of the **PLANNING & LICENSING COMMITTEE** held at the Council Chamber, Council Offices, Kilworthy Park, Drake Road, **TAVISTOCK** on **TUESDAY** the **1st** day of **MARCH 2016** at **10.00am**

Present: Cllr D K A Sellis – Chairman
Cllr M J R Benson – Vice-Chairman
Cllr W G Cann OBE
Cllr L J G Hockridge Cllr C Mott
Cllr D E Moyse Cllr G Parker
Cllr A Roberts

Substitutes: Cllr R Cheadle for Cllr T G Pearce
Cllr J Yelland for Cllr R E Baldwin

Lead Specialist - Development Management (PW)
Specialists (CG, GB & TF)
Solicitor (SN)
Senior Case Manager (KT)

In attendance: Cllrs P Kimber, A Leech, J McInnes, C R Musgrave
and T G Pearce

***P&L 53 APOLOGIES**

Apologies were received from Cllr R E Baldwin for whom Cllr J Yelland acted as substitute. Cllr R Cheadle continued to act as substitute for Cllr T G Pearce as he had previously heard the presentations and was able to take part in the discussion and vote on the applications. However, Cllr T G Pearce was in attendance at this meeting.

***P&L 54 DECLARATION OF INTEREST**

Members were invited to declare any interests in the items of business to be considered and the following were made:

Cllr C Mott declared a personal interest in application 00583/2015: Erection of kennel building and cattery buildings, by virtue of knowing one of the objectors. She remained in the meeting and took part in the debate and vote;

Cllr L J G Hockridge declared a personal interest in application 00583/2015: Erection of kennel building and cattery buildings, by virtue of being the Chairman of the local Parish Council and receiving a number of representations on this application. He remained in the meeting and took part in the debate and vote;

Cllr D E Moyse declared a personal interest in application 00583/2015: Erection of kennel building and cattery buildings, by virtue of one of the speakers being known to her. She remained in the meeting and took part in the debate and vote;

Cllr M E Benson declared a personal interest in application 00583/2015: Erection of kennel building and cattery buildings, by virtue of knowing one of the objectors. He remained in the meeting and took part in the debate and vote;

Cllr W G Cann OBE declared a personal interest in application 00987/2015: Full application for erection of new agricultural livestock building and siting of a temporary agricultural workers dwelling. He remained in the meeting for the duration of this item but did not take part in the debate and abstained from the vote. In addition, he asked that his abstention be noted.

***P&L 55 CONFIRMATION OF MINUTES**

The Minutes of the Planning and Licensing Committee Meeting held on 8 December 2015 (page 1 to the Agenda), were confirmed and signed by the Chairman as a correct record.

***P&L 56 PLANNING, LISTED BUILDING, TREE PRESERVATION ORDER AND ENFORCEMENT REPORTS**

The Committee considered the applications prepared by the Development Management Specialists and considered also the comments of Town and Parish Councils together with other representations received, which were listed within the presented agenda reports and summarised below, and **RESOLVED:**

Application No: 01092/2015 Ward: Okehampton North

Site Address: 22 North Street, Okehampton

Change of use from a second floor function room ancillary to drinking establishment (use class A4) to a wholesale mixing and distribution facility for the distribution of ethanol alcohol to drinks manufacturers

Speakers included: Supporter – Mr Baily (A statement read out on his behalf); Ward Member – Cllr A F Leech

RECOMMENDATION: Conditional Approval

During discussion, and following the site inspection, Members noted a number of concerns with the application. Members sought confirmation that the description should be amended to 'Change of use from a second floor function room ancillary to drinking establishment (use class A4) to a wholesale mixing and distribution facility for the distribution of ethanol alcohol to drinks manufacturers (Use class B2 and B8). In response to concerns raised, a number of additional conditions were added as follows:

- Limit the amount of ethanol on the premises at any one time to 200 litres;
- No direct sales of ethanol alcohol to the public from the second floor;
- Use of the function room to cease as a function room on implementation of this permission; and
- No parcel collection from the premises.

COMMITTEE DECISION: Conditional Approval

Conditions:

Standard time limit

Adherence to plans

Use within building only

Retain parking

Hours of operation no longer than those applied for

Application No: 01182/2015 Ward: Hatherleigh

Site Address: Part of Glebelands, Hatherleigh

Outline application with all matters reserved for change of use of land and construction of live work accommodation

Speakers included: Ward Members Cllr P Kimber and Cllr J McInnes (Cllr Kimber declared a personal interest in this application as the applicant repaired his mothers car).

RECOMMENDATION: Refusal

In presenting this item to the Committee, the Case Officer advised that Members should consider the principle of this application. Members had a detailed discussion regarding current policy and emerging policy. Both Ward Members spoke strongly in favour of the application being conditionally approved.

COMMITTEE DECISION: Conditional Approval, subject to the satisfactory completion of a s106 and conditions, to be delegated to the Lead Specialist in consultation with the Chairman and Vice Chairman of the P&L Committee and the local Ward Members.

Reasons: The Committee had considered the application and felt that the addition of a residential unit would not prejudice the ongoing allocation for commercial use of the adjoining land.

Application No: 00987/2015 Ward: Okehampton North

Site Address: NGR SX 590990, Okehampton, EX20 3BD

Full application for erection of new agricultural livestock building and siting of a temporary agricultural workers dwelling

Speakers included: Supporter – Mr I Fewkes; Ward Member – Cllr A F Leech

RECOMMENDATION: Conditional Approval

During the Case Officer presentation, two further conditions were suggested and agreed as follows:

- 25m track to be in place prior to occupation of the temporary dwelling
- Colour of roof of the agricultural building to be agreed

COMMITTEE DECISION: Conditional Approval

Conditions:

Commencement within three years

Accord with plans

Agricultural use only

Agricultural building to be removed is use ceases

Agricultural buildings to be completed before the temporary dwelling is occupied

Agricultural workers dwelling to accord with the definitions and criteria of a caravan and be removed on or before three years from the date of this decision

Prior to installation of dwelling, details of rain water and sewage disposal to be agreed

Removal of PD rights – curtilage outbuildings

Agricultural Tie

(NOTE: Cllr W G Cann OBE requested that his vote to abstain on this application be formally recorded).

Application No: 00713/2015 Ward: Okehampton Hamlets

Site Address: Meldon Fields, Hameldown Road, Okehampton

Speakers included: Supporter – Mr A Graves; Ward Member – Cllr A F Leech

RECOMMENDATION: Conditional Approval

During discussion, officers advised that the application was subject to an updated s106 agreement and this should be included in the recommendation

COMMITTEE DECISION: Conditional Approval, subject to satisfactory completion of a s106 agreement, delegated to the Lead Specialist Development Management in consultation with the Chairman and Vice Chairman of P&L Committee and the local Ward Members.

