

West Devon Council



West Devon
Borough
Council

Title:	Summons																																													
Date:	Tuesday, 23rd May, 2017																																													
Time:	11.00 am																																													
Venue:	Chamber - Kilworthy Park																																													
Full Members:	<p style="text-align: center;">Mayor Cllr Sheldon Deputy Mayor Cllr Moody</p> <p><i>Members:</i></p> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">Cllr Baldwin</td> <td style="width: 33%;">Cllr Moyse</td> <td style="width: 33%;"></td> </tr> <tr> <td>Cllr Ball</td> <td>Cllr Musgrave</td> <td></td> </tr> <tr> <td>Cllr Cann OBE</td> <td>Cllr Oxborough</td> <td></td> </tr> <tr> <td>Cllr Cheadle</td> <td>Cllr Parker</td> <td></td> </tr> <tr> <td>Cllr Cloke</td> <td>Cllr Pearce</td> <td></td> </tr> <tr> <td>Cllr Davies</td> <td>Cllr Ridgers</td> <td></td> </tr> <tr> <td>Cllr Edmonds</td> <td>Cllr Roberts</td> <td></td> </tr> <tr> <td>Cllr Evans</td> <td>Cllr Sampson</td> <td></td> </tr> <tr> <td>Cllr Hockridge</td> <td>Cllr Samuel</td> <td></td> </tr> <tr> <td>Cllr Jory</td> <td>Cllr Sanders</td> <td></td> </tr> <tr> <td>Cllr Kimber</td> <td>Cllr Sellis</td> <td></td> </tr> <tr> <td>Cllr Lamb</td> <td>Cllr Stephens</td> <td></td> </tr> <tr> <td>Cllr Leech</td> <td>Cllr Watts</td> <td></td> </tr> <tr> <td>Cllr McInnes</td> <td>Cllr Yelland</td> <td></td> </tr> <tr> <td>Cllr Mott</td> <td></td> <td></td> </tr> </table>	Cllr Baldwin	Cllr Moyse		Cllr Ball	Cllr Musgrave		Cllr Cann OBE	Cllr Oxborough		Cllr Cheadle	Cllr Parker		Cllr Cloke	Cllr Pearce		Cllr Davies	Cllr Ridgers		Cllr Edmonds	Cllr Roberts		Cllr Evans	Cllr Sampson		Cllr Hockridge	Cllr Samuel		Cllr Jory	Cllr Sanders		Cllr Kimber	Cllr Sellis		Cllr Lamb	Cllr Stephens		Cllr Leech	Cllr Watts		Cllr McInnes	Cllr Yelland		Cllr Mott		
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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. To elect The Mayor of the Borough for the ensuing year

2. To elect The Deputy Mayor for the ensuing year

3. Apologies for absence

4. 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.

5. To approve and adopt as a correct record the Minutes of the Meeting of the Council held on 11 April 2017 **1 - 8**

6. To receive communications from The Mayor or the person presiding

7. Business brought forward by or with the consent of the Mayor

8. To approve and then formally sign the Council's Constitution **9 - 20**

A copy of the Constitution can be found at www.westdevon.gov.uk/constitution

(NOTE. Following the request made at the Council meeting on 11 April 2017, updated Overview and Scrutiny Terms of Reference and Procedure Rules are attached)

9. The Mayor or the person presiding to answer questions which people in West Devon can ask and to receive deputations or petitions under Council Procedure Rule 21

10. To consider motions of which notice has been duly submitted by Members in accordance with Council Procedure Rule 15:

Motion received from Cllr M Davies:

"That the Borough Council instigates a Community Governance Review commencing June/July 2017. Whilst the main purpose of this Review will be to consult on a proposal to increase the size of

the Okehampton Hamlets Parish Council by two additional parish councillors, the responsibility for determining and publishing the final terms of reference for this Review will be delegated to the Senior Specialist – Democratic Services, in consultation with the Leader of Council, the Leader of the Independent Group and the local Ward Members.”

11. To consider any questions submitted under Council Procedure Rule 21.

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

21 - 36

(i) Overview and Scrutiny (External) Committee
Meeting held on 21 March 2017

(ii) Overview and Scrutiny (Internal) Committee
Meeting held on 18 April 2017

(iii) Planning and Licensing Committee
Meeting held on 24 April 2017

(iv) Hub Committee
Meeting held on 16 May 2017
To follow

13. To appoint a Leader and Deputy Leader of the Council for the ensuing year

14. To report on the composition of political groups

To follow

15. To approve the Committee Structure for the coming year:

Audit	7 Members
Hub	9 Members (membership to include Leader and Deputy Leader)
Overview & Scrutiny	15 Members
DM & Licensing	10 Members + Named Substitutes
Standards	9 Members

with all of the Borough Council Member appointments to the above Committees being politically balanced and with each Member being nominated to serve on only one of the Audit Committee; Hub Committee or Overview and Scrutiny Committee.

- 16. To receive the appointments from the Political Groups of the Members they have selected to serve on the Committees. To appoint (if any) the requisite number of Members from the Members of the Council who, at the date of this meeting, are not members of a Political Group.**

To follow

- 17. To appoint the Chairman and Vice-Chairman to the Committees of the Council**

To follow

- 18. To appoint representatives to the list of Outside Bodies for the ensuing year.**

To follow

- 19. To appoint representatives to the list of Other Groups for the ensuing year.**

To follow

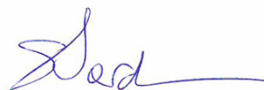
PLEASE NOTE: A Procedural Note will be published and circulated prior to Council's Annual Meeting and this will include information to enable full consideration of this agenda.

PART TWO – ITEMS WHICH MAY BE TAKEN IN THE ABSENCE OF THE PUBLIC AND PRESS ON THE GROUNDS THAT EXEMPT INFORMATION MAY BE DISCLOSED (if any).

If any, Council is recommended to pass the following resolution:

“RESOLVED that under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting on the grounds that exempt information may be disclosed as defined in Part I of Schedule 12(A) to the Act.”

Dated this 15th day of May 2017



**Steve Jordan
Head of Paid Service**

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Agenda Item 5

At the Meeting of the **WEST DEVON BOROUGH COUNCIL** held in the **COUNCIL CHAMBER, KILWORTHY PARK, TAVISTOCK** on **TUESDAY** the 11th day of **APRIL 2017** at **4.30pm** pursuant to Notice given and Summons duly served.

Present

Cllr J Sheldon – Mayor (In the Chair)
Cllr J B Moody – Deputy Mayor

Cllr R E Baldwin	Cllr K Ball
Cllr R Cheadle	Cllr D W Cloke
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 D E Moyse	Cllr C R Musgrave
Cllr R J Oxborough	Cllr G Parker
Cllr T G Pearce	Cllr P J Ridgers
Cllr A Roberts	Cllr L Samuel
Cllr J Yelland	

Head of Paid Service
Executive Director (Service Delivery and Commercial Development)
Monitoring Officer
Senior Specialist – Democratic Services
Section 151 Officer
Commissioning Manager

CM 64 APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllrs W G Cann OBE, C Mott, R F D Sampson, P R Sanders, D K A Sellis, B Stephens and L Watts.

