



West Devon
Borough
Council

West Devon Council

Title:	Agenda																																													
Date:	Tuesday, 26th September, 2017																																													
Time:	4.30 pm																																													
Venue:	Chamber - Kilworthy Park																																													
Full Members:	<p style="text-align: center;">Chairman Cllr Moody Vice Chairman Cllr Davies</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 Musgrave</td> <td style="width: 33%;"></td> </tr> <tr> <td>Cllr Ball</td> <td>Cllr Oxborough</td> <td></td> </tr> <tr> <td>Cllr Cann OBE</td> <td>Cllr Parker</td> <td></td> </tr> <tr> <td>Cllr Cheadle</td> <td>Cllr Pearce</td> <td></td> </tr> <tr> <td>Cllr Cloke</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 Sheldon</td> <td></td> </tr> <tr> <td>Cllr Leech</td> <td>Cllr Stephens</td> <td></td> </tr> <tr> <td>Cllr McInnes</td> <td>Cllr Watts</td> <td></td> </tr> <tr> <td>Cllr Mott</td> <td>Cllr Yelland</td> <td></td> </tr> <tr> <td>Cllr Moyse</td> <td></td> <td></td> </tr> </table>	Cllr Baldwin	Cllr Musgrave		Cllr Ball	Cllr Oxborough		Cllr Cann OBE	Cllr Parker		Cllr Cheadle	Cllr Pearce		Cllr Cloke	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 Sheldon		Cllr Leech	Cllr Stephens		Cllr McInnes	Cllr Watts		Cllr Mott	Cllr Yelland		Cllr Moyse		
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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. Apologies for Absence

2. Confirmation of minutes

To approve and adopt as a correct record the Minutes of the Meeting of Council held on 25 July 2017

3. 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.

4. To receive communications from the Mayor or person presiding

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

6. 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

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

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

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:

1 - 18

(i) Overview and Scrutiny Committee

Meeting held on 11 July 2017

(ii) Audit Committee

Meeting held on 18 July 2017

(iii) Development Management and Licensing Committee

Meeting held on 22 August 2017

(iv) Hub Committee

Meeting held on 12 September 2017

Unstarred Minute to agree

Members are recommended to agree:

HC 20 The Government's Proposed 20% Increase in Planning Fees

That Council be **RECOMMENDED** that:

1. Planning fees be increased by 20% once primary legislation was confirmed; and
2. An appraisal be undertaken of resource and performance levels across the wider planning function to ascertain the best use of the additional resource, to be approved by the Head of Paid Service in consultation with the Section 151 officer, the Leader of Council and the Lead Hub Committee Members for Customer First and Strategic Planning.

HC 21 Street Naming and Numbering Policy

That Council be **RECOMMENDED** that the revised joint Street Naming and Numbering Policy (as outlined at Appendix A of the agenda report presented to the Hub Committee).

HC 22 O&S Draft Terms of Reference and Procedure Rules

That Council be **RECOMMENDED** that the amended Overview and Scrutiny Committee Terms of Reference and Procedure Rules (as outlined at Appendices A and B of the agenda report presented to the Hub Committee).

HC 24 Business Rates Pilot 2018/19

That Council be **RECOMMENDED** to:

1. apply to become a business rates pilot for 2018-19, as part of a Devonwide business rates pilot bid, to pioneer new pooling and tier-split models; and
2. delegate to the Section 151 Officer, in

consultation with the Leader, Deputy Leader and Head of Paid Service, to agree the detail of the business rates pilot bid (in conjunction with Devon Local Authority Section 151 Officer colleagues) with respect to the financial aspects and overall governance of the pilot bid.

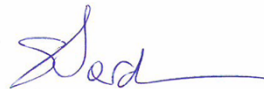
HC 28 Purchase of Land

That Council be **RECOMMENDED** to fund the purchase price (as set out in Section 1.1 of the agenda report presented to the Hub Committee) along with legal and associated costs from the Innovation Fund (Invest to Earn) Earmarked Reserve.

**10. Delivery of best value for money front line services
EXEMPT Report of the SH/WD Joint Steering Group**

19 - 86

Dated this 18th day of September 2017



Steve Jorden
Head of Paid Service

Agenda Item 2

At the Meeting of the **WEST DEVON BOROUGH COUNCIL** held in the **COUNCIL CHAMBER, KILWORTHY PARK, TAVISTOCK** on **TUESDAY** the **25th** day of **JULY 2017** at **4.30pm** pursuant to Notice given and Summons duly served.

Present

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

Cllr R E Baldwin	Cllr K Ball
Cllr W G Cann OBE	Cllr R Cheadle
Cllr D W Cloke	Cllr C Edmonds
Cllr J Evans	Cllr N Jory
Cllr P Kimber	Cllr A F Leech
Cllr J R McInnes	Cllr C Mott
Cllr D E Moyse	Cllr C R Musgrave
Cllr R J Oxborough	Cllr G Parker
Cllr P J Ridgers	Cllr R F D Sampson
Cllr L Samuel	Cllr P R Sanders
Cllr D K A Sellis	Cllr J Sheldon
Cllr B Stephens	Cllr L Watts
Cllr J Yelland	

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

CM 19 APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllrs L J G Hockridge, B Lamb, T G Pearce and A Roberts.

CM 20 CONFIRMATION OF MINUTES

It was moved by Cllr P R Sanders, seconded by Cllr L Samuel and upon the motion being submitted to the Meeting was declared to be **CARRIED** and **“RESOLVED** that the Council agree the Minutes of the Annual Meeting held on 23 May 2017 as a true record, subject to Cllr D E Moyse being added to the list of Members who had given their apologies for absence to this meeting.”