Conditions:

Time limit

Accord with plans

Construction management plan

Foul water disposal plans

Adherence to and replanting landscaping plan

Ecology

Contamination

Remediation

Unexpected contamination

Surface Water Drainage

Details and materials of elevations, including windows, doors and guttering

Application No: 00583/2015 Ward: Bridestowe

Site Address: Holly Berry, Thorndon Cross, Okehampton EX20 4NE

Erection of kennel building and cattery buildings

RECOMMENDATION: Conditional Approval

COMMITTEE DECISION: Site Inspection

***P&L 57 PLANNING APPEALS UPDATE**

The Committee received and noted the updated list of Planning Appeals including enforcement appeals. The Lead Specialist Development Management responded to a number of questions regarding the presented list.

(The Meeting terminated at 12.50 pm)

Dated this

Chairman

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At a Meeting of the **PLANNING & LICENSING COMMITTEE** held at the Council Chamber, Council Offices, Kilworthy Park, Drake Road, **TAVISTOCK** on **TUESDAY** the **29th** day of **MARCH 2016** at **10.00am**

Present:

Cllr D K A Sellis – Chairman	
Cllr M J R Benson – Vice-Chairman	
Cllr R E Baldwin	Cllr W G Cann OBE
Cllr L J G Hockridge	Cllr C Mott
Cllr D E Moyse	Cllr T G Pearce
Cllr A Roberts	

Substitutes: Cllr J Sheldon for Cllr G Parker

Lead Specialist - Development Management (PW)
Specialists (TF, JK)
Highways Authority Representative (PT)
Solicitor (SN)
Senior Case Manager (KT)

In attendance: Cllrs J Evans, A Leech, J Moody, R F D Sampson, P R Sanders

***P&L 58 APOLOGIES**

Apologies were received from Cllr G Parker for whom Cllr J Sheldon acted as substitute.

***P&L 59 DECLARATION OF INTEREST**

Members were invited to declare any interests in the items of business to be considered and the following were made:

Cllr C Mott declared a personal interest in application 00583/2015: Erection of kennel building and cattery buildings, by virtue of knowing one of the objectors. She remained in the meeting and took part in the debate and vote;

Cllr L J G Hockridge declared a personal interest in application 00583/2015: Erection of kennel building and cattery buildings, by virtue of being the Chairman of the local Parish Council and receiving a number of representations on this application. He remained in the meeting and took part in the debate and vote;

Cllr D E Moyse declared a personal interest in application 00583/2015: Erection of kennel building and cattery buildings, by virtue of one of the speakers being known to her. She remained in the meeting and took part in the debate and vote;

Cllr M E Benson declared a personal interest in application 00583/2015: Erection of kennel building and cattery buildings, by virtue of knowing one of the objectors. He remained in the meeting and took part in the debate and vote;

Cllr T G Pearce declared a personal interest in application 00583/2015 Erection of kennel building and cattery buildings, by virtue of being a Member of the Devon Building Control Partnership. He remained in the meeting and took part in the debate and vote.

***P&L 60 CONFIRMATION OF MINUTES**

The Minutes of the Planning and Licensing Committee Meeting held on 1 March 2016 (page 1 to the Agenda), were confirmed and signed by the Chairman as a correct record.

***P&L 61 PLANNING, LISTED BUILDING, TREE PRESERVATION ORDER AND ENFORCEMENT REPORTS**

The Committee considered the applications prepared by the Development Management Specialists and considered also the comments of Town and Parish Councils together with other representations received, which were listed within the presented agenda reports and summarised below, and **RESOLVED:**

Application No: 00583/2015 Ward: Bridestowe

Site Address: Holly Berry, Thorndon Cross, Okehampton EX20 4NE

Erection of kennel building and cattery buildings

Speakers included: Objector – Mr Richard Leonard; Supporter – Mr Ian Little; Ward Members – Cllr C Mott and Cllr J Hockridge

RECOMMENDATION: Conditional Approval

In presenting his report, the Case Officer showed a number of photographs and related these to the site inspection that Members undertook. In response to a number of concerns regarding highways safety, the representative from Devon Highways Authority outlined how the proposal would improve visibility at this location and also forward visibility on the approach to the junction. The Environmental Health specialist explained that the charity kennels would be set up by the owner, and the dogs would be in the applicant's ownership. The application was for kennels for 9 dogs, and as a resident the owner would be allowed to have 6 dogs. In speaking, the agent confirmed that the proposal was expected to create 4 jobs, including the owner. It was also noted that students would benefit from the proposal as the applicant was an NVQ assessor who would use the site to create student placements.

During debate, a number of concerns were expressed in relation to the amenity of the nearby residents. Concerns were also expressed in relation to the nearby golf course and users of the public bridleway, all of whom could be affected by the noise of barking dogs.

COMMITTEE DECISION: Refusal

Reasons

The proposal represents an un-necessary intrusion into open countryside and the economic and community benefit of the proposal does not outweigh the harm caused to the amenity of nearby residents and the wider countryside by nature of adverse noise generation from the proposed development that will have a detrimental impact for nearby residents upon the quiet and peaceful enjoyment of their homes and gardens. Furthermore the development will have an adverse impact upon the ability of other recreational users to enjoy peaceful recreation in this area of the Countryside, in particular using the nearby public right of way and golf course. The development would therefore be contrary to policies BE17; NE10 and ED16 of the West Devon Local Plan Review.

P&L 62 PLANNING SCHEME OF DELEGATION

The Committee were presented with a report that sought approval of a revised Scheme of Delegation. The Chairman asked that thanks be noted to Cllrs Parker and Pearce, who, as Members of the Working Group, had worked with officers and South Hams District Council Members to produce the scheme being presented today.

During discussion on the scheme, a number of minor revisions were requested and agreed. The revisions would be made to the document prior to presentation at the next full Council meeting on 5 April 2016.

There was some debate around whether non Ward Members could call in an application. Whilst it was agreed that they could, it was also noted that this should be with the full knowledge of the Ward Member. The document would be amended accordingly.

Finally, the Leader suggested that the Committee may like to consider an addition so that Members could defer an application once a decision had been made contrary to officer recommendation, to enable officers to come up with precise wording for the decision notice. Whilst he did not wish to prevent approval of the document today, he and other Members felt this suggestion worth consideration at a later date.

It was then:

RESOLVED to RECOMMEND to Council that:

1. The revised Planning Scheme of Delegation as presented at Appendix A of the report, and with amendments as suggested by the Committee, be adopted; and
2. Authority to make any 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.

***P&L 63 PLANNING APPEALS UPDATE**

The Committee received and noted the updated list of Planning Appeals including enforcement appeals.