CM 65 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 Meeting held on 7 February 2017 and the Special Meeting held on 28 February 2017 as a true record.”

CM 66 DECLARATION OF INTERESTS

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 67**COMMUNICATIONS FROM THE MAYOR**

The Mayor made reference to:

- his Civic Dinner. The Mayor wished to thank Members for their support for his Civic Dinner that had been held on Friday, 10 March 2017;
- the Annual Council lunch. Members were reminded of the need to let officers know if they were intending to attend the Annual Council lunch on Tuesday, 23 May 2017;
- his Mayoral Awards. The Mayor reminded Members that the Awards Ceremony was taking place on the rising of this Council meeting; and
- a change to the next Planning and Licensing Committee meeting date. Due to exceptional circumstances, Members were advised that the next Planning and Licensing Committee meeting had been rearranged to take place on Monday, 24 April 2017.

CM 68**MINUTES OF COMMITTEES****a. Standards Committee – 29 November 2017**

It was moved by Cllr A F Leech, seconded by Cllr J Sheldon and upon being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that the Minutes of the 29 November 2017 be received and noted”.

b. Planning and Licensing Committee – 7 February 2017 and 7 March 2017

It was moved by Cllr G Parker, seconded by Cllr J Yelland and upon being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that the Minutes of the 7 February 2017 and 7 March 2017 meetings be received and noted”.

c. Council Tax Resolution Panel – 21 February 2017

It was moved by Cllr J Sheldon, 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 21 February 2017 meeting be received and noted”.

d. Hub Committee – 28 February 2017 and 28 March 2017

It was moved by Cllr R E Baldwin, seconded by Cllr G Parker and upon being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that the Minutes of the 28 February 2017 and 28 March 2017 meeting be received and noted, with the exception of Unstarred Minutes HC 56, HC 57, HC 58, HC 59, HC 60, HC 68 and HC 69”.

In respect of the Unstarred Minutes:

i. **HC 56 Parking Permit Review**

Having been moved by Cllr R E Baldwin and seconded by Cllr G Parker, a debate ensued on the motion. During this debate, it became apparent that there was widespread support for the proposed pricing structure. However, there were some concerns expressed over the apparent lack of clarity regarding the definitions that were being applied to Council Car Parks. As a consequence, Members asked that the Car Parking Strategy Group specifically review all aspects of these definitions, including the signage that advertised them.

It was then submitted to the Meeting and was declared to be **CARRIED** and “**RESOLVED** that the Season Tickets available in West Devon be renamed Parking Permits and that the Off-Street Parking Places Order be amended to reflect this, together with the following amendments:

1. That the cost of a Town Centre Parking Permit be reduced from £400 to £280 per annum to reflect the reduced Pay and Display parking charges;
2. That the cost of a Peripheral Parking Permit be reduced from £195 to £150 per annum in order to encourage more use of this facility;
3. That the cost of a Rural Parking Permit be reduced from £155 to £150 per annum in order to simplify the offering to our customers;
4. That a new West Devon Permit be introduced, allowing parking in all long stay car parks across the Borough, for a fee of £650 per annum;
5. That Permits become ‘virtual’ (i.e. Customers will no longer receive a paper permit); and
6. That each new Permit be limited to one vehicle registration number only at any one given time, but customers may change the vehicle registration number online if they so wish.”

ii. **HC 57 Revenue Budget Monitoring 2016/17**

It was moved by Cllr R E Baldwin, seconded by Cllr G Parker and upon being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that the 2016/17 revenue saving of £115,000 on the Leisure budget be transferred into an Earmarked Reserve for Leisure as outlined in section 3.2 of the agenda report presented to the Hub Committee.”

iii. **HC 58 Capital Budget Monitoring 2016/17**

It was moved by Cllr R E Baldwin, seconded by Cllr G Parker and upon being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that the Indoor Sports and Recreation facilities capital budget of £296,728 be re-categorised towards the £1.5 million capital cost of the investment into the Leisure Centres as detailed in Appendix B of the presented agenda report to the Hub Committee.”

iv. **HC 59 Emergency Response Plan**

It was moved by Cllr R E Baldwin, seconded by Cllr G Parker and upon being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that the proposed emergency response arrangements be approved.”

v. **HC 60 Homelessness Strategy 2017/22**

In light of South Hams District Council already deciding against retaining the Joint SH/WD Homeless Strategy Monitoring Group, an alternative recommendation was moved by Cllr R E Baldwin and seconded by Cllr G Parker as follows:

“That the Homelessness Strategy 2017-22 and the 2017 Action Plan be adopted and considered by the Overview and Scrutiny function for ongoing monitoring.”

It was noted that this alternative recommendation reflected the view that the monitoring role was an Overview and Scrutiny function and it should be reviewed by the Committee on a regular basis.

Upon being submitted to the Meeting, it was then declared to be **CARRIED** and “**RESOLVED** that the Homelessness Strategy 2017-22 and the 2017 Action Plan be adopted and considered by the Overview and Scrutiny function for ongoing monitoring.”

vi. **HC 68 Review of Hub Committee and Overview and Scrutiny Function**

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

1. the existing governance arrangements for the Hub Committee are working well and should therefore be retained;
2. the Overview and Scrutiny function be carried out by one Committee (rather than two) with effect from the Annual Meeting in May 2017;

3. with effect from the Annual Meeting in May 2017, Members of the Council sit on either the Hub Committee, Audit Committee or Overview and Scrutiny Committee. In so doing, substitutes will not be allowed on any of these three Committees;
4. the Hub Committee has a membership of 9; the Overview and Scrutiny Committee has a membership of 15; and the Audit Committee membership is increased to 7; and
5. the Hub Committee Forward Plan be improved to better enable more effective programming of agenda items for the Overview and Scrutiny Committee.

vii. **HC 69 Housing Report**

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

1. the Community Housing Strategy be approved as set out in the agenda report presented to the Hub Committee;
2. the apportionment of the £247,620 Community Housing Fund (CHF) as per Section 3 of the presented agenda report, including support for the funding of up to 3 full-time equivalent members of staff for 2 years (shared with South Hams District Council);
3. the delegation of acquisitions for sites up to £250,000 for the delivery of community housing from the CHF Grant to the COP Lead Assets, in consultation with the lead Hub Committee Member for Assets and Section 151 Officer; and
4. the proposals contained in Section 1.11 of the presented agenda report be approved.

e. **Audit Committee – 21 March 2017**

It was moved by Cllr M Davies, seconded by Cllr J Yelland and upon being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that the Minutes of the rearranged 21 March 2017 meeting be received and noted, with the exception of Unstarred Minutes AC 34”.

In respect of the Unstarred Minutes:

i. **AC 34 Review of Council Constitution**

In light of the decision taken earlier in this meeting to carry out the Overview and Scrutiny function by one Committee instead of two (unstarred minute HC 68 above refers), an alternative recommendation was moved by Cllr M Davies and seconded by Cllr J Yelland as follows:

“That, in light of the earlier decision to reduce the number of Overview and Scrutiny Committees from 2 to 1, approval of the Council Constitution be deferred until the Annual Council meeting in May to enable for a revised set of Committee Terms of Reference to be prepared.”