CM 21 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.

MINUTES OF COMMITTEES

a. Development Management and Licensing Committee – 30 May 2017 and 27 June 2017

It was moved by Cllr P R Sanders, seconded by Cllr D E Moyse and upon being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that the Minutes of the 30 May 2017 and 27 June 2017 meetings be received and noted”.

b. Overview and Scrutiny Committee – 6 June 2017

It was moved by Cllr J Yelland, seconded by Cllr R Cheadle and upon being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that the Minutes of the 6 June 2017 meeting be received and noted, with the exception of Unstarred Minute O&S 09”.

In respect of the Unstarred Minute:

i. O&S 09 Overview and Scrutiny: Annual Report

It was moved by Cllr J Yelland, seconded by Cllr R Cheadle and upon being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that the Overview and Scrutiny Annual Report for 2016/17 be approved for publication, subject to delegated authority being given to the Senior Specialist (Democratic Services), in consultation with the Chairman of the Overview and Scrutiny Committee, to make any minor amendments.”

c. Audit Committee – 20 June 2017

It was moved by Cllr M Davies, seconded by Cllr K Ball and upon being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that the Minutes of the 20 June 2017 meeting be received and noted”.

d. Hub Committee – 20 June 2017 and 18 July 2017

It was moved by Cllr P R Sanders, seconded by Cllr L Samuel and upon being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that the Minutes of the 20 June 2017 and 18 July 2017 meeting be received and noted, with the exception of Unstarred Minutes HC 11, HC 12 and HC 14”.

In respect of the Unstarred Minutes:

i. **HC 11 Business Rates – Locally Administered Business Rate Relief Policy**

It was moved by Cllr P R Sanders, seconded by Cllr L Samuel and upon being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that, following consultation with Devon County Council, Devon and Cornwall Police and Devon and Somerset Fire Rescue, the Locally Administered Business Rate Relief Policy be adopted, subject to inclusion of the amendment as detailed in the minutes arising from the Hub Committee meeting”.

ii. **HC 12 Review of WDBC Community Grant Schemes**

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

1. the Sports Grant be incorporated into a ‘Community Grant’ scheme, retaining £2,000 as a revenue line to cover ‘training/coaching grants’;
2. applications be excluded to the Community Grant from projects within Dartmoor National Park which have already received support from the DNPA Sustainable Communities Fund;
3. production of a one page summary of grant schemes be supported, which officers and Members can use to increase and sustain the level of promotion to local communities; and
4. ongoing officer engagement with Devon County Council be supported to refocus the TAP scheme criteria on its original purpose and to reinstate the process that is outlined at paragraph 7.3 of the presented agenda report to the Hub Committee meeting.”

iii. **HC 14 Events Policy Adoption**

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

1. the proposed policy (as detailed in Appendix 1 of the report presented to the Hub Committee meeting) be approved, subject to minor wording changes being delegated to the Group Manager – Commercial Services, in consultation with the lead Hub Committee Member; and
2. once live, the Policy be reviewed annually and the fees levied be reviewed as part of the regular WDBC fee and charge setting process.”

CM 23

SINGLE COUNCIL PROPOSAL

A comprehensive report was presented that set out a series of recommendations from the SH/WD Joint Steering Group to agree, in principle, to establish a single second tier Council for West Devon and South Hams.

In introducing this agenda item, the Leader made reference to the recent Member event that had been held with representatives from the Department of Communities and Local Government (DCLG) and the Local Government Association (LGA).

In so doing, the Leader highlighted three key details arising from this event that had an impact on the content of the published agenda report. These details were as follows:-

1. The implementation date for a new Council would need to be put back from the initially anticipated 1 April 2019 to 1 April 2020;
2. The Local Government Boundary Commission for England review would need to be concluded before the new Council was formed, with the 2019 Borough and District Council elections being delayed by a year to 2020; and
3. There was the potential to introduce a longer time period to equalise Council Tax.

In light of this information, the Leader advised that he had instructed officers to produce a revised report (with the amendments highlighted) and this had been circulated to Members just before this meeting.

Following the introduction, a Member expressed his concerns at the late circulation of the revised report and made a point of order alleging that Council Procedure Rule 12: 'Committee Agenda' had therefore been breached. In expanding on his view, it was felt that Members had not been given sufficient time or opportunity to examine the revised report in proper detail before being asked to make a decision.

Having sought the advice of officers, the Mayor did not accept the alleged breach and made the following statement:

'Today's proposed amendments are all points of clarification arising from a meeting with the DCLG and LGA last Friday (21 July 2017).

The original report was published five clear working days in advance of today's meeting as required.

All of the proposed amendments and additional information refers to the proposal which has yet to be consulted on in full by Members, stakeholders and the public. This means that each and every amendment will be considered fully before the Council makes a decision on whether or not to put the proposal to the Secretary of State in due course.

All relevant representations will be considered and published in a transparent fashion as always.'

In light of this ruling, the following motion was then **PROPOSED** by Cllr R J Oxborough and **SECONDED** by Cllr W G Cann OBE:

'That the agenda item be deferred to a future meeting for consideration to enable sufficient time and opportunity to read the updated report and supporting papers.'

(Prior to any debate ensuing on this motion, the Mayor exercised his discretion to adjourn the meeting for a fifteen minute period to enable Members the opportunity to read the updated report.)

Once the meeting reconvened, some Members felt that a deferral at this stage of the debate was somewhat pre-emptive and the proposer was encouraged to withdraw his motion at this time. On the proviso that he may still wish to propose a deferral at a later stage of the debate, the proposer agreed to withdraw his motion at this time.