(The Meeting terminated at 12.20 pm)

Dated this

Chairman

West Devon Borough Council - Planning Delegation Scheme Appendix A
(Unstarred Minute P&L 62 refers)

Definitions:

- **CoP Lead:** Community of Practice Lead Specialist Development Management
- **In writing:** shall include email
- **P&L Committee:** Planning & 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 paragraph 1.2 below, the CoP Lead has delegated authority for all functions assigned to the P & L Committee under the Town and Country Planning Acts, Orders, and Regulations (as set out in Part 3 of the Council's Constitution and as amended from time to time) except those:

- a. Planning Applications
- b. Listed Building Consents
- c. Advertisement Consents
- d. TPO final confirmations (excluding emergency TPOs), and
- e. Works to TPO trees

Which:

- i. relate to the Council's own land
- ii. 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 which in the opinion of the CoP Lead:

- 1. are of sub-regional or district-wide significance
- 2. ought to be determined by the P&L Committee

1.2 In the case of planning, listed building, advertisement applications and TPO applications and confirmations, where any written representations are received, including those from a Parish or Town Council, which are contrary to the CoP Lead's recommendations and where the representations are considered material and relevant planning issues.

1.3 The CoP Lead shall have delegated authority to determine these only where:

- a. agreement to issuing a delegated decision has been sought in writing from the Ward Member(s) and,
- b. no written request (supported by material planning reasons) to call the application to Committee has been received from the Ward Member(s) within the notification period. The notification period is defined as three 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.

2 Ward Members

2.1 Members can call to Committee, with material planning reasons,

- a. any Planning Applications
- b. Listed Building Consents
- c. Advertisement Consents
- d. TPO final confirmations (excluding emergency TPOs), and
- e. Works to TPO trees

with no contrary comment, by notifying the CoP Lead prior to the expiry of the public consultation period. Non Ward Members will only call in an application after 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 CoP Lead

2.3 Unless a Ward Member requests an extension of time of up to 48 hours for a response, s/he must advise the CoP Lead of his/her views within three working days of being notified.

2.4 In the absence of a Ward Member consultation response within the permitted time frames, the CoP 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 P&L Committee

- 3.1 Where the Committee **approves** an application, the CoP 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 CoP Lead recommended should be approved, it shall give the reasons for the decision but the CoP Lead shall determine the precise wording of the reasons for refusal

4 Delegation in respect of Enforcement Action

- 4.1 The CoP Lead has delegated authority to:

- a. decide that no breach has been found
- b. decide that it is not expedient to take enforcement action (in accordance with the Council's Enforcement Policy), unless notified by the Ward Member otherwise
- c. invite regularising Planning Applications where appropriate
- d. carry out all enforcement action (including but not limited to) issuing and serving Planning Contravention Notices, Untidy Site Notices, Stop Notices, Breach of Condition Notices and Building Preservation Notices, providing the relevant Ward Members are notified prior to such notices being issued or served
- e. issue Enforcement Notices in respect of which Ward Member(s) have been notified in writing allowing 3 working days (with an extension of up to 48 hours to be granted if requested with good reason) for Members to request, in writing supported by material planning reasons, that the proposed action is brought to the P&L Committee for decision and no such request has been received
- f. take Prosecutions and Injunctions in respect of which Ward Member(s) have been notified in writing allowing 3 working days (with an extension of up to 48 hours to be granted if requested with good reason) for Members to request, in writing supported by material planning reasons, that the proposed action is brought to the P&L Committee for decision and no such request has been received

SAVE that the Monitoring Officer has delegated authority to take a Prosecution or Injunction where the Council's position would be compromised if action is not taken urgently

- 4.2 The CoP Lead may refer complex matters to the Committee at his/her discretion, or where there are relevant budgetary implications.

5 Section 106 Agreements

The CoP Lead may:

- a. authorise the execution of a section 106 agreement where required in advance of the grant of planning permission
- b. in consultation with the Ward Member(s), 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

At a Meeting of the **HUB COMMITTEE** held at the Council Chamber, Council Offices, Kilworthy Park, Drake Road, **TAVISTOCK** on **TUESDAY** the **25th** day of **FEBRUARY, 2016** at **2.00pm**

Present:

Cllr P R Sanders – Chairman	
Cllr R E Baldwin – Vice-Chairman	
Cllr M J R Benson	Cllr W G Cann OBE
Cllr J B Moody	Cllr R J Oxborough
Cllr G Parker	Cllr R D Sampson
Cllr L Samuel	

In attendance:

- Executive Director (Strategy and Commissioning)
- Lead Specialist Planning
- Case Manager Team Leader
- S151 Officer
- Senior Case Manager

Other Members in attendance:

Cllrs T G Pearce

***HC 53 APOLOGIES FOR ABSENCE**
Apologies were received from Cllr R E Baldwin.

***HC 54 DECLARATIONS OF INTEREST**
Members were invited to declare any interests in the items of business to be discussed but none were made.

***HC55 COUNCIL TAX RESOLUTION 2016/17**
The Chairman presented a report that sought approval of the formal council tax resolutions as set out in the presented report for 2016/17.

Some Members raised concerns over the increase in council tax proposed by West Devon Borough Council, particularly in light of current standards of service not being as high as they should. The Lead Member for Customer First responded that he understood the perception, and he was working with officers to ensure that things were being put in place to address areas of poor service. He asked that any specific problems, where possible, be reported online, as this would ensure an audit trail of the issue.

Following a discussion on service levels, a Member noted that all authorities responsible for council tax were under pressure as a result of reduced funding from central government.

It was then **RESOLVED:**

1. That it be noted that in January 2016 the Senior Leadership Team, under delegated authority from full Council, approved the Council Tax Base for the year 2016/17
 - (a) for the whole Council area as 19,733.41 in accordance with regulation 3 of the Local Authorities (Calculation of Council Tax Base)(England) Regulations 2012; and
 - (b) for dwellings in those parts of its area to which a Parish Precept relates in accordance with regulation 6 of the Local Authorities (Calculation of Council Tax Base)(England) Regulations 2012 **(Appendix A)**

2. That the Council Tax requirement for West Devon Borough Council's own purposes for 2016/17 (excluding Parish precepts) is calculated at £4,210,912 **(Appendix B)**.