In discussion, assurances were given that the Group Leaders; the current Chairmen of the two Overview and Scrutiny Committees; and Cllr R Cheadle would have the opportunity to review and comment upon the revised draft Terms of Reference before they were then presented to the Annual Council meeting.

Upon being submitted to the Meeting, it was then declared to be **CARRIED** and **“RESOLVED** that, in light of the earlier decision to reduce the number of Overview and Scrutiny Committees from 2 to 1, approval of the Council Constitution be deferred until the Annual Council meeting in May to enable for a revised set of Committee Terms of Reference to be prepared.”

CM 69 2017/18 TREASURY MANAGEMENT STRATEGY

A report was considered that sought approval of the proposed Treasury Management and Investment Strategies together with their associated prudential indicators.

The report also noted that the Audit Committee considered the Strategy at its meeting on 21 March 2017 (Minute AC 32 refers) and had recommended its approval.

In discussion, reference was made to:-

- (a) Member Training. The lead Hub Committee Member confirmed that it was intended that Member Training on Treasury Management would be arranged to take place during the summer months;
- (b) the Capital Expenditure table (as outlined on page 55 of the presented agenda). For clarity, it was confirmed that there was an error on the published table and the totals were in ‘£000’s’ and not in ‘£Millions’ as had been illustrated.

It was moved by Cllr C Edmonds and seconded by Cllr R E Baldwin and declared **CARRIED** and **“RESOLVED** that approval be given to:

1. the prudential indicators and limits for 2017/18 to 2019/20 (as contained within Appendix A of the presented agenda report);

2. the Minimum Revenue Provision (MRP) statement (that sets out the Council's policy on MRP) contained within Appendix A of the presented agenda report;
3. the Treasury Management Strategy 2017/18 and the treasury prudential indicators 2017/18 to 2019/20 (as contained within Appendix B of the presented agenda report); and
4. the Investment Strategy 2017/18 (as contained within Appendix C of the presented agenda report) and the detailed criteria (as detailed within Appendix D of the presented agenda report).

CM 70 ANNUAL REPORT

The Council considered a report that presented the draft 2016/17 Annual Report for approval.

In discussion, reference was made to:-

- (a) the presentation of the Report. A number of Members wished to put on record their support for the format and visual presentation of the document. In so doing, these Members congratulated the lead officer for her hard work in the production of the Report;
- (b) the Council of the Year Award 2016. Some Members were of the view that the Council of the Year Award 2016 was a misleading statement in the Annual Report and felt that it would have been a more accurate reflection to include reference to it being an iESE sponsored award;
- (c) the tone of the report. The view was expressed that the tone throughout the report did not necessarily reflect the difficulties and challenges that the Council had faced during 2016/17. In reply, other Members felt that the challenges had been acknowledged and specifically highlighted the opening paragraph in the Report which stated that *'the 2016/17 financial year had undoubtedly been a challenging year with reduced central funding for local government'*;
- (d) the increase in online transactions. Members welcomed the fact that online transactions had increased by 17% and call volumes had decreased by 33% and it was hoped that these performance trends would continue.

It was moved by Cllr R E Baldwin and seconded by Cllr G Parker and declared **CARRIED** and **RESOLVED** that:

1. the progress and achievements made by the Council be noted; and
2. the Annual Report (as outlined at Appendix A of the presented agenda report) for the financial year 2016/17 be adopted and published.

CM 71

CALENDAR OF MEETINGS 2017/18

Consideration was given to a report that presented the draft Calendar of Meetings for 2017/18 for approval.

During discussion, the following points were raised:-

- (a) Members expressed their support for the alternative presentation of the Calendar;
- (b) In terms of the format of the Informal Hub Committee meetings, it was confirmed that these would be attended by Hub Committee Members and representatives of the Senior Leadership Team and the wider membership would not be invited to attend these sessions.

It was moved by Cllr R E Baldwin and seconded by Cllr G Parker and declared **CARRIED** and **"RESOLVED** that the draft Calendar of Meetings for 2017/18 (as outlined at Appendix A of the presented agenda report) be approved."

(The Meeting terminated at 5.40 pm)

Mayor

Overview and Scrutiny Committee

Please refer to the Overview & Scrutiny Procedure Rules in Part 4 of the Constitution for details on composition, membership, eligibility, powers and duties.

1. Terms of Reference – General Role

1.1. The Council will appoint an Overview & Scrutiny Committee that will:

- review and/or scrutinise decisions made or actions taken in connection with the discharge of any of the Council's functions;
- make reports and/or recommendations to the Council and any committee or joint committee in connection with the discharge of any functions;
- consider any matter affecting the area or its inhabitants;
- make reports and/or recommendations to the Council and/or its Committees and/or any joint committee on matters which affect the Council's area or the inhabitants of that area; ~~and~~
- eExercise the right to Call-in, for reconsideration, decisions made (but not yet implemented) by the Hub Committee;
- be able to appoint and discontinue Task and Finish Groups in accordance with its annual work programme; and
- be able to work in conjunction with the South Hams District Council Overview and Scrutiny Panel to avoid any duplication of effort and unnecessary insistencies in policy and findings between the two councils.

2. Specific functions

The Overview and Scrutiny Committee may:

2.1. Policy development and review

- (i) review existing policy and recommend changes to such policy or the creation of new policy;
- (ii) assist the Council in the development of its Budget and Policy Framework by in-depth analysis of policy issues;
- (iii) conduct research, involve the community and carry out other consultation in the analysis of policy issues and possible options;
- (iv) consider and implement ways to encourage and enhance community participation in the development of policy options;

- (v) question Members of committees and senior officers about their views on issues and proposals affecting the area; and
- (vi) liaise with other external organisations operating in the area, whether national, regional or local, to ensure that the interests of local people are enhanced by collaborative working.

In so doing, the Overview & Scrutiny Committees will be able to:

- (a) Select significant issues to investigate, which are both strategic and linked to the Council's Corporate Priorities;
- (b) Undertake pre-investigation project planning: drawing up terms of reference, plan for research methods to be used, timescales, officer support and reporting mechanisms;
- (c) Involve partners, the public and outside experts: this can take the form of presenting orally or in writing evidence around the topic under investigation;
- (d) Report findings and make evidence based recommendations to the appropriate Committee; and
- (e) Follow up on action agreed to ensure that Overview & Scrutiny Committee decisions have been implemented.

2.2. Scrutiny

- (i) hold the Hub Committee Members to account;
- (ii) review and scrutinise the performance of Committees and Council officers and decisions made both in relation to individual decisions and over time;
- (iii) review and scrutinise the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas;
- (iv) question Members of committees and senior officers about their decisions and performance, whether generally in comparison with service plans and targets over a period of time, or in relation to particular decisions, initiatives or projects when necessary;
- (v) exercise the right to call-in, for re-consideration, decisions made by the Hub Committee but not yet implemented by any committee, where appropriate (see Procedure Rules in Part 4);
- (vi) make recommendations to the appropriate committee and/or Council arising from the outcome of the scrutiny process;
- (vii) review and scrutinise, with or without others, the performance and activities of other public bodies in the area on any relevant, general or specific issue;
- (viii) question and gather evidence from any person (with their consent) when necessary; and

- (viii) Exercise overall responsibility for the work programme of the officers employed to support their work

2.3. Partnership arrangements

The Overview & Scrutiny Committees shall be responsible for the monitoring of partnership arrangements in accordance with the Council's Partnership Policy.