In the ensuing discussion, reference was made to:-

- (a) the involvement of all Members. Particularly when considering the importance of this issue, some Members expressed their disappointment at the lack of engagement opportunities that had been arranged to date for the wider membership. In response, assurances were given that, in the event that both councils took the decision to consult on the establishment of a single council, a series of Member Workshops would then be arranged that ran parallel to the public consultation;
- (b) the draft consultation document. A number of Members stated their disapproval at the quality of the draft consultation document. These Members felt that, as drafted, the document was disingenuous and unbalanced. As a way forward, it was suggested that delegated authority should be given to the SH/WD Joint Steering Group (JSG) to agree the final contents of the consultation document prior to its publication. As a further assurance, it was agreed that all Members would be invited to make their comments on a revised draft document prior to the JSG taking its final decision;

- (c) the mechanism for consulting with local residents. Such was the significance of this issue, that the view was expressed that, as part of the consultation exercise, some form of communication should be sent to every household in the Borough;
- (d) the size of the Borough Council. As one of the smallest Borough Councils in the country, some Members made the point that the authority would not be financially sustainable in the future and a larger council would provide greater resilience and strength. As a result and, when considering the shared services arrangements with South Hams District Council, this proposal was felt to be the natural conclusion of the partnership working agenda, which would help to maintain and improve front-line services.

It was moved by Cllr L Samuel and seconded by Cllr G Parker and declared **CARRIED** and **RESOLVED** that the Council:

1. agree to consider establishing a single second-tier Council for West Devon and South Hams from 1 April 2020;
2. proceed to consultation with the public and stakeholders from early August through to the end of September 2017, with delegated authority being given to the SH/WD Joint Steering Group to agree the final contents of the consultation document (as outlined at Appendix B of the presented agenda report) prior to its publication; and
3. agree to bring back to Council for consideration (as soon after the expiry of the consultation period as is practically possible) the outcome of the consultation together with the final Proposal for submission to the Secretary of State.

CM 24

DELIVERY OF BEST VALUE FOR MONEY FRONT LINE SERVICES

(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 is likely to be disclosed as defined in Paragraph 3 of Schedule 12(A) to the Act).

An exempt report was presented that sought a Council decision, based on the advice of the SH/WD Joint Steering Group, in relation to the manner in which front-line services were provided and designed.

In introducing the report, the Lead Hub Committee Member made reference to an amended recommendation 2 that had been presented to the meeting. When questioned, the Member advised that the amended wording had been deemed necessary to ensure compliance with both company and procurement legislation.

Following a lengthy debate, it was moved by Cllr R F D Sampson and seconded by Cllr L Samuel and declared **CARRIED** and **RESOLVED** that action is taken, based upon the advice of the SH/WD Joint Steering Group, to:

1. test the front line services in scope through competitive dialogue processes with combined procurements where the services allow;
2. consider the outcome of the market engagement, benchmark and report back to the next full Council the viability (subject to full compliance with the relevant laws) of a wholly owned company preparing a bid if a competitive and sustainable price for service can be proven against benchmarked current costs with external market place; and
3. continue to test market costs and income opportunities during the summer period to further inform the market position.

It was then moved by Cllr R F D Sampson and seconded by Cllr L Samuel and declared **CARRIED** and **RESOLVED** that the press and public be re-admitted to the meeting.”

CM 25

COMMERCIAL PROPERTY ACQUISITION STRATEGY

Consideration was given to a report that presented the draft Commercial Property Acquisition Strategy for approval. The report noted that the objective of the draft Strategy was to generate revenue streams to contribute to the financial sustainability of the Council, enabling it to continue to deliver (and where possible improve) frontline services in line with the Council’s adopted strategy and objectives.

During discussion, reference was made to:-

- (a) the budget gap. A number of Members highlighted the extent of the future budget gap facing the Council and the need to adopt innovative solutions to close this gap. Approval of this strategy was therefore considered to be an example of an innovative solution;
- (b) the option to invest in residential properties. In response to a query, officers advised that this option had been given detailed consideration. However, it had been concluded that the Right to Buy Scheme had effectively ruled this out as a sustainable option for the Council;
- (c) the risks associated with the Strategy. In caution, some Members felt that the presented agenda report did not adequately address some of the risks related to issues such as a downturn in property value; the market becoming saturated and the consequent impact on yield. As a result, these Members were of the view that the financial margins would be tighter than was being suggested in the agenda papers. In the event of the Strategy being approved, these Members emphasised the importance of the Council proceeding with caution in this regard;

- (d) the proposal to commission property experts to actively manage the acquired properties. Members recognised the importance of appointing the best possible experts to maximise the success of this Strategy.

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

1. the proposed Commercial Property Acquisition Strategy (as detailed in Appendix A of the presented agenda report) be approved and implemented;
2. officers conclude an appropriate procurement process to commission specialists to work on behalf of the Council in relation to the Strategy;
3. individual commercial property portfolio purchases and disposal decisions be delegated to the Head of Paid Service, in consultation with the Council's Section 151 Officer, the Leader of the Council and the Chairman of the 'Invest to Earn' Working Group; and
4. funds be borrowed on fixed rate terms from the appropriate source in order to pursue the Strategy. (NOTE. to complete tranche 1, this would require borrowing of up to £26.75 million (£25 million plus acquisition costs of 7%).

CM 26

2017/18 TREASURY MANAGEMENT STRATEGY

The Council considered a report that sought approval of a revised Treasury Management and Investment Strategies together with their associated prudential indicators. The report stressed that good financial management and administration underpinned the entire Strategy.