3. That the following amounts are calculated by the Council for the year 2016/17 in accordance with Sections 31 to 36 of the Local Government Finance Act 1992 and the Localism Act 2011 **(Appendix B)**:

(a) £26,246,934	being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (2) of the Act taking into account all precepts issued to it by Parish/Town Councils (Gross expenditure including parish precepts) .
(b) £20,806,717	
(c) £5,440,217	being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (3) of the Act (Total income including formula grant and council tax surplus) .
(d) 275.69	being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council in accordance with Section 31A (4) of the Act as its Council Tax

requirement for the year (Item R in the formula in Section 31B of the Act) **(Council tax requirement including parish precepts).**

(e) £1,229,305

being the amount at 3(c) above (Item R), all divided by the council tax base (1(a) above) in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year **(Average band D council tax for West Devon Borough Council and parishes).**

(f) £213.39

being the aggregate amount of all special items (Parish Precepts), referred to in Section 34(1) of the Act (as per the attached **Appendix C – Parish Precepts).**

being the amount at 3(d) above less the result given by dividing the amount at 3(e) by the Council tax base (1(a) above), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish precept relates **(Band D council tax for West Devon Borough Council only).**

4. That it be noted the County Council, the Police and Crime Commissioner and the Fire Authority have issued precepts to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each of the categories of dwellings as shown below:

Precepting authority	Valuation Bands							
	A £	B £	C £	D £	E £	F £	G £	H £
Devon County Council's tax requirements	805.08	939.26	1,073.44	1,207.62	1,475.98	1,744.34	2,012.70	2,415.24
Police & Crime Commissioner's tax requirements	115.23	134.43	153.64	172.84	211.25	249.66	288.07	345.68
Devon & Somerset Fire & Rescue Authority's tax requirements	53.32	62.21	71.09	79.98	97.75	115.53	133.30	159.96

5. That the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the amounts of Council Tax for the year 2016/17 for each of the categories of dwellings shown at **Appendix D (total of all valuation band council taxes for West Devon Borough Council including parishes, county, police and crime commissioner and fire authority)**.
6. That the Council concluded that the basic amount of Council Tax for West Devon Borough Council for 2016/17 is not excessive in accordance with principles approved under Section 52ZB Local Government Finance Act 1992 (see calculation at **Appendix B**).

HC 56

PLANNING ENFORCEMENT

(Paragraph 7 – Information relating to any action taken, or to be taken, in connection with the prevention, investigation or prosecution of crime)

The Lead Hub Member for Customer First introduced the report which outlined a proposal of how the Planning Enforcement service could be resourced to more effectively handle and respond to incoming enquiries and complaints, while also working through and closing the existing backlog of open cases.

Members had a long and detailed discussion on this item and the Lead Specialist – Planning, and Case Management Team Leader, responded to a number of questions relating to process, capacity within Planning and Legal and Ward Member involvement. A major concern for Members was

that the impact of addressing enforcement cases may have a relative impact on the workload of planning officers as additional applications were brought forward. Members were advised that there was sufficient capacity within the staff to deal with any additional workload that arose as a result.

It was then **RESOLVED**:

1. To approve the Planning Enforcement plan to address the backlog of cases within 12 months from 1 March 2016; and
2. That Council be **RECOMMENDED** 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 presented report).

HC 57

RE-ADMITTANCE OF THE PUBLIC

It was proposed, seconded and agreed to re-admit members of the public to the meeting.

(The Meeting terminated at 3.35 pm)

Chairman

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At a Meeting of the **HUB COMMITTEE** held at the Council Chamber, Council Offices, Kilworthy Park, Drake Road, **TAVISTOCK** on **TUESDAY** the **22nd** day of **MARCH, 2016** at **2.00pm**

Present:

Cllr P R Sanders – Chairman
Cllr R E Baldwin – Vice-Chairman
Cllr M J R Benson Cllr W G Cann OBE
Cllr J B Moody Cllr R J Oxborough
Cllr G Parker Cllr R D Sampson
Cllr L Samuel

In attendance:

Executive Director (Strategy and Commissioning)
Executive Director (Service Delivery and Commercial Development)
S151 Officer
COP Lead Specialist Housing, Revenue and Benefits
Lead Specialist Communications and Media
Lead Specialist Waste Strategy
Corporate Procurement Officer
Group Manager Business Development
Senior Case Manager

Other Members in attendance:

Cllrs Cheadle, Cloke, Davies, Edmonds, Evans, Leach, McInnes, Mott, Moyse, Musgrave, Pearce, Sellis and Yelland

***HC 58 DECLARATIONS OF INTEREST**

Members were invited to declare any interests in the items of business to be discussed but none were made.

***HC 59 MINUTES**

The Minutes of the Hub Committee Meeting held on 26 February 2016 were confirmed and signed by the Chairman as a correct record.

***HC 60 REVENUE BUDGET MONITORING 2015/16**

The Lead Hub Member for Resources and Performance introduced a report that enabled Members to monitor income and expenditure variations against the approved budget for 2015/16, and provided a forecast for the year end position.

The s151 Officer responded to specific questions, particularly relating to Kilworthy Park. The COP Lead Assets confirmed that the Council was currently working with a local agent to get the best return from the building.

It was then **RESOLVED** that the forecast income and expenditure variations for the 2015/16 financial year and the overall projected underspend of £60,000 be noted.

***HC 61 CAPITAL BUDGET MONITORING 2015/16**

The Lead Hub Member for Resources and Performance introduced a report that advised members of the financial position of capital projects as at 31 January 2016 for the purposes of budget monitoring.

The COP Lead Housing, Revenue and Benefits explained the Tenants Incentive Scheme.

It was then **RESOLVED** that the report be noted.

***HC 62 T18 BUDGET MONITORING TO END FEBRUARY 2016**

The Leader introduced a report that set out the progress to date in respect of the T18 Transformation Programme.

The Executive Director (S&C) responded to questions in relation to the Council's relationship with Civica. The Lead Member for Customer First drew Members attention to the cost breakdown of transactions and advised that he was working to encourage online self serve.

It was then **RESOLVED** that progress to date on the T18 Transformation Programme be noted.

HC 63 REVIEW OF ROLE AND RESPONSIBILITIES FOR HUB COMMITTEE

The Chairman of the Political Structures Working Group introduced a report of that Group that set out the findings from the recent review of the Roles and Responsibilities for the Hub Committee Members. In introducing the report he particularly drew Members attention to the suggested amendments to roles and responsibilities as set out in paragraph 5.1.5 of the presented report. He also confirmed that the updated list of roles and responsibilities would be attached to the Member's Bulletin each week.

It was then **RESOLVED**:

That Council be **RECOMMENDED** 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 report.

HC 64 CORPORATE DEBT RECOVERY

The Lead Member for Customer First introduced a report that presented a Joint Corporate Debt Recovery Policy for approval.

It was then **RESOLVED**:

That Council be **RECOMMENDED** to adopt the Joint Corporate Debt Recovery Policy.

HC 65 COMMUNICATIONS POLICY AND PROTOCOLS

The Leader introduced a report that sought to recommend approval of the Communications and Social media Policies and Communication Protocol to full Council.

The Lead Specialist Communications and Media provided clarity on a number of elements within the report and explained that the purpose of the documents was not to prevent Members from speaking to the media but to provide a framework within which they could speak and ensure they had the most up to date and accurate information.

It was then **RESOLVED** that Council be **RECOMMENDED** that:

The joint Communications and Social Media Policies be adopted for West Devon Borough Council; and

The protocols in the revised Communications protocol be acknowledged and adopted.