2.4 Public Forum Procedures

(a) General

Members of the public may raise issues and ask questions at meetings of the Overview and Scrutiny Committee. This session will last for up to fifteen minutes at the beginning of each meeting.

(b) Notice of Questions

An issue or question may only be raised by a member of the public provided that they have given written notice (which may be by electronic mail) to Darryl White (darryl.white@swdevon.gov.uk) by 5.00pm on the Thursday, prior to the relevant meeting.

(c) Scope of Questions

An issue may be rejected by the Monitoring Officer if:

- it relates to a matter within the functions of the Development Management & Licensing Committee;
- it is not about a matter for which the local authority has a responsibility or which affects the Borough;
- it is offensive, frivolous or defamatory;
- it is substantially the same as a question which has previously been put in the past six months; or
- it requires the disclosure of confidential or exempt information.

2.5 Finance

The Overview & Scrutiny Committee shall exercise overall responsibility for the finances made available to it.

2.6 Annual report

The Overview & Scrutiny Committees shall report annually to Council on their workings and make evidence based recommendations for future work programmes and amended working methods if appropriate.

3 Proceedings of Overview and Scrutiny Committee

The Overview & Scrutiny Committee will conduct its proceedings in accordance with the [Overview & Scrutiny Procedure Rules](#) set out in Part 4 of this Constitution.

4 (4)

Overview and Scrutiny Procedure Rules

[Go to Contents](#)

Overview and Scrutiny Procedure Rules

The Council Procedure Rules as set out in Part 4(1) of this Constitution shall apply to the Overview & Scrutiny Committee and sub-committees unless otherwise specified by these Rules.

1. Overview and Scrutiny Committee

- 1.1 The Council will appoint an Overview & Scrutiny Committee as set out in the terms of reference in Part 3.

2. Terms of Reference

- 2.1 The terms of reference of the Overview & Scrutiny Committee shall be:
- 2.2 The performance of all overview and scrutiny functions on behalf of the Council including those functions specified in the terms of reference set in the Part 3.

3. Membership and Composition

- 3.1 **Number:** The Committee shall consist of **fifteen** Members of the Council appointed in accordance with Council Procedure Rule 7.
- 3.2 **Eligibility:** All Members of the Council, with the **exception** of Members of the Hub Committee and the Audit Committee shall be eligible to be Members of the Overview & Scrutiny Committee.
- 3.3 **Chairman:** The Chairman and Vice Chairman of the Committee shall be appointed by Council in accordance with the Council Procedure Rules in Part 4 of the Constitution.
- 3.4 **Co-optees:** The Committee shall be entitled to recommend to the Council the appointment of co-opted members (including members of the public).

4. Powers and Duties

- 4.1 **Sub-Committees:** The Overview and Scrutiny Committee shall have the power to appoint such sub-committees as it considers appropriate to discharge its functions. These Procedure Rules, including those on eligibility for membership, shall apply to any such sub-committee.
- 4.2 **Task and Finish Groups:** The Committee shall have the power to appoint and discontinue Task and Finish Groups.

- 4.2.1 The Task and Finish Groups shall be appointed to undertake such work and within such timescales as may be specified by the Committee.
- 4.2.2 All Members of the Council are eligible for membership of the Task and Finish Groups.
- 4.2.3 The Committee has the ability to establish the membership of the Task and Finish Groups.
- 4.2.4 A Task and Finish Group shall provide regular updates to the Overview & Scrutiny Committee.
- 4.3 **Work Programmes:** The Overview & Scrutiny Committee shall be responsible for setting its own Work Programme.
- 4.4 **Agenda Items:** Any Member of the Overview & Scrutiny Committee shall be entitled to give notice to the Chairman that s/he wishes an item to be included on the next appropriate agenda and the Chairman shall arrange for this to be done.
- 4.5 **Consideration of Overview and Scrutiny Reports:** The Head of Paid Service will ensure that reports of the Overview & Scrutiny Committee are placed on the agenda for the appropriate meeting or Council Summons if appropriate for consideration, and in the case of a joint committee referred to that committee.
- 4.6 Members, the general public and/or community groups ~~or Officers~~ may propose that Overview & Scrutiny consider a particular matter by completing a Scrutiny Proposal Form (which can be obtained from Darryl.White@swdevon.gov.uk). See below for rules on Public Forum

5. Overview

- 5.1 The terms of reference in relation to overview functions are set out in the terms of reference in Part 3.
- 5.2 **Policy Review/Development:** In relation to the review or development of Council policies, the Overview & Scrutiny Committee may make proposals for consideration by the relevant committee(s), joint committee(s) or Council if felt appropriate.
- 5.3 The Overview & Scrutiny Committee may receive requests from the Council and other committee(s) to review particular areas of Council activity. The Committee, having regard to its work programme, shall consider and respond to such requests.

- 5.4 The Overview & Scrutiny Committee may hold inquiries and investigate the available options for future direction in policy development and may appoint advisers and assessors to assist it in this process. They may go on site visits, conduct public surveys, hold public meetings, commission research and do all other things that they reasonably consider necessary to inform their deliberations. Where appropriate, the Committee will consider working jointly with the South Hams District Council Overview and Scrutiny Panel.

6. Scrutiny

- 6.1 The terms of reference in relation to scrutiny functions are set out in the terms of reference in Part 3.

- 6.2 **Proposed decisions:** To assist with the function of scrutiny, Members of the Overview & Scrutiny Committee shall be sent copies of the Council Summons and a website link to the agenda of all other published Committee meeting agendas.

- 6.3 **Call-in of decisions:** Call-in should only be used in exceptional circumstances, e.g. where Members of the Overview & Scrutiny Committee have evidence which suggests that the Hub Committee did not take the decision in accordance with the principles set out in Article 6 (Decision Making). Call-in may be exercised only by the Overview and Scrutiny Committee.

- 6.3.1 Call-in will **not apply** to decisions of individual applications under Development Management, Licensing, Standards, Registration, consents or other permissions where there is a statutory right of appeal.

- 6.3.2 Within **two working days** (where reasonably practicable) of a meeting of the Hub Committee:

- the minutes of that meeting shall be published (where possible by electronic means);
- a website link to copies of the published draft minutes will be sent electronically to all Members.

- 6.3.3 The minutes (as referred to in 6.3.2) will specify that any decision will come into force (and may then be implemented) on the **expiry of three working days** after the publication of the minutes, **unless** the Overview & Scrutiny Committee calls it in.

- 6.3.4 Before the **expiry of the three working days**, the Head of Paid Service shall call-in a decision for scrutiny by the Overview & Scrutiny Committee if so

requested by the Chairman or any three members of the Overview & Scrutiny Committee. The Head of Paid Service will notify all Members of the call-in of the decision.