It was then moved by Cllr C Edmonds and seconded by Cllr R F D Sampson and declared **CARRIED** and **RESOLVED** that approval be given to:-

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

(The Meeting terminated at 7.45 pm)

Mayor

Agenda Item 9

At a Meeting of the **OVERVIEW & SCRUTINY COMMITTEE** held at the Council Chamber, Council Offices, Kilworthy Park, Drake Road, **TAVISTOCK** on **TUESDAY** the **11th** day of **JULY 2017** at **2.00 pm**.

Present:

Cllr J Yelland – Chairman
Cllr R Baldwin
Cllr D W Cloke
Cllr P Kimber
Cllr J R McInnes
Cllr C R Musgrave
Cllr P J Ridgers
Cllr D K A Sellis
Cllr R Cheadle
Cllr J Evans
Cllr A F Leech
Cllr D E Moyse
Cllr T G Pearce
Cllr A Roberts
Cllr J Sheldon

Head of Paid Service
Executive Director (Service Delivery and Commercial Development)
Group Manager: Business Development Specialist – Assets
Senior Specialist – Democratic Services

Also in Attendance: Cllrs C Edmonds; N Jory; C Mott; R J Oxborough and P R Sanders

***O&S 14 APOLOGIES FOR ABSENCE**

There were no apologies for absence given to this meeting.

***O&S 15 CONFIRMATION OF MINUTES**

The minutes of the Meeting of the Overview and Scrutiny Committee held on 6 June 2017 were confirmed and signed by the Chairman as a true and correct record.

***O&S 16 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 17 COMMITTEE TERMS OF REFERENCE AND PROCEDURE RULES

At the Annual Council meeting held on 23 May 2017, Members were presented with a report on the Council Constitution (Minute CM 8 refers). As a result of the discussion at that meeting and the previous Overview and Scrutiny Committee meeting held on 6 June 2017 (Minute O&S 05 refers), a revised set of draft Overview and Scrutiny Terms of Reference and Procedure Rules were presented to the Committee for its consideration.

In considering these draft documents, the Committee requested that the following amendments be incorporated:

(a) *Specific Functions Para 2.1(ii)* (page 1 of the published agenda refers) be revised to read:

‘assist the Council in the development of its Budget and *any policies it chooses to adopt.*’

(b) *Scrutiny Para 2.2(ii)* (page 2 of the published agenda refers) to delete the following words:

‘*and Council officers.*’

(c) *Scrutiny Para 6.3* (page 8 of the published agenda refers) be amended to read:

‘Call-in may be exercised only *by* the Overview and Scrutiny Committee.’

(d) *Scrutiny Para 6.3.4* (page 8 of the published agenda refers) be updated to read:

‘Before the expiry of the three working days, the Head of Paid Service shall call-in a decision for scrutiny by the Overview and Scrutiny Committee if so requested by the Chairman, any three Members of the Overview and Scrutiny Committee *or any five non-Hub Committee Members.*’

(e) *Paragraph 7.5* (page 10 of the published agenda refers) be reinstated to read:

‘*Party Whip: Whipping arrangements are not permitted at formal (or informal) meetings of the Overview and Scrutiny Committee.*’

It was then:

RECOMMENDED:

That the Hub Committee **RECOMMEND** to Council that, subject to inclusion of the suggested amendments above, the revised Overview and Scrutiny Committee Terms of Reference and Procedure Rules be approved.

*O&S 18

PUBLIC FORUM

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

***O&S 19 HUB COMMITTEE FORWARD PLAN**

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

In discussion, the following points were raised:-

- (a) In light of the corporate emphasis being given to assets, it was agreed that the title for the 'Lead Member for Environment' should be updated to read the 'Lead Member for Environment and Assets';
- (b) To refresh the wider membership, the Committee requested that all Members be sent the latest version of the roles and responsibilities for each Hub Committee Member;
- (c) For clarity, Members were advised that, in the first instance, the Waste Working Group now reported its findings to the SH/WD Joint Steering Group (JSG).

***O&S 20 VILLAGES IN ACTION PRESENTATION**

The Committee received a presentation from the Project Director and Project Manager from Carn to Cove. In so doing, Members were informed that Carn to Cove was Cornwall's performing arts scheme for rural communities in the county.

Following the announcement of Villages In Action (VIA) that they were withdrawing from organising rural touring in Devon and the closure of the office in May 2017, the Committee was advised that Carn to Cove, at the invitation of the Board of Trustees of VIA, had stepped in to run a caretaker season for Autumn 2017 and Spring 2018.

In concluding their presentation, the representatives thanked the Council for its £4,000 grant to VIA and hoped that, in the future, the authority would decide to restore its contribution back to the 2015/16 level of £8,000 per annum.

In the ensuing discussion, reference was made to:-

- (a) funding from other partners and stakeholders. When questioned, the representatives advised that VIA had not received any funding from Devon County Council this year. In addition, a number of Members were of the view that, since they were not subject to capping restrictions, there was significant potential for town and parish councils to financially contribute and work more closely with VIA. In accepting the point, the representatives advised that Carn to Cove made regular representations to town and parish councils in Cornwall. However, support at borough and unitary council level was also considered to be of critical importance;
- (b) revenue from the box office. The Committee was advised that the main financial contributor to VIA was revenue gained through the box office;

- (c) financial accountability. A Member stated her disappointment that the presentation did not provide any evidence regarding how the £4,000 contribution from the Council was being spent. To be minded to support any future funding increases, the Member felt that she would need to see far greater financial accountability and a more detailed budgetary breakdown from the organisation;
- (d) offering a menu of events. The Committee was informed that it was the decision of each village to decide which type of events they held by choosing from a pre-determined menu. It was confirmed that the menu of events included provision for themes including: dance, theatre, music, puppetry, storytelling, poetry and film;
- (e) the future for VIA. Whilst the board of trustees was considering future options for VIA, there was an overriding wish to retain the brand. The Carn to Cove representatives confirmed that their organisation was not looking at taking over long-term responsibility for VIA.

