

# WEST DEVON COUNCIL



West Devon  
Borough  
Council

## **Minutes** of a meeting of the **West Devon Council** held on **Tuesday, 27th March, 2018** at **4.30 pm** at the **Chamber - Kilworthy Park**

Present: **Councillors:**

**Chairman** Cllr Moody  
**Vice Chairman**

Cllr Cann OBE	Cllr Cheadle
Cllr Cloke	Cllr Edmonds
Cllr Evans	Cllr Hockridge
Cllr Jory	Cllr Kimber
Cllr Lamb	Cllr Leech
Cllr McInnes	Cllr Mott
Cllr Moyse	Cllr Musgrave
Cllr Oxborough	Cllr Pearce
Cllr Ridgers	Cllr Roberts
Cllr Sampson	Cllr Samuel
Cllr Sanders	Cllr Sellis
Cllr Stephens	Cllr Watts
Cllr Yelland	

### **In attendance:**

Councillors:

Officers:

Head of Paid Service  
Acting Lead Specialist – Legal  
Section 151 Officer  
Group Manager – Commercial Services  
Lead Specialist – Waste Strategy

### 61. **Apologies for Absence**

#### **CM 61**

Apologies for absence were received from Cllrs Baldwin, Ball, Davies, Parker and Sheldon.

62. **Confirmation of Minutes**  
**CM 62**  
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 Meeting held on 20 February 2018 as a true record."
63. **Declarations of Interest**  
**CM 63**  
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.
64. **To receive communications from the Mayor or person presiding**  
**CM 64**  
At his discretion, the Mayor made reference to:-
- (a)'People's Choice' Award**
- The Mayor informed the meeting that the Council's 'Recycling Round 5' Crew had recently won the 'People's Choice' Award at the recent Recycle Devon 'Thank You' Awards.
- The Mayor highlighted that the crew worked the largest recycling round in the northern side of the Borough and collected the bulk of recycling in the main areas of: Chagford, South Zeal and Sticklepath, Okehampton, North Tawton and Hatherleigh.
- It was noted that the crew had been nominated in light of the number of compliments they received from residents remarking on their courtesy and politeness. In addition, the crew recently saved the day when a refuse vehicle got stuck in queuing traffic on the A30 following an accident by collecting a second vehicle to go out and complete the round.
- The Mayor proceeded to ask that the thanks of the Council be passed on to the crew for their helpful attitude and cheery demeanour. These sentiments were subsequently echoed by a number of Members.
- (b)Mayoral Awards**
- By way of a reminder, the Mayor advised the Council that his Awards presentation would be held on the rising of this meeting. In so doing, the Mayor confirmed that all Members were invited to attend this event.
65. **Business brought forward by or with the consent of the Mayor**  
**CM 65**  
The Mayor informed that he no items of urgent business for consideration at this meeting.

66.

**To consider motions of which notice has been duly submitted by Members in accordance with Council Procedure Rule 15:  
CM 66**

The Mayor confirmed that one motion had been received from Cllr C Mott in accordance with Council Procedure Rule 15.

The motion read as follows:

*"Parishes and groups are being encouraged to develop Neighbourhood Plans along with the support of local communities in order to have a say, under localism, in how their community is shaped for the foreseeable future. This is at great financial cost, be it in money or time to all involved. Indeed we ourselves are in the final throws of completing our own Joint Local Plan with Plymouth and South Hams. The latest instruction from central Government and what appears to be a not so hidden agenda from the Planning Inspectorate seems to show scant regard to localism and local opinion. One person is able to ride roughshod through the process with a manifesto of building regardless of cost to the two main industries of West Devon, namely agriculture and tourism. When an industry not supported by policy uses a quick fix to diversify and build giving views of row upon row of white boxes. Intensive farming not of animals this time but of humans. With this we lose a little more each time of what makes this landscape unique and attractive.*

*I would like to ask this Council's support in writing to our Members of Parliament to express our concerns over the disregard to local expectations and opinions and to support the concerns expressed by Parish Councils who feel that consultation is a waste of time. We deserve a say in how our communities are developed and need reassurance that the principle of localism is still a valid one."*

The motion was seconded by Cllr P R Sanders.

In the ensuing debate, reference was made to:-

- (a) a recent planning appeal decision. A Member expressed his concerns that a recent appeal decision had resulted in three years of work on his local Neighbourhood Plan being effectively destroyed. As a result, the Member had made representations to local MPs and the Secretary Of State. That being said, the Member felt that the inability of the Council to be able to demonstrate a five year land supply was deeply regrettable and the cause of the appeal decision.

With regard to planning appeals, some Members expressed their frustrations over some recent decisions and were of the view that the Planning Inspector seemed to ride roughshod over the views of the Council and wishes of the local community. The current process also seemed to be in total contradiction to the Localism Act and appeared to be unfairly weighted towards the approval of planning applications;

- (b) an amendment to the original motion. An amendment to the original motion was **PROPOSED** and **SECONDED** whereby the Council also write to the Secretary of State. When put to the vote, this amendment was declared **CARRIED**.

In addition, it was agreed that copies of the letter (and any subsequent replies) would be circulated to all Members.

It was then:

### **RESOLVED**

*"Parishes and groups are being encouraged to develop Neighbourhood Plans along with the support of local communities in order to have a say, under localism, in how their community is shaped for the foreseeable future. This is at great financial cost, be it in money or time to all involved. Indeed we ourselves are in the final throws of completing our own Joint Local Plan with Plymouth and South Hams. The latest instruction from central Government and what appears to be a not so hidden agenda from the Planning Inspectorate seems to show scant regard to localism and local opinion. One person is able to ride roughshod through the process with a manifesto of building regardless of cost to the two main industries of West Devon, namely agriculture and tourism. When an industry not supported by policy uses a quick fix to diversify and build giving views of row upon row of white boxes. Intensive farming not of animals this time but of humans. With this we lose a little more each time of what makes this landscape unique and attractive.*

*I would like to ask this Council's support in writing to our Members of Parliament and the Secretary of State to express our concerns over the disregard to local expectations and opinions and to support the concerns expressed by Parish Councils who feel that consultation is a waste of time. We deserve a say in how our communities are developed and need reassurance that the principle of localism is still a valid one."*

67.

**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:**

**CM 67**

**a. Standards Committee – 21 November 2017**

It was moved by Cllr A F Leech, seconded by Cllr J Evans and upon being submitted to the Meeting was declared to be **CARRIED** and **"RESOLVED** that the Minutes of the 21 November 2017 meeting be received and noted".

**b. Council Tax Setting Panel – 21 February 2018**

It was moved by Cllr P R Sanders, seconded by Cllr R J Oxborough and upon being submitted to the Meeting was declared to be

**CARRIED** and **"RESOLVED** that the Minutes of the 21 February 2018 meeting be received and noted".

**c. Hub Committee – 13 March 2018**

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 13 March 2018 meeting be received and noted, with the exception of Unstarred Minutes HC 69, HC 70, HC 71, HC 73 and HC 74".

With regard to Unstarred Minutes HC 69, HC 73 and HC 74, Cllr Sanders informed that these would be considered later on at this meeting.

In respect of the remaining Unstarred Minutes:

**i. HC 70 Waste Policies Review**

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 policy updates, as recommended by the Waste Working Group and outlined in paragraph 5 and provided in full at Appendix 1 of the report presented to the Hub Committee meeting