6.3.5 The Head of Paid Service shall refer the matter to the next available meeting of Scrutiny.

6.3.6 If, having considered the decision, the Overview & Scrutiny Committee remains concerned about it then the Committee may set out in writing the nature of its concerns and:

- refer the decision back to the Hub Committee for re-consideration, or
- refer the matter to Council for determination.

If the matter is referred back to the Hub Committee or Council, that body shall determine at the earliest practicable opportunity whether or not to amend the decision.

6.3.7 If, following a call-in of a decision, the Overview & Scrutiny Committee:

- does not meet in the period set out above, or
- does meet but does not refer the matter back to the relevant Committee or to Council)

the decision shall take effect on the date of the Overview & Scrutiny Committee meeting or the expiry of that further five working day period, whichever is the earlier.

6.4 **Urgency:** The call-in procedure set out above shall not apply where the decision being taken by a Committee is deemed urgent. A decision will be urgent if any delay likely to be caused by the call-in process would seriously prejudice the Council's or the public's interest. Where the record of the decision, and notice by which it is made public, states that, in the opinion of the Head of Paid Service the decision is an urgent one, it will not be subject to the call-in process.

7. Meetings

7.1 **Frequency:** There shall be at least **eight meetings** of the Committee in each year. In addition, other meetings may be called in accordance with the Council's Procedure Rules as set out in Part 4 of this Constitution.

7.2 **Quorum:** The quorum for the Committee shall be **six** Members.

7.3 **Substitution** is not permitted on the Overview & Scrutiny Committee (see Procedure Rule 10).

7.4 **Attendance by Others:** The Overview & Scrutiny Committee may:

- (i) require Hub Committee Members, Audit Committee Members and Senior Officers of the Council to attend a meeting to answer questions and it is the duty of those persons to attend if so requested;
- (ii) request, but not compel, officers from partnership organisations to attend if so required;
- (iii) invite any person to attend to address the Committee or to discuss issues of local concern and/or to answer questions;
- (iv) pay any person attending to provide expert advice to the Committee a reasonable fee and expenses for doing so.

7.5 **Party Whip:** When considering any matter in respect of which a Member of the Committee is subject to a party whip, the Member must declare the existence of the whip and the nature of it before the commencement of the Committee's deliberations on the matter. The declaration, and the detail of the whipping arrangements, shall be recorded in the minutes of the meeting.

7.6 **Procedure:** Each Overview & Scrutiny Committee meeting agenda shall consider the following business as standing items:

- (i) Minutes of the last meeting;
- (ii) Declarations of Interest (including whipping declaration);
- (iii) the Hub Committee Forward Plan;
- (iv) consideration of any matter referred to the Committee for a decision in relation to the calling in of a decision;
- (v) responses of the Committees to reports of the Overview & Scrutiny Committee; and
- (vi) the business otherwise set out on the agenda for the meeting.

7.6.1 The Committee may adopt its own procedures as it so chooses when carrying out a review or conducting an investigation.

7.6.2 Following any investigation or review, the Committee shall prepare a report, for submission to the relevant Committee, joint Committee and/or Council as appropriate.

7.7 Hub Committee Forward Plan

As part of the Overview and Scrutiny Committee function to review and develop policy, it will consider the Hub Committee Forward Plan at every meeting. The Forward Plan outlines upcoming agenda items to be considered by the Hub Committee and provides the opportunity for the Overview and Scrutiny Committee to have an input into these items before they are then presented to the Hub Committee.

8. Public Forum Procedures

(a) General

Members of the public may raise issues and ask questions at meetings of the Overview and Scrutiny Committee. This session will last for up to fifteen minutes at the beginning of each meeting.

(b) Notice of Questions

An issue or question may only be raised by a member of the public provided that they have given written notice (which may be by electronic mail) to Darryl White (darryl.white@swdevon.gov.uk) by 5.00pm on the Thursday, prior to the relevant meeting.

(c) Scope of Questions

An issue may be rejected by the Monitoring Officer if:

- it relates to a matter within the functions of the Development Management & Licensing Committee;
- it is not about a matter for which the local authority has a responsibility or which affects the district
- it is offensive, frivolous or defamatory;
- it is substantially the same as a question which has previously been put in the past six months; or
- it requires the disclosure of confidential or exempt information.

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Agenda Item 12

At a Meeting of the **OVERVIEW & SCRUTINY (EXTERNAL) COMMITTEE** held at the Council Chamber, Council Offices, Kilworthy Park, Drake Road, **TAVISTOCK** on **TUESDAY** the **21st** day of **MARCH 2017** at **10.00 am**.

Present:

Cllr D K A Sellis – Chairman	
Cllr R Cheadle	Cllr A F Leech
Cllr A Roberts	Cllr J Sheldon
Cllr L Watts	

Head of Paid Service
Community Of Practice Lead: Housing,
Revenue and Benefits
Commissioning Manager
Specialist – Assets and Place Making
Senior Specialist – Democratic Services
Devon and Cornwall Housing Chief Executive

Also in Attendance: Cllrs D E Moyse; L Samuel and J Yelland

***O&S(E) 42 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Cllrs K Ball; D W Cloke, T G Pearce and B Stephens

***O&S(E) 43 CONFIRMATION OF MINUTES**

The minutes of the Meeting held on 11 October 2016 were confirmed and signed by the Chairman as a true and correct record.

***O&S(E) 44 DECLARATIONS OF INTEREST**

Members and officers were invited 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) 45 PUBLIC FORUM**

There were no issues raised during the Public Forum session at this meeting.

***O&S(E) 46 HUB COMMITTEE FORWARD PLAN**

The most recent (published March 2017) Hub Committee Forward Plan was presented for consideration. With no specific issues being raised, the Committee subsequently noted the contents of the Plan.

***O&S(E) 47 DEVON AND CORNWALL HOUSING**

The Chairman introduced Mr Paul Crawford (Devon and Cornwall Housing (DCH) Chief Executive) to the meeting and invited him to undertake a brief presentation that covered the following headline areas:-

- An External Environmental Update and how DCH was responding;

- Issues to consider in delivering affordable housing in West Devon; and
- Any Subsequent Member Question(s).