Upon the conclusion of this agenda item, the Committee Chairman thanked the representatives for their attendance, presentation and informative responses to Member questions.

O&S 21

REVIEW OF WDBC COMMUNITY GRANTS SCHEME

Members were presented with a report that presented them with a review of existing Council Community Grant schemes, including options for streamlining or improving these schemes.

In discussion, the following points were raised:-

- (a) In citing a particular example during which local Ward Members had not agreed on whether or not a Community Grant application was supported, an additional recommendation was **PROPOSED** and **SECONDED** to read as follows:-

‘That, where there is a lack of consensus amongst local Ward Member(s) about whether to support an application, local Ward Members be in receipt of the final decision (and a brief statement outlining the rationale behind this decision) on whether or not an application to the ‘Community Grant’ scheme has been successful.’

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

- (b) In respect of the Arts Task and Finish Group recommendations specifically relating to Villages In Action and Museum funding, some concerns were raised that, if supported, the Council would be committing monies without seeing the full future budget picture. In reply, assurances were given that the Task and Finish Group was not recommending the commitment of any specific sums of money in these areas at this time;
- (c) A Member felt it to be important that clubs who were applying to obtain a Sports Grant should be registered as 'Community Amateur Sports Clubs' (CASC). As a compromise, other Members highlighted the extent of the changes being proposed to the Community Fund and the consequent need for a Public Relations (PR) exercise to be undertaken. It was therefore requested that specific reference be made in the PR to those registered as CASC being eligible to apply for funding from the refreshed Community Grant scheme.

It was then:

RESOLVED

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

1. the Sports Grant be incorporated into a 'Community Grant' scheme, retaining £2,000 as a revenue line to cover 'training/coaching grants';
2. applications to the Community Grant from projects within Dartmoor National Park, which have already received support from the DNPA Sustainable Communities Fund, be excluded;
3. production be supported of a one page summary of grant schemes which officers and Members can use to increase and sustain the level of promotion to local communities;
4. support be given to ongoing officer engagement with DCC to refocus the TAP scheme criteria on its original purpose and reinstate the process that is outlined at paragraph 7.3 of the presented agenda report;
5. the Arts Task & Finish recommendations (as shown in sections 3.3 and 3.4 of the presented agenda report) regarding revenue funding to communities be approved; and
6. where there is a lack of consensus amongst local Ward Member(s) about whether to support an application, local Ward Members be in receipt of the final decision (and a brief statement outlining the rationale behind this decision) on whether or not an application to the 'Community Grant' scheme has been successful.

* O&S 22

JOINT LOCAL PLAN UPDATE: STANDING AGENDA ITEM

In providing his update, the Head of Paid Service advised that the team were currently sifting through the consultation responses received during the Regulation 19 stage. Furthermore, officers were in the process of preparing the final document to go forward for submission and they were aiming to achieve this before the end of July 2017.

Finally, the Head of Paid Service repeated his commitment to keep all Members fully informed of progress that was being made on the Joint Local Plan.

*** O&S 23 SCRUTINY PROPOSAL FORMS**

(a) Discretionary Grant Funding Review

The Committee endorsed the request for a Task and Finish Group to be established to review existing sources of discretionary grant funding.

Having endorsed the request, nominations to serve on the Group were sought and it was agreed that the membership would consist of: Cllrs Cloke, Moyse and Yelland.

(b) Performance Measure

The Committee proceeded to consider a request to establish a Joint SH/WD Task and Finish Group to review the current set of Council Performance Indicators.

In agreeing to the request, the Committee appointed Cllrs Cheadle and Leech to serve on the Group. Since officers were ideally aiming for three Members of each Council to be appointed to serve on this Group, it was agreed that Members of the Audit and Hub Committees should be invited to express their interest.

***O&S 24 ANNUAL WORK PROGRAMME 2017/18**

The Chairman introduced the latest version of the Work Programme for the next 12 months and advised that the Planning Enforcement Service Review report was currently being drafted by officers. In the event of any Members having specific issues that they wished to be included in this report then they were asked to contact officers accordingly.

***O&S 25 MEMBER LEARNING AND DEVELOPMENT OPPORTUNITIES ARISING FROM THIS MEETING**

The Chairman reminded the Committee that she had asked for Overview and Scrutiny related training to be arranged for all Members during the autumn.

(The meeting terminated at 3.55 pm)

Chairman

At a Meeting of the **AUDIT COMMITTEE** held in the Council Chamber, Council Offices, Kilworthy Park, Drake Road, **TAVISTOCK** on **TUESDAY** the **18th** day of **July 2017** at **10.00am**

Present: Cllr M Davies (Chairman)

Cllr K Ball Cllr W Cann OBE
Cllr B Stephens Cllr L Watts

Officers in attendance: Group Manager – Commercial Services
Section 151 Officer; and
Senior Specialist – Democratic Services

Also in attendance: Cllr C Edmonds (lead Hub Committee Member)

*** AC 8 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Cllrs Hockridge and Lamb, the KPMG representatives and the Finance Business Partner.