HC 66 THE FUTURE OF THE DEVON AUTHORITIES WASTE REDUCTION AND RECYCLING COMMITTEE (DAWRRC)

The Lead Member for Commercial Services introduced a report that outlined proposals to wind up the Devon Authorities Waste Reduction and Recycling Committee and replace it with a new joint Devon Authorities Strategic Waste Committee.

A number of Members commented that Plymouth City Council should be encouraged to join the Group.

It was then **RESOLVED** to **RECOMMEND** to Council that:

1. Support for the proposal to wind up the Devon Authorities Waste Reduction and Recycling Committee
2. To agree to the establishment of the joint Devon Authorities Strategic Waste Committee on the draft terms of reference set out in the Operating Rules attached at Appendix 1 and that any significant changes to the terms of reference be brought back to Council for further approval

3. To agree that the Lead Hub 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 Member for Commercial Services
4. That any changes considered necessary to the terms as highlighted are delegated to the Lead Specialist Waste Strategy (Strategy & Commissioning) in consultation with the Lead Hub Member for Commercial Services

HC 67 PROCUREMENT STRATEGY

The Lead Hub Member for Commercial Services introduced a report that proposed formal adoption of the Devon Districts Procurement Strategy 2015-2018 as set out in the presented Appendix A.

In respect of the recommendation relating to a Member Champion, Members noted that the Council no longer had Member Champions, but agreed that this issue could be picked up through the appointments process at Annual Council and a Lead Member for Procurement identified.

It was then **RESOLVED** to **RECOMMEND** to Council to:

1. Formally adopt the Devon Districts Procurement Strategy 2015-18 and implement the contents therein; and
2. Establish a Member Champion for Procurement, as per output 21 under Theme C: Leadership

HC 68 REPORTS OF OTHER BODIES

The minutes of the Overview and Scrutiny (External) Committee held on 15 March 2016 were presented for approval and noted.

In respect of Unstarred Minute O&S (E) 32 – Our Plan Review, which included a recommendation to the Hub Committee for reference to Council, the Hub Committee noted the recommendation and made the following:

That Council be **RECOMMENDED** 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

(Paragraph 3 – Information relating to any action taken, or to be taken, in connection with the prevention, investigation or prosecution of crime

The Lead Hub Member for Business Development introduced a report that set out a number of proposals related to Income Generation. Members had a detailed debate on the items within the report and during the course of that debate it was agreed to remove one of the proposed recommendations.

It was then **RESOLVED** that Council be **RECOMMENDED**:

1. That the income generation and business development principles outlined in this report are 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 2.7) 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 is 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. Developments and Disposals as detailed in 3.1.9 below, are 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 3.1.9.1 to 3.1.9.4 is 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 3.3 below, is 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.

***HC 70**

RE-ADMITTANCE OF THE PUBLIC

It was proposed, seconded and agreed to re-admit members of the public to the meeting.

(The Meeting terminated at 4.10 pm)

Chairman

At a Meeting of the **OVERVIEW & SCRUTINY (INTERNAL) COMMITTEE** held at the Council Chamber, Council Offices, Kilworthy Park, Drake Road, **TAVISTOCK** on **TUESDAY** the **8th** day of **MARCH 2016** at **2.00pm**.

Present:

Cllr C R Musgrave – Chairman
Cllr J Yelland – Vice-Chairman
Cllr M Davies Cllr C Edmonds
Cllr J Evans Cllr L J G Hockridge
Cllr P Kimber Cllr J R McInnes
Cllr C Mott Cllr D E Moyse

Head of Paid Service
Executive Delivery (Service Delivery and
Commercial Development)
Group Manager – Support Services
Specialist Manager
Development Management Community Of
Practice Lead
Contact Centre Manager
Senior Specialist – Democratic Services
Specialist – Performance and Intelligence

Also in Attendance:

Cllrs M J R Benson, W G Cann OBE, D W
Cloke, A F Leech, J B Moody, G Parker, T G
Pearce, R F D Sampson and B Stephens

***O&S(I) 41 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Cllrs L J G Hockridge, J R McInnes and D K A Sellis.

Whilst not a Committee Member, Cllr K Ball had also submitted his apologies to this meeting in his capacity as the Chairman of the Member Development Steering Group (Minute O&S(I) 50 below refers).

***O&S(I) 42 CONFIRMATION OF MINUTES**

The minutes of the Meeting held on 6 October 2015 were confirmed and signed by the Chairman as a correct record.

***O&S(I) 43 DECLARATIONS OF INTEREST**

Members and officers were asked to declare any interests in the items of business to be considered during the course of this meeting, but there was none made.

***O&S(I) 44 PUBLIC FORUM**

It was noted that officers had received notice from a member of the public requesting that a question be raised at this meeting in relation to financial and budgetary decisions made by the Police and Crime Commissioner.

Having considered this request, both the Monitoring Officer and Chairman had ruled that the question did not comply with the Forum Procedure Rules since it was 'not about a matter for which the local authority had a responsibility.'

***O&S(I) 45 HUB COMMITTEE FORWARD PLAN**

The most recent (published 3 March 2016) Hub Committee Forward Plan was presented for consideration.

In discussion, reference was made to:-

- (a) Income generation opportunities. The Head of Paid Service informed that this report would be a part 2 agenda item and would seek to recommend that Council agree the principles relating to income generation and business development;
- (b) the Homeless Strategy. The Committee was advised that there was now a need to consider a number of different approaches to Homelessness which was likely to necessitate a further delay in consideration of this agenda item;
- (c) Hub Committee meetings. As a general point, the Chairman stated that there was a recognition that all Overview and Scrutiny Committee Members needed to keep abreast of Hub Committee agendas and minutes. In addition, the Chairman reminded those present that all Overview and Scrutiny Committee Members were able to attend and take part in the debate at Hub Committee meetings;
- (d) Committee workloads. When viewing the Forward Plan, Members questioned the apparent disparity in workload between the Overview and Scrutiny (Internal) and (External) Committees. In response, the Head of Paid Service confirmed that future versions of the Forward Plan were likely to see this imbalance addressed.

***O&S(I) 46 T18 ICT PROGRESS UPDATE**

A report was considered that provided Members with an overview of the ICT elements of the T18 Programme. In particular, the report covered the following key areas:-

- Background of ICT projects;
- Civica relationship and performance;
- Current ICT project plan; and
- Current issues and key risks.