In the ensuing discussion, reference was made to:-

- (a) the proposal to relocate back office members of DCH staff. The Committee was advised that the intention of DCH was to take the service to their customers as opposed to them having to visit their offices. Members welcomed the proposal for some DCH staff to be relocated to Kilworthy Park and felt that this would create the opportunity for greater synergy and partnership working between the Council's officers and their DCH counterparts;
- (b) accommodation for elderly residents. A Member highlighted that his local Neighbourhood Plan had identified a shortage of housing provision for the elderly population and questioned what encouragement there was for developers to build suitable accommodation for elderly residents. In reply, the DCH Chief Executive highlighted the challenges and sensitivities relating to this matter, but stated that downsizing had to be encouraged to reverse this trend. In taking the point a step further, there was also an identified need to ensure that the right quality of housing was available to enable residents to downsize and the Council (as the Local Planning Authority) was therefore encouraged to hold active dialogue with developers in an attempt to address this matter;
- (c) the approach to empty properties. The Chief Executive informed that, on average, DCH had 1,500 empty vacancies in any one year. In addition, it was noted that the average turnaround time for empty properties to be re-filled was just over 20 days and approximately £2,200 was spent by DCH on each vacancy. For financial reasons, the organisation was committed to a quick turnaround of empty properties and it annually budgeted 0.5% of its total budget into a 'rent loss budget' (which equated to just over £500,000) in order to reflect the impact;
- (d) any damage and repair to DCH properties. The Committee was advised that DCH did pursue tenants for any losses incurred through damage and property repairs. However, it was acknowledged that collection rates were fairly poor and it was a judgement call in each instance to assess whether it was economical to pursue these tenants. Nonetheless, the organisation had an annual contingency write-off budget of £450,000 for such purposes. When questioned, the Chief Executive also confirmed that any such tenants would not be re-housed by DCH;
- (e) contact with DCH. Some Members shared their poor recent experiences of trying to make telephone contact with DCH. In reply, the Chief Executive was disappointed at these experiences and highlighted that the organisation had invested heavily in its Customer Contact Centre. It was therefore agreed that the matter would be taken up outside of this Committee meeting by the Members and the Chief Executive;

- (f) use of contractors. Having experienced some issues with contractors, it was confirmed that DCH's repairs service was now undertaken almost entirely by in-house employees;
- (g) the calculation of rental figures. Some Members sought clarity in respect of how DCH calculated its rental figures and cited a particular example whereby North Tawton residents were paying rental figures based upon the formula applied to Exeter residents. In reply, the Chief Executive informed that figures should be based upon the locality (and not Exeter as in this cited example) and he requested a conversation with relevant Members to look into this issue further. As an assurance, the Chief Executive also stated that it was not in the best interests of DCH to set rents too high as this led to properties either remaining vacant or incurring a high turnover of tenants;
- (h) the impact of planning policies. In urging the need for pragmatism, the Chief Executive stated that there was a direct correlation between how restrictive adopted planning policies were and the pace of housing delivery. In respect of viability, it was felt that 30% affordable housing per development was a realistic and attainable target to ensure delivery;
- (i) Devon Home Choice. To ensure that residents were in pole position to obtain a property in their preferred area(s) of choice, the Chief Executive encouraged Members to promote amongst their constituents the benefits of registering with Devon Home Choice.

In concluding the agenda item, the Chairman thanked Mr Crawford for his attendance, presentation and very informative responses to Member questions.

O&S(E) 48 ANNUAL REPORT

The Committee considered the Annual Report of the Council for 2016/17 and noted that its purpose was two-fold:-

1. To review the Council's progress over the last financial year; and
2. To set the scene for the upcoming year ahead.

In the ensuing debate, reference was made to:-

- (a) the visual presentation of the Report. As an externally facing document, a number of Members put on record their support for the format and visual presentation of the document;
- (b) the term 'Our Plan'. Some Members were of the view that the term 'Our Plan' was causing a great deal of confusion amongst the local community. In accepting the point, the Head of Paid Service replied that it was his intention for 'Our Plan' and the current number of strategic objectives to be revisited by Members later in the year;

- (c) the tone of the Finance Section. The view was expressed that the tone of the Finance Section was not necessarily reflective of the serious future funding pressures that were being faced by the Council;
- (d) distribution of the Report. Once the Report had been ultimately adopted by the Council at its meeting on 11 April 2017, it was intended that only a few copies would be printed with the promotion of the document being via the Council website. As a general point, a Member felt that, based upon the low attendance at the ongoing Joint Local Plan consultation events, the Council should revisit its approach to public engagement;

It was then:

RESOLVED

That the Committee **RECOMMEND** that the Hub Committee **RECOMMEND** to Council that:

1. the progress and achievements made by the Council be noted; and
2. the West Devon Annual Report (as outlined at Appendix A of the presented agenda report) for the 2016/17 Financial Year be adopted and published.

*** O&S(E) 49 NEW HOMES BONUS ALLOCATION TO DARTMOOR NATIONAL PARK AUTHORITY**

A report was considered by the Committee that described the details of the projects being funded by Dartmoor National Park Authority from the New Homes Bonus funds allocated to them by the Council.

In discussion, the following points were raised:-

- (a) Officers highlighted a discrepancy between the sums quoted in the presented agenda report (£22,129 and £24,136) and gave a commitment to provide clarity on these figures outside of the Committee meeting;
- (b) Having highlighted the number of alternative community funding streams that were currently administered by the Council, the Committee was of the view that a piece of work should be undertaken by officers with the objective of streamlining these sources of grant funding.

It was then:

RESOLVED

That the projects being funded by Dartmoor National Park Authority from the New Homes Bonus funds allocated by the Council be noted.

*** O&S(E) 50 UPDATE ON TAMAR TRAILS LEGACY**

The Committee considered a report that sought to familiarise Members with the background of the Tamar Trails and to provide an update on the current and future commitments and opportunities with respect to the 'Tamar Trails Legacy'.

In discussion, the Committee felt that the officer recommendation for an annual update did not sufficiently reflect its concerns over the financial implications arising from the Legacy. As a result, the following alternative recommendation was **PROPOSED** and **SECONDED** and on being put to the vote was declared **CARRIED**:-

'That an options appraisal be produced for the Tamar Trails Legacy with the primary aim of reducing the budget deficit for the consideration of the Hub Committee at a future meeting.'

In light of this decision, Members were also invited to submit their thoughts and suggestions on the Legacy to the lead officer before the options appraisal was produced.

It was then:

RESOLVED

1. That the report be noted; and
2. That an options appraisal be produced for the Tamar Trails Legacy with the primary aim of reducing the budget deficit for the consideration of the Hub Committee at a future meeting.

***O&S(E) 51 COMMITTEE DECISIONS LOG**

The latest version of the Committee decisions log was presented to the meeting.

With no debate or questions being raised on the log, it was then:

RESOLVED

That the published Decisions Log be noted.

***O&S(E) 52 DRAFT ANNUAL WORK PROGRAMME 2017/18 – INITIAL THOUGHTS**

The Committee gave initial consideration to its draft 2017/18 Work Programme and made reference to:-

- the wish for the Devon and Cornwall Housing Chief Executive to be invited to provide an annual update to a Committee meeting during early 2018;
- Cllr Sheldon being invited to provide an update at a Committee meeting early during the 2017/18 Municipal Year on rural broadband provision in the Borough;
- the Council's future approach to arts. Further to the decision to establish a Task and Finish Group to review the Council's future approach to arts, officers agreed to provide the relevant minute extract to Cllrs Cheadle and Roberts so that they could progress this review.

***O&S(E) 53 MEMBER LEARNING AND DEVELOPMENT OPPORTUNITIES**

Committee Members felt that, assuming that the revised governance arrangements (that included the creation of only one Overview and Scrutiny Committee) were approved by the Council, there may be a need for some specific Overview and Scrutiny related training to be included in the Council's Member Learning and Development Plan.

(The meeting terminated at 12.40 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 **18th** day of **APRIL 2017** at **2.00pm**.