*** AC 9 CONFIRMATION OF MINUTES**

The Minutes of the Meeting held on 20 June 2017 were confirmed and signed by the Chairman as a correct record.

*** AC 10 DRAFT STATEMENT OF ACCOUNTS 2016/17**

The Committee considered a report that presented the draft Statement of Accounts 2016/17 and the draft Annual Governance Statement for the year ended 31 March 2017.

In particular, the report advised that an underspend of £70,000 had been generated in 2016/17, which was transferred to the General Fund Balance.

In discussion, reference was made to:-

(a) the Trading Company. The Committee was advised that, whilst Servaco Limited had not traded at all during 2016/17, the Council was still required to complete an annual return and accounts in accordance with Company House Regulations. In respect of resource implications, it was noted that this process took half an hour for the Section 151 Officer and one hour of a legal colleague's time to file the annual return and accounts;

(b) the risks associated with service failure. Members were provided with an update on the recent problems that residents had been experiencing with the online process of applying to opt into the charged garden waste service. In outlining the steps that were being taken to overcome this problem, it had become apparent that this issue was being replicated across a number of the payment gateways of the Council and was currently proving to be a significant barrier to the ability for residents to self-serve;

- (c) the other entities and individuals debtors that amounted to £944,000. In reply to a question, officers informed that the £944,000 was largely attributed to Housing Benefit overpayments;
- (d) the accumulated absences account. Members were informed that the £74,000 reflected the amount of untaken staff annual leave for 2016/17;
- (e) publishing the accounts before 31 May. The Section 151 Officer confirmed that she was confident that the Finance Community Of Practice would be in a position to publish the accounts for 2017/18 before the deadline of 31 May 2018. However, in order to meet this requirement, the Committee noted that it would be inevitable that officers would be more reliant on estimates and assumptions. Members proceeded to pay tribute to the excellent work undertaken by the Section 151 Officer and her Finance Community Of Practice colleagues.
- (f) the increase in Members' Allowances. The Committee was reminded that the bulk of the £10,000 increase during 2016/17 was attributed to the increase in Special Responsibility Allowances that could be claimed by Members of the Hub Committee;

It was then:

RESOLVED

That the Draft Statement of Accounts 2016/17 and the Draft Annual Governance Statement for the financial year ended 31 March 2017 be noted.

*** AC 11 SHARED SERVICES METHODOLOGY 2016/17**

A report was considered that presented the methodology for the apportionment of costs (predominantly staffing costs) between the Council and South Hams District Council.

In discussion, Committee Members felt that the report was particularly helpful and self-explanatory.

It was then:

RESOLVED

That the methodology of the shared services apportionment of costs between the Council and South Hams District Council (as outlined in Appendix A of the presented agenda report) be noted.

(The Meeting terminated at 10.50 am)

Dated this

At a Meeting of the **DEVELOPMENT MANAGEMENT & LICENSING COMMITTEE** held at the Council Chamber, Council Offices, Kilworthy Park, Drake Road, **TAVISTOCK** on **TUESDAY** the **22nd** day of **AUGUST 2017** at **10.00am**

Present: Cllr P R Sanders – Chairman

Cllrs R E Baldwin	Cllr W G Cann OBE
Cllr C Mott	Cllr D E Moyse
Cllr A Roberts	Cllr J Yelland

Substitutes: Cllr B Lamb for Cllr D E Moyse
Cllr R Cheadle for Cllr T G Pearce

COP Lead Development Management (PW)
Planning Specialist (TF)
Solicitor (SN)
Specialist Democratic Services (KT)

In attendance: Cllr T F Leech

***DM&L 13 APOLOGIES FOR ABSENCE**

Apologies were received from Cllr D E Moyse for whom Cllr B Lamb acted as substitute, Cllr T G Pearce for whom Cllr R Cheadle acted as substitute and Cllr J Yelland.

***DM&L 14 DECLARATION OF INTEREST**

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

***DM&L 15 CONFIRMATION OF MINUTES**

The Minutes of the Development Management and Licensing Committee Meeting held on 27th June 2017 and the Licensing Sub Committee held on 27th July 2017 were confirmed and signed by the Chairman as a correct record.

***DM&L 16 PLANNING PERFORMANCE INDICATORS**

The COP Lead Development Management presented the latest set of Performance Indicators and outlined the key information for Members consideration. A Member noted that Overview and Scrutiny Committee had appointed a task and finish group to look at performance measure across the Council and planning performance indicators would be included.

***DM&L 17 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**:

(a) Application No: 1433/17/VAR Ward: Bridestowe

Site Address: East Bowerland Farm, Okehampton

Application for removal of condition 7 (use restriction) following planning consent 00643/2013 (Erection of building over existing sand school for equestrian and dog training)

Speakers included: Objector – Mr Chris Wilson: Supporter – Miss Lauren Langman: Parish Council representative – Cllr Ivor Kaczanow: Ward Member – Cllr Mott

RECOMMENDATION: Conditional Approval

During the debate on this application, the Ward Member proposed an amendment to change the days of operation so that public holidays were not included. This amendment was not supported and therefore no vote was taken.