In discussion, the following points were raised:-

- (a) In recognising the need to upgrade the contact centre telephony system, officers confirmed that this was likely to be in place during the

summer months. Whilst the new system would help the contact centre, it was also recognised that, in order to make a significant difference, the overriding need was to reduce the number of calls coming into the Council by promoting channel shift. Specifically on the subject of channel shift, a Member highlighted the need to improve both the speed and responsiveness of the Council website. Whilst technically outside of the Programme, it was confirmed that officers were looking at improving the performance of the website;

- (b) A Member questioned the state of the current relationship between the Council and Civica. In reply, officers informed that the relationship was positive and the Council was seen as a very important customer by Civica. Senior Civica representatives were aware of the importance to their organisation of making the Programme work and weekly meetings continued to be held with senior Council officers;
- (c) Some Members were of the view that, when considering the launch had been light touch to date, it was commendable that over 1,800 online accounts had already been requested by customers;

In conclusion, a number of Members felt that the report was very encouraging and reassuring.

It was then:

RESOLVED

That the progress to date on the T18 ICT Transformation Programme be noted.

***O&S(I) 47 DEVELOPMENT MANAGEMENT SERVICE UPDATE**

The Committee considered a report that outlined the measures that were being implemented, and were planned, to secure a sustainable improvement in performance in delivering Development Management.

In discussion, reference was made to:-

- (a) letters of representation. Some concern was expressed that letters of representation were not available on the new planning portal once the decision notice had been published. In response, officers informed that they were aware of the issue and steps were being taken to find a resolution. However, the point was also made that the Planning Advisory Service was adamant that such details should be removed from the portal once a decision had been made;
- (b) pressures on the service. Officers were grateful for, and reinforced the importance of, maintaining the support of Members. The two key pressures that the service continued to face were the backlog of

applications and the capability of the Council website. It was noted that this was reflected in the main sources of customer complaints. Whilst the backlog was reducing and the website had seen recent improvements, it was recognised that there was still work to be done in the service;

- (c) presenting to the Planning and Licensing Committee. A Member stressed the importance of new officers being briefed on how to present their applications to meetings of the Planning and Licensing Committee;
- (d) staffing. At the time of this meeting, the Panel was advised that there were four agency planners being employed by the service and there remained three planning case manager vacancies. In reply to a further question, officers confirmed that the service was operating within the budget provisions approved by Members;
- (e) the upcoming peer review. When informed of the pending review, the Committee requested that the findings and (if necessary) an Improvement Plan be reported to its first meeting in the 2016/17 Municipal Year.

It was then:

RESOLVED

1. That the measures that are being implemented to improve performance within Development Management (as outlined at paragraph 4 of the presented agenda report presented to Members) be noted; and
2. That the findings and (if necessary) an Improvement Plan be reported to the first Committee meeting in the 2016/17 Municipal Year.

***O&S(I) 48 CONTACT CENTRE UPDATE**

Members were presented with their latest update report on the Contact Centre. In addition to the update, a service action plan had been produced and was appended to the report. Furthermore, the report also took the opportunity to update Members as to the latest performance trends.

In presenting the report, the Contact Centre Manager highlighted that:-

- staff were still working simultaneously on two different systems, which was not helping service performance. Nonetheless, it was noted that the performance figures for February 2016 were showing signs of improvement;

- the month of March would see a significant increase in calls as a result of annual Council Tax billing; and
- the last two vacant posts in the Contact Centre had now been filled.

In discussion, reference was made to:-

- (a) an acceptable standard call answer time. Officers confirmed that an 80% target for calls being answered within 7 minutes was a realistic aim. In reply to some Member concerns, it was noted that to achieve a target of anywhere close to 100%, there would be a need to double the number of staff employed in the Contact Centre, which would in effect lead to inefficient working practices;
- (b) the decrease in customer footfall at Kilworthy. A Member expressed his surprise that footfall had decreased and it was his perception that Kilworthy was constantly busy with customers. In reply, the lead Hub Committee Member emphasised the different costs of transactions with the Council and highlighted the consequent importance of channel shift and, as part of his role, he was championing this initiative;
- (c) website security. A Member commented that, to encourage customers to make payments via the Council website, there was a need for increased communications to be undertaken by the Council to assure residents that they could have confidence in using the facility;
- (d) responding to customers. A Member stated that he received a number of complaints from local residents who had been promised a response to an issue from an officer which had failed to materialise. In reply, the Head of Paid Service advised that this was an organisational issue which was being addressed and asked that Members let him know as and when any such examples arise.

It was then:

RESOLVED

1. That the Panel continue to support the work being undertaken to improve Customer Services and monitor performance through regular updates; and
2. That the Action Plan (as outlined at Appendix C of the presented agenda report) be endorsed.

***O&S(I) 49 PERFORMANCE MEASURES**

A report was considered that presented the performance measures for Quarter 3. The report highlighted that Quarter 3 indicators had tended to show a general improvement on both the Balanced Scorecard and the background report. Furthermore, the 'deep dive' report illustrated that

there were issues currently with benefits processing. However, the report acknowledged that some of these issues were outside the control of the service.

It was then:

RESOLVED

1. That the performance levels against target communicated in the Balanced Scorecard and the performance figures supplied in the background and exception report be noted; and
2. That the data and analysis provided within the 'Deep Dive' report – Benefits Processing be noted.

***O&S(I) 50 MEMBER DEVELOPMENT STEERING GROUP PROGRESS UPDATE**

The Committee Vice-Chairman provided a progress update on the work of the Member Development Steering Group. In so doing, she raised the following points:-

- The Group had last met on 26 January 2016 and had specifically considered the findings of the Member questionnaire;
- With regard to future Induction programmes, the Group had already formed the view that planning related training should be held over the course of one day. It was envisaged that the format of this day would be that a session relating to forward planning issues would be held in the morning, with a Development Management tailored session then being held in the afternoon. In addition, the Group had also endorsed the suggestion for a Planning and Licensing Committee tailored session to be held before the first Committee meeting proper;
- The Group had also made a series of other recommendations relating to the Induction and would be considering these in more detail at its next meeting on Monday, 14 March 2016;
- Once the Working Group had 'signed off' the Induction Programme, it would be then turning its attention to the corporate Member Learning and Development Programme;
- As a reminder, the Working Group Members were here to support fellow Members in bringing forward any potential learning and development needs.

In the ensuing discussion, a number of Members expressed their support for the format of the proposed planning related sessions and the mock Planning and Licensing Committee.

The Committee concluded by thanking the Steering Group for its excellent work in this regard.

***O&S(I) 51 DRAFT WORK PROGRAMME 2016/17 – INITIAL THOUGHTS**

The Committee took the opportunity to express some initial thoughts relating to its 2016/17 Work Programme and proceeded to make the following comments:-

- A review into the Locality Model was requested to be scheduled for a Committee meeting early in the 2016/17 Municipal Year;
- Specifically in respect of the matrix management aspect of the Transformation Programme, a Member felt that it would be opportune to review the effectiveness of communication across the operating model as part of a future T18 Monitoring report; and
- Some Members made the point that it was difficult for both Overview and Scrutiny Committees to effectively monitor and add value to the work of the Hub Committee when considering that their Committees met nowhere near as frequently. In reply, the point was acknowledged and officers advised that the Calendar of Meetings for 2016/17 would be drafted on the basis of attempting to keep the impact to a minimum.