Present:

Cllr C R Musgrave – Chairman
Cllr J Yelland – Vice-Chairman
Cllr M Davies
Cllr P Kimber
Cllr D E Moyse

Cllr J Evans
Cllr C Mott
Cllr P J Ridgers

Executive Director – Service Delivery and Commercial Development
Specialists Manager
Case Management Team Leader
IT Community Of Practice Lead
Specialist – Performance and Intelligence
Senior Specialist – Democratic Services
Contact Centre Manager

Also in Attendance:

Cllrs R Cheadle, D W Cloke, C Edmonds, A F Leech and J Sheldon

***O&S(I) 50 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Cllrs W G Cann OBE, L J G Hockridge and J R McInnes.

***O&S(I) 51 CONFIRMATION OF MINUTES**

The minutes of the Meeting held on 8 November 2016 were confirmed and signed by the Chairman as a correct record.

***O&S(I) 52 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) 53 PUBLIC FORUM**

It was noted that no issues had been raised by the general public.

***O&S(I) 54 HUB COMMITTEE FORWARD PLAN**

The most recent (published March 2017) Hub Committee Forward Plan was presented for consideration.

In discussion, the Committee was provided with the following updates:

- The next Hub Committee meeting had been rescheduled to take place on Tuesday, 16 May 2017; and
- Additional items had since been added to the Forward Plan as below:
 - o 'Commercial Property Investment' – that was scheduled for consideration at a future Hub Committee meeting;

- 'Productivity Plan Joint Committee' – that was scheduled for consideration by the Hub Committee either in June or July 2017; and
- 'Update and Recommendations from the SH/WD Joint Steering Group – that was scheduled for consideration by the Hub Committee in September 2017.

O&S(I) 55 PLANNING PEER CHALLENGE ACTION PLAN UPDATE

The Committee considered a report that outlined the progress that had been made with implementing the Peer Review Action Plan that had arisen from the Planning Peer Challenge Team Visit conducted between 18 and 20 April 2016.

In discussion, the following points were raised:-

- (a) Having been informed of the success of the reinstatement of the Developer/Agents Forum, the Committee requested that specialist planning officers also be introduced to Members. In response to an additional request, it was also agreed that the key action points that were captured at Forum meetings would be circulated to all Members;
- (b) Whilst welcoming the fact that the Community Of Practice Lead had attended a number of town and parish council meetings to introduce himself and respond to questions, Members were still of the view that a number of parish councils often failed to understand the reasons for a planning decision that was contrary to their recommendation. As a result, the Committee asked for consideration to be given to additional explanatory information being circulated to town and parish councils with a copy of the formal decision notice;
- (c) With regard to the pre-application process, officers advised that a review was to be undertaken and it was accepted that a good quality pre-application service would be beneficial to the performance of Development Management;
- (d) The Committee congratulated officers on both the new Council website and planning portal and felt that both were more user friendly and, in line with the Channel Shift agenda, should be actively promoted amongst the local community and stakeholders;
- (e) Having been informed that an officer had recently been appointed by the Council to have specific responsibility for supporting neighbourhood planning groups, a Member sought more clarity around the exact role of this postholder. In reply, it was noted that the officer would primarily be responsible for ensuring that the Council was fulfilling its statutory obligations. Furthermore, the officer would also be the main point of contact for existing and interested neighbourhood planning groups.

In reply to specific requests, officers committed to let a Member know outside of the meeting the reason why the Council had seemingly not responded during the consultation phase for his local Neighbourhood Plan and, when considering that both a Neighbourhood Plan and Local Plan had equal weighting, how the Council proposed to manage a situation in the event of these Plans contradicting one another;

- (f) The Committee asked that, when it was presented with future update reports on the Action Plan, it also be in receipt of the latest set of related performance information.

It was then:

RESOLVED

1. That the progress made in implementing the Peer Challenge Action Plan be noted; and
2. That, when future Action Plan update reports are presented to the Committee, the latest set of related performance information is included.

***O&S(I) 56 Q3 PERFORMANCE MEASURES**

The Committee considered a report that presented the performance measures for Quarter 3. In summary, the report noted that performance measures for this Quarter had continued their upward trajectory in comparison to the previous quarter.

In discussion, reference was made to:-

- (i) reviewing the current measures and associated targets. Members were of the view that, since two years had passed since the last review, it would be timely for a Task and Finish Group to be established to review the current performance measures and their associated targets. As a result, it was agreed that this would be raised with the new Overview and Scrutiny Committee at its first meeting of the 2017/18 Municipal Year;
- (ii) the new telephony system. Officers informed that the new system was more intuitive and included features such as the provision for customers to be informed where they were in a queue and the ability to track a call in the event of a customer complaint;
- (iii) write-off reports. The Committee was reminded of the ability for Overview and Scrutiny to review write-off reports prior to their consideration by the Hub Committee.

It was then **RESOLVED** that:

1. the performance levels against target communicated in the Balanced Scorecard and the performance figures supplied in the background and the exception report be noted; and
2. the Committee has reviewed the new online dashboards and has taken the opportunity to make comments (as outlined in the content of the minutes above).

***O&S(I) 57 IT UPDATE**

The IT Community Of Practice Lead provided a verbal update on the IT service.

In the ensuing discussion, reference was made to:-

- (a) evaluating the use of cloud hosting document editing solutions. When questioned, officers confirmed that they recognised the benefits of such solutions and the service was intending to undertake a pilot exercise in this respect. It was also confirmed that other local authorities were using cloud hosted email solutions;
- (b) Member iPads. Officers recognised that there was scope to provide additional support and training to Members on their Council iPads and it was agreed that some sessions would be scheduled into the Member Learning and Development Plan for this purpose;
- (c) the Meeting Calendar. In line with the requests made by the Member Development Steering Group, some Members welcomed the fact that the formal meetings calendar could now be downloaded on to the iPad Calendar. However, other Members highlighted that the wider membership had not been made aware of this application and emphasised the need for the IT service to improve its communication links with Members;
- (d) the front page of the Council website. A Member was of the view that it looked inefficient for an 'under construction' banner to have been on the front page of the Council website for such an extensive length of time. In reply, officers stated that they would review how this message was presented.

***O&S(I) 58 JOINT LOCAL PLAN – STANDING AGENDA ITEM**

Although a standing agenda item, the Committee was advised that an urgent meeting had been called for the Members of the Joint Local Plan Joint Steering Group that had led to a clash with this meeting.

In light of this previously unforeseen clash, the lead Hub Committee Member for Strategic Planning had offered to meet with the wider membership to provide them with an informal update outside of this meeting. The Committee proceeded to welcome this offer and asked that the necessary arrangements be made.