COMMITTEE DECISION: Conditional Approval

Conditions:

1. Accord with plans
2. Building for Private equestrian and canine use only
3. Canine business and holiday lets to be operated by occupiers of East Bowerland farm only
4. Hours of use restriction
5. No more than 11 dogs using the training arena at any time
6. No external lighting without consent

(b) Application No: 2456/16/FUL Ward: Bridestowe

Site Address: East Bowerland Farm, Okehampton

Extension of existing dog training arena, replacing existing timber structure

Speakers included: Supporter – Miss Lauren Langman: Parish Council representative – Cllr Ivor Kaczanow: Ward Member – Cllr Mott

RECOMMENDATION: Conditional Approval

COMMITTEE DECISION: Conditional Approval

Conditions:

1. Time limit
2. Accordance with plans
3. Details of internal acoustic cladding and acoustic roof lights to be approved
4. Private equestrian/canine use only

5. Canine business and holiday lets to be operated by occupiers of East Bowerland farm only
6. Doors shown on plan to be installed prior to completion/first use, whichever is soonest
7. Hours of use restriction
8. Boundary treatments/landscaping to be agreed

***DM&L 18 PLANNING APPEALS UPDATE**

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

(The Meeting terminated at 12.00 noon)

Dated this

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 12th day of **SEPTEMBER, 2017** at **2.00pm**

Present: Cllr P R Sanders – Chairman

Cllr C Edmonds	Cllr N Jory
Cllr J B Moody	Cllr C Mott
Cllr G Parker	

In attendance: Executive Director (Strategy and Commissioning)
Executive Director (Service Delivery and Commercial Development)
Section 151 Officer
Group Manager Commercial Services
Group Manager Business Development
Monitoring Officer
Specialist Manager
Case Management Manager
COP Lead Environmental Health
Solicitor
Senior Specialist Democratic Services

Other Members in attendance:

Cllrs Cheadle, Cloke, Lamb, Leech, Moyse and Sheldon

***HC 16 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Cllrs Oxborough, Sampson and Samuel.

***HC 17 DECLARATIONS OF INTEREST**

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

***HC 18 MINUTES**

The Minutes of the Hub Committee meeting held on 18 July 2017 were confirmed and signed by the Chairman as a correct record.

***HC 19 LEAD MEMBER UPDATE – CLLR MOODY**

In setting the scene for his update, Cllr Moody informed that, as the lead Member for Health and Wellbeing, his scope of duties included:

- Housing;
- Disabled Facilities Grants;
- Homelessness;
- Benefits;
- Council Tax; and
- Environmental Health and Licensing.

In his presentation, Cllr Moody made particular reference to:-

- (a) the emphasis on Channel Shift. In highlighting the increased trend in online transactions, Cllr Moody confirmed that he would continue to promote channel shift opportunities and urged his fellow Members to do likewise;
- (b) future challenges and opportunities facing his portfolio area. Looking ahead, Cllr Moody highlighted the following specific challenges and opportunities:-
 - Impact of the roll-out of Universal Credit;
 - Impact of the Homelessness Reduction Act;
 - Changes to the Licensing charging regime;
 - Ability to charge for providing technical advice;
 - Building upon the successes of the Social Prescribing pilot study whilst realising that the initial grant funding was no longer available;
 - Having sufficient resources in order to manage the risk to public health and wellbeing by a combination of proactive and reactive measures;
 - Continuing to develop and roll-out the adopted Health and Wellbeing Strategy; and
 - The need to maintain an effective regulatory, partnership and preventative agenda in spite of the immediate financial challenge.
- (c) attendance at stakeholder meetings. Members were informed that it was the intention of Cllr Moody to attend (and represent the Council) at a number of relevant multi-disciplinary stakeholder meetings;

In conclusion, Members thanked Cllr Moody for his informative presentation and, in light of the amount of information that was divulged, requested that his supporting notes be circulated to the wider membership. Furthermore, to raise the profile of the Health and Wellbeing portfolio, it was requested that the Members' Bulletin be used to regularly promote relevant information (e.g. homelessness trends, Universal Credit progress updates; and updates on the Social Prescribing agenda).

HC 20

THE GOVERNMENT'S PROPOSED 20% INCREASE IN PLANNING FEES

Members were presented with a report that recommended that, as soon as the legislation was amended to allow for such an increase, the Council increase its planning fees by 20%.

The report also recommended that an appraisal be undertaken of resource and performance levels across the wider planning function to ascertain the best use of the additional resource.

The Lead Member for Customer First introduced the report and, in discussion, it was stressed that the wider planning function also included Planning Enforcement and Strategic Planning. As a consequence, a Member emphasised that these areas must equally be considered during the proposed appraisal of resources and performance levels. Indeed, such was the strength of feeling that an addition to the recommendation was **PROPOSED** and **SECONDED** whereby the lead Hub Committee Members for Customer First and Strategic Planning should also be part of the consultation process into the proposed appraisal. When put to the vote, this addition was declared **CARRIED**.

The Member of the Performance Measures Joint Task and Finish Group, who had been designated responsibility for reviewing the planning related indicators, also took the opportunity to advise that this review had now commenced.

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

1. Planning fees be increased by 20% once primary legislation was confirmed; and
2. An appraisal be undertaken of resource and performance levels across the wider planning function to ascertain the best use of the additional resource, to be approved by the Head of Paid Service in consultation with the Section 151 officer, the Leader of Council and the Lead Hub Committee Members for Customer First and Strategic Planning.

HC 21 STREET NAMING AND NUMBERING POLICY

Members were presented with a report that recommended to Council the adoption of a revised joint Street Naming and Numbering Policy.

The Lead Member for Customer First introduced the report and it was confirmed that those charges related to Street Naming and Numbering would be revisited as part of the annual overall fees and charges review.

It was then **RESOLVED** that Council be **RECOMMENDED** to adopt the revised joint Street Naming and Numbering Policy (as outlined at Appendix A of the presented agenda report).