(The meeting terminated at 3.50 pm)

Chairman

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At a Meeting of the **STANDARDS COMMITTEE** held at the Council Chamber, Council Offices, Kilworthy Park, Drake Road, **TAVISTOCK** on **TUESDAY** the **15th** day of **March 2016** at **10.00am**.

Present: Cllr A F Leech – Chairman
Cllr J Sheldon – Vice-Chairman
Cllr J Evans Cllr J R McInnes
Cllr J Yelland

Monitoring Officer
Senior Case Manager – Democratic Services

***SC 9 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Cllrs K Ball, W G Cann OBE (as lead Hub Committee Member), P Kimber J B Moody and C R Musgrave.

***SC 10 CONFIRMATION OF MINUTES**

The Minutes of the Meeting held on 20 October 2015 were confirmed and signed by the Chairman as a true and correct record.

*** SC 11 REVIEW OF PROCEDURES FOR DEALING WITH STANDARDS COMPLAINTS**

The Monitoring Officer presented a report on the review of procedures for dealing with Standards complaints to Members.

Answering questions raised by Members, the Monitoring Officer confirmed that:

- In accordance with the Localism Act, it was for each town or parish council to adopt their own Code of Conduct and that they did not have to adopt the West Devon Borough Council version;
- Six months after a Councillor ceased to be a Member, the signed paper copies of their register of interest form would be destroyed. In addition, the electronic version on the Council website would be removed as soon as was practically possible;
- the Chairman & Vice Chairman of the Committee would be notified of any complaint received and the outcome.

It was then **RESOLVED** that the Committee agree the amendments to the 'Dealings with Standards Complaints' (as outlined at Appendix A of the presented agenda report) together with further amendments to:

1. Page 16 of the attached Policy under 'Assessment by the Monitoring Officer' to add that the Chairman and Vice-Chairman be notified of receipt of a Code of Conduct complaint and the assessment stage outcome; and

2. Clarification to page 26 of the Policy in respect of what happens to complaints when a Councillor ceases to be a Councillor and a member of another authority

(The Meeting terminated at 10.45 am)

Chairman

At a Meeting of the **AUDIT COMMITTEE** held in the Council Chamber, Council Offices, Kilworthy Park, Drake Road, **TAVISTOCK** on **TUESDAY** the 15th day of **MARCH 2016** at **11.00am**

Present: Cllr M Davies (Chairman)

Cllr J Yelland Cllr N Jory
Cllr L Watts

Substitutes: Cllr J Yelland for Cllr B Stephens

Officers in attendance: Finance Community of Practice Lead
Deputy 151 Officer
Finance Business Partner (AW)
Case Manager, Strategy & Commissioning
Business Development Group Manager
Darren Gilbert, KPMG
Rob Hutchings and Brenda Davies, Devon
Internal Audit Partnership

Also in attendance: Cllr A F Leech

***AC 28 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Cllrs J B Moody, B Stephens and W G Cann OBE

***AC 29 CONFIRMATION OF MINUTES**

The Minutes of the Meeting held on 19 January 2016 were confirmed and signed by the Chairman as a correct record.

***AC 30 EXTERNAL AUDIT PLAN 2015/16**

Mr Gilbert presented the External Audit Plan for 2015/16 for Members.

Following the presentation, Members had no issues to raise and without further discussion, it was then **RESOLVED** that the report be noted.

***AC 31 LOCAL GOVERNMENT BUDGET SURVEY FEBRUARY 2016**

Mr Gilbert presented the KPMG produced Local Government Budget Survey for February 2016.

Following the presentation, Members had no issues to raise and without further discussion, it was **RESOLVED** that the report be noted.

AC 32 2016/17 TREASURY MANAGEMENT STRATEGY

The S151 Officer took Members through the report that sought approval of the proposed Treasury Management and Investment Strategies, together with their associated prudential indicators.

In discussion, it was noted that Treasury Management training was needed for Members and should be included in the Learning and Development Plan.

It was then **RESOLVED** that Council be **RECOMMENDED** to 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

The S151 Officer took Members through a report that presented the annual review of the Council Constitution.

It was then **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

The Business Development Group Manager took Members through the report that provided a six monthly update on Risk Management.

It was noted that SPARSE will continue with their lobbying of the Government for more rural services deliver grant funding for rural Councils. In reply to a Member question in regard to the joint Procurement Strategy, the S151 Officer confirmed that service area Managers would receive training in procurement.

It was then **RESOLVED** that the 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.

***AC 35 UPDATE ON PROGRESS ON THE 2015/16 INTERNAL AUDIT PLAN**

The internal auditor (BD) took Members through a report that informed them of the principal activities and findings of the Council Internal Audit team for 2015/16 to 31 January 2016.

It was then **RESOLVED** that the report be noted.

*** AC 36 2016/2017 INTERNAL AUDIT PLAN**

The internal auditor (RH) took Members through the report that sought to provide the Committee with the opportunity to review and comment upon the proposed internal audit plan for 2016/17

It was then **RESOLVED** that:

1. The report be noted; and
2. The proposed Internal Audit Plan for 2016/17 at Appendix A of the presented report be approved.

(The Meeting terminated at 11.40am)

Dated this

Chairman

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At a Meeting of the **OVERVIEW & SCRUTINY (EXTERNAL) COMMITTEE** held at the Council Chamber, Council Offices, Kilworthy Park, Drake Road, **TAVISTOCK** on **TUESDAY** the **15th** day of **MARCH 2016** at **2.00 pm**.

Present:

Cllr D W Cloke – Vice-Chairman	
Cllr R Cheadle	Cllr N Jory
Cllr A F Leech	Cllr T G Pearce
Cllr A Roberts	Cllr J Sheldon
Cllr L Watts	

Head of Paid Service
Support Services Specialist Manager
Environmental Health COP Lead
Place and Strategy – Lead Specialist
Senior Specialist – Democratic Services

Also in Attendance:

Cllrs R E Baldwin, G Parker, R F D Sampson,
L Samuel, P R Sanders and J Yelland

***O&S(E) 27 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Cllrs K Ball, P J Ridgers and B Stephens

***O&S(E) 28 CONFIRMATION OF MINUTES**

The minutes of the Meeting held on 17 November 2015 were confirmed and signed by the Chairman as a correct record.

***O&S(E) 29 DECLARATIONS OF INTEREST**

Members and officers were asked to declare any interests in the items of business to be considered during the course of this meeting, but there were none made.

***O&S(E) 30 PUBLIC FORUM**

The Chairman informed that there had been no issues raised for this meeting in accordance with the Public Forum.

***O&S(E) 31 HUB COMMITTEE FORWARD PLAN**

The most recently published Hub Committee Forward Plan was presented for consideration. In introducing the Plan, the Chairman informed those present that the 'Income Generation Opportunities / Business Development Update' report, that was to be presented to the next Hub Committee meeting on 22 March 2016, was to be published under exempt cover.

O&S(E) 32 OUR PLAN REVIEW

The Committee was presented with a report that recommended the adoption and publication of the West Devon Our Plan for the 2016/17 Financial Year.

In introducing the item, the Leader advised that the Plan would evolve and proceeded to emphasise the importance of the following statement in the draft Plan:

‘Our Plan itself will need to flex and may require subsequent review – not least as the Local Plan progresses and reaches a stage when it is adopted and establishes the plan led basis to housing and employment development.’

In the ensuing discussion, reference was made to:-

- (a) the reliance on external factors which could be detrimental to the local economy. Whilst it was recognised that commercial decisions were often made that were outside the control of the local authority, there was still a general acceptance of the need for the Council to try and stimulate the local economy;
- (b) the last round of consultation responses. It was confirmed that, following the most recent consultation exercise, 164 responses had been received that had generated a total of over 1,000 separate comments. These comments were now available on the Council website and were currently being evaluated by officers. The Panel noted that it was then intended that these would be referred to in the next version of the Local Plan presented to Members;
- (c) the draft Collaboration Agreement. The Leader informed that the draft Agreement (to establish the operation of the Joint Local Plan) was currently being reviewed and it was hoped that it would be signed by all partner authorities within the next few weeks;
- (d) the importance of qualitative measures. Members recognised the importance of both qualitative and quantitative measures being included in the Action Plan;
- (e) the establishment of the proposed WD/SH Economic Development Member Working Group. If ultimately approved by Council, it was envisaged that the Group would also be best placed to agree the key measures for the Delivery Plan;
- (f) neighbourhood planning groups. Officers recognised the difficulties and pressures facing these groups, particularly until the Joint Local Plan had progressed to the next stages.

It was then:

RECOMMENDED

That the Hub Committee **RECOMMEND** to the Council 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.

***O&S(E) 33 HEALTH AND WELLBEING (LEISURE) PROCUREMENT UPDATE**

A report was presented that provided a further update to the Committee on the Health and Wellbeing (Leisure) procurement exercise. This update was in response to a Committee request at its last meeting on 17 November 2015 (Minute *O&S(E) 23 refers).

In his introduction, the lead Hub Committee Member advised the Committee that:

- it was intended that a series of informal Member Briefings on the procurement exercise were to be arranged during late April and May 2016;
- the shortlist of bidders was to be selected at the joint SH/WD Board meeting to be held during the week commencing 21 March 2016;
- he was suggesting that it would be appropriate for a further update report to be considered at the next scheduled Committee meeting. Members confirmed their support for this proposal.

It was then:

RESOLVED

1. That the progress of the procurement for Health and Wellbeing (Leisure) Services be noted; and
2. That a further update be presented to the first Committee meeting in the 2016/17 Municipal Year.

***O&S(E) 34 UPDATE ON HEALTH AND WELLBEING WORK**

The Committee considered a report that presented the annual update on Health and Wellbeing.

In discussion, reference was made to:-

- (a) the Social Prescribing project. In providing more details, officers confirmed that it was proposed that one GP surgery in the West Devon area would be used for this project. Whilst a decision on the location of the surgery was still to be confirmed, Members hoped that the decision would be made based upon local need;
- (b) the Big Community Switch project. A Member expressed the view that the link between switching energy provider and Health and Wellbeing was rather tenuous. In reply, officers advised that the allocation had been made in line with the strict criteria imposed by Devon County Council (DCC). Some Members requested further information relating to this project and officers committed to sending this on to the Committee. As a general point, some Members emphasised the importance of encouraging residents to switch energy provider and felt that this needed to be communicated accordingly;
- (c) the impact of the loss of DCC funding. In recognising the role that this funding played in enabling these projects to be delivered, officers also highlighted the wider work being undertaken that was aligned to the Health and Wellbeing agenda (e.g. the Leisure review). As a consequence, officers were confident that Health and Wellbeing was not necessarily solely a funding-led theme.

It was then:

RESOLVED

1. That the update be received and it be recognised that Members have had the opportunity to comment on the work carried out by the Council and its partners in the area of Public Health and Wellbeing;
2. That the establishment of a Public Health Working Group be supported, with its remit being to identify and deliver actions under the Health and Wellbeing theme of the Our Plan Delivery Plan.

***O&S(E) 35 TASK AND FINISH GROUP UPDATES**

(a) DCH Review Proposal

As an update, Members were advised that investigations into the merits of this proposal were still ongoing.

(b) Partnership Review

The Deputy Leader introduced this update and highlighted that:

- two joint meetings had been held to date, with a third (and hopefully final) meeting to be held on Wednesday, 16 March 2016;
- the number of Council Partnerships was extensive. In making this point, Members recognised the work being undertaken by the lead officers and therefore wished to put on record their gratitude;
- debate had taken place to define the Council's partnerships that were deemed 'significant'. The group had concluded that a significant partnership should be defined by one of the following criteria:
 - o being in receipt of a financial contribution from the Council amounting to at least £10,000 per annum; or
 - o taking up more than four days of officer time each calendar month.
- there had been a recognition of the need to reinforce the role of a Member appointed to serve on an Outside Body;
- the Group had given a clear steer of the need for the current Policy to be refreshed and the supporting guidance notes shortened;
- the importance of value for money provision had been a common thread throughout the Group's deliberations to date. In accepting this point, a non-Group Member did also wish to highlight that the reputation of the Council and community goodwill were equally important considerations; and
- it would be prudent for a letter to be sent to all partners advising them that there was potential future changes imminent to their funding arrangements.

***O&S(E) 36 DECISIONS LOG**

The latest version of the Decisions Log was considered and welcomed by the Committee.

In discussion, reference was made to:-

- (a) the significance of 'Our Plan'. In light of its importance, the Committee felt that 'Our Plan' should be a standing agenda item for the foreseeable future;
- (b) the lack of a response from NHS representatives. Officers assured the Committee that this matter would not be lost sight of and they would look at alternative methods of ensuring representatives were in attendance at a future Committee meeting.

Some Members proceeded to express their disappointment that the closure of the Ockment Centre, Okehampton had not been considered at a recent meeting between senior officers, the Leader and Mel Stride MP. However, it was agreed that the high level briefing notes that had been included on the agenda would be circulated with a future edition of the Members' Bulletin.

As the debate continued, the Leader felt it to be very unfortunate that a misleading article had recently appeared in the local press that had wrongly stated that a Council meeting had been held with Mr Stride. As a consequence, the Leader confirmed that he would speak to the Communications Team to look at the most appropriate means of rectifying this inaccuracy.

It was then:

RESOLVED

That the published Decisions Log be noted.

(The meeting terminated at 3.30 pm)

Chairman