O&S(I) 59 TASK AND FINISH GROUP UPDATES

(a) T18 Review – Concluding Report

In consideration of the concluding report, the Committee made the following specific points:-

- The review had illustrated the lack of a detailed blueprint or plan throughout the Programme;
- A Member stated that it was almost impossible to imagine the Council undergoing such a monumental change project in the future. In addition, a Member highlighted the Programme timing coinciding with the 2015 local elections and felt that there were a number of unfortunate circumstances that had not helped with the implementation of the Programme;
- Whilst not in its Terms of Reference, Group Members gave an assurance that the Local Authority Controlled Company (LACC) project was in their minds during this Review. The view was also expressed that the LACC project had been an additional hindrance to the implementation of the Transformation Programme. In response, officers advised that a LACC Closure report would be formally presented to the Hub Committee during the summer months;
- When considering major projects in the future, there was a need for increased emphasis to be placed on Governance;
- In respect of the findings related to project management, the Committee was advised that half of the Specialist Manager (Support Services) role was now allocated to leading on major projects; and
- Having inherited such a difficult set of circumstances, a Member wished to put on record her thanks to the hard work and efforts of the two Executive Directors, who had worked tirelessly to ensure that the Programme had ultimately met its objectives.

It was then **RECOMMENDED** that the Hub Committee **RECOMMEND** to Council that the Task and Finish Group findings (as outlined at Appendix 1 of the presented agenda report) be noted and the conclusions also be noted and, where appropriate, be adopted for future significant projects.

***O&S(I) 60 COMMITTEE DECISIONS LOG**

The latest version of the Committee decisions log was presented to the meeting and, with no debate or discussion, it was:

RESOLVED

That the published Decisions Log be noted.

***O&S(I) 61 ANNUAL WORK PROGRAMME 2017/18 – INITIAL THOUGHTS**

The Committee took the opportunity to express its initial thoughts in relation to the 2017/18 Work Programme for the new Overview and Scrutiny Committee and, in so doing, noted that the Future Approach to Arts Task and Finish Group had now commenced its Review.

***O&S(I) 62 MEMBER LEARNING AND DEVELOPMENT OPPORTUNITIES ARISING**

The following Learning and Development opportunities had been identified during this meeting:

- To arrange support and training sessions for Members on the functionality of their Council iPads; and
- The need for an informal Member update to be given on the Joint Local Plan.

***O&S(I) 63 CHAIRMAN'S CONCLUDING REMARKS**

Since this was to be the last meeting of the Overview and Scrutiny (Internal) Committee before it was subsumed into a combined Overview and Scrutiny Committee, the Chairman wished to thank all Members for their valued input and contributions to this Committee.

(The meeting terminated at 3.50 pm)

Chairman

At a Meeting of the **PLANNING & LICENSING COMMITTEE** held at the Council Chamber, Council Offices, Kilworthy Park, Drake Road, **TAVISTOCK** on **MONDAY** the **24th** day of **APRIL 2017** at **10.00am**

Present: Cllr P R Sanders – Chairman

Cllr R E Baldwin

Cllr C Mott

Cllr D E Moyse

Cllr T G Pearce

Cllr A Roberts

Cllr J Yelland

COP Lead Development Management (PW)

Solicitor (SN)

Specialist Development Management (TF)

COP Lead Environmental Health (IL)

Case Manager Licensing (TOK)

Specialist Democratic Services (KT)

In attendance: Cllr T F Leech

***P&L 63 APOLOGIES FOR ABSENCE**

Apologies were received from Cllrs Parker, Cann OBE and Hockridge.

***P&L 64 DECLARATION OF INTEREST**

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

Cllrs Moyse, Roberts and Pearce all declared a personal interest in agenda item 5 (Minute *P&L 67 below refers) by virtue of knowing or having known the applicant. They remained in the meeting and took part in the debate and vote thereon;

Cllr Sanders declared a personal interest in agenda item 5 (Minute *P&L 67 below refers) by virtue of knowing the author and her husband of a reference presented to Committee in support of the applicant. He remained in the meeting and took part in the debate and vote thereon;

Cllr Yelland declared a personal interest in agenda item 5 (Minute *P&L 67 below refers) following reference to the Citizens Advice Bureau during the debate, by virtue of being a member of the Citizens Advice Bureau. She remained in the meeting for the remainder of the debate and took part in the debate and vote thereon.

***P&L 65 CONFIRMATION OF MINUTES**

The Minutes of the Planning and Licensing Committee Meeting held on 7th March 2017 were confirmed and signed by the Chairman as a correct record.

***P&L 66 EXCLUSION OF PUBLIC AND PRESS**

RESOLVED

That in accordance with Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting during consideration of the following items of business as the likely disclosure of exempt information as defined in paragraph 1 of Schedule 12A to the Act is involved.

***P&L 67 DETERMINATION OF WHETHER TO REVOKE, SUSPEND OR REFUSE TO RENEW A HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER LICENCE, IN EFFECT TO DETERMINE WHETHER THE LICENSEE REMAINS A FIT AND PROPER PERSON IN LIGHT OF COMPLAINTS MADE BY CUSTOMERS OF THE DRIVER.**

Consideration was given to an exempt report which sought to determine whether a licensee remained a 'fit and proper' person to hold a Hackney Carriage Driver Licence with this Authority in accordance with section 61 of the Local Government (Miscellaneous Provisions) Act 1976.

The Licensing Case Manager introduced the report. The Licensee was in attendance at the meeting and given the opportunity to address the Committee. Some Members asked questions of the Licensee and the Licensing Case Manager.

(At this point, the Chairman adjourned the meeting to enable the Committee to make a decision. The Solicitor remained in the meeting in an advisory capacity).

The Decision

The meeting reconvened and the Chairman then proceeded to announce the decision.

***P&L 68 READMITTANCE OF PUBLIC AND PRESS**

RESOLVED

That the public and press be re-admitted to the meeting.

***P&L 69 PLANNING PERFORMANCE INDICATORS**

The COP Lead Development Management presented the latest set of Performance Indicators and outlined the key information for Members consideration. He advised Members that the month of March 2017 had been particularly busy for receipt of applications.

Members raised a number of questions regarding enforcement matters. The COP Lead updated Members on staffing levels and also confirmed that he would present a more detailed breakdown of outstanding incomplete cases that were being dealt with by the backlog team. One Member noted an increasing trend in the number of enforcement cases being reported but accepted that some enforcement cases were complex and took a significant amount of time to reach a conclusion. He also asked that the minutes reflect that West Devon Borough Council and Dartmoor National Park Authority were now working together on a particular enforcement issue which was beneficial.

Members also asked if officers were routinely following up section 106 agreements, and the position regarding discharge of condition applications prior to commencement. The COP Lead advised that in respect of the discharge of conditions that were applied to approved applications there was not the officer resource to visit and actively check each application, and a key link had been lost now that building control work was open to other providers. In terms of section 106 agreements, there had been weaknesses in the system but the monitoring of agreements was being reviewed and as part of the process it was proposed to actively engage Locality Officers.

***P&L 70 PLANNING, LISTED BUILDING, TREE PRESERVATION ORDER AND ENFORCEMENT REPORTS**

The Committee considered the application 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**:

(a) Application No: 4058/16/FUL Ward: Exbourne

Site Address: Risdon Farm, Okehampton, Devon EX20 3AJ

Installation of a 13.2kW ground mounted photovoltaic array

RECOMMENDATION: Conditional Approval

COMMITTEE DECISION: Conditional Approval

***P&L 71 PLANNING APPEALS UPDATE**

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

(The Meeting terminated at 12.40 pm)

Dated this

Chairman