HC 22 O&S DRAFT TERMS OF REFERENCE AND PROCEDURE RULES

Members were presented with a report that requested that the amended Overview and Scrutiny Committee Terms of Reference and Procedure Rules (as outlined in presented Appendices A and B respectively) be recommended to Council for approval.

In discussion, the following points were raised:-

- (a) It was confirmed that reference to individual officer names would be removed from the documents prior to their final publication;
- (b) In support of the amended documents, Members acknowledged that their previous concerns had now been addressed.

It was then **RESOLVED** that Council be **RECOMMENDED** that the amended Overview and Scrutiny Committee Terms of Reference and Procedure Rules (as outlined at presented Appendices A and B respectively) be approved.

***HC 23 LOCAL AUTHORITY CONTROLLED COMPANY (LACC) PROJECT REVIEW AND CLOSURE REPORT**

Members were presented with a report that set out a review of the Local Authority Controlled Company Project and closure of that project.

The Leader introduced the report and, with no questions or issues raised, it was then **RESOLVED** that the Local Authority Controlled Company project closure report be noted.

HC 24 BUSINESS RATES PILOT 2018/19

Members were presented with a detailed report that recommended to Council to apply to become a business rates pilot for 2018-19, as part of a Devonwide business rates pilot bid, to pioneer new pooling and tier-split models.

The Leader introduced the report and he and the Section 151 Officer responded to specific questions. In so doing, the Hub Committee was informed that the local authorities based in Somerset had not been approached to be part of this pilot bid.

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

1. apply to become a business rates pilot for 2018-19, as part of a Devonwide business rates pilot bid, to pioneer new pooling and tier-split models; and
2. delegate to the Section 151 Officer, in consultation with the Leader, Deputy Leader and Head of Paid Service, to agree the detail of the business rates pilot bid (in conjunction with Devon Local Authority Section 151 Officer colleagues) with respect to the financial aspects and overall governance of the pilot bid.

HC 25 FRONT LINE SERVICE COMMISSIONING OPTIONS

(Paragraph 3 – Information relating to the financial or business affairs of any particular person (including the authority holding that information))

Members were presented with an exempt report that set out a number of options relating to the procurement and commissioning of front line services.

With regard to the draft project governance, it was felt that the current wording could be misinterpreted to suggest that the Project Board had significant decision-making powers. As a consequence, Members requested that a minor amendment be made to the draft Memorandum of Understanding to ensure that it was clear that significant decisions related to the project would be reported to meetings of the Hub Committee and/or full Council for ultimate approval.

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

1. Waste collection, recycling and cleansing services are tested using the competitive dialogue procurement route to achieve a partnership solution in accordance with the Collaboration Agreement dated 2015;
2. The lead authority for the procurement in Recommendation 1 is West Devon Borough Council for the reasons outlined in paragraph 2.6 of the presented agenda report and in accordance with the Collaboration Agreement 2015;
3. West Devon Borough Council does not proceed with a wholly owned company bid for waste collection, recycling and cleansing services;

4. The Memorandum of Understanding and project board remit attached at Appendix D be approved, subject to a minor amendment being included to emphasise that significant decisions related to the project would be reported to meetings of the Hub Committee and/or full Council for ultimate approval;
5. The two councils continue to explore the establishment of a wholly owned company or joint venture arrangement for the delivery of grounds maintenance, building and facilities maintenance and other related services considered in the scope of the work stream; and
6. The Waste Options Earmarked Reserve in West Devon is used to meet any additional costs of procurement over and above those available within the base budget, with a payback mechanism being agreed once annual service costs are identified.

***HC 26 WASTE AND CLEANSING VEHICLES PROCUREMENT UPDATE REPORT**

(Paragraph 3 – Information relating to the financial or business affairs of any particular person (including the authority holding that information))

Members were presented with an exempt report that updated them on progress made in the procurement process for the fleet of waste and cleansing vehicles.

With no issues or questions raised, it was then **RESOLVED** that progress made to date on the procurement of waste and cleansing vehicles for the West Devon managed service be noted.

***HC 27 REQUEST FOR GRANT OF A LONG LEASE**

(Paragraph 3 – Information relating to the financial or business affairs of any particular person (including the authority holding that information))

Members were presented with an exempt report that sought approval to conclude detailed negotiations of a long lease for a term in excess of 15 years.

In debate, some concern was expressed over the potential implications on the ability to re-instate the railway line in the future and it was felt that further consideration and assurances were required in this respect.

As a consequence, it was then **RESOLVED** that this matter be deferred to a future meeting for further consideration.

HC 28 PURCHASE OF LAND

(Paragraph 3 – Information relating to the financial or business affairs of any particular person (including the authority holding that information))

Members were presented with an exempt report that sought approval of a proposal to purchase land.

The Lead Hub Committee Member introduced the report and responded to some specific questions.

During the ensuing debate, some Members queried whether partaking in the discussion and vote on this matter would result in them being potentially accused of having pre-determined any planning application that was then presented to the Development Management and Licensing Committee. In response, the Monitoring Officer advised those Members who served on both Committees that they were in essence different roles and they could therefore partake in the debate and vote at meetings of both Committees.

Following this advice, it was then **RESOLVED** that:

1. The COP Lead Assets be authorised in consultation with the Section 151 Officer and Lead Member for Assets to proceed to undertake due diligence and conclude the purchase of three parcels of land (as indicated on the presented plan); and
2. Council be **RECOMMENDED** to fund the purchase price set out in section 1.1 of the presented agenda report, along with legal and associated costs, from the Innovation Fund (Invest to Earn) Earmarked Reserve.

(The meeting terminated at 4.10 pm)

Chairman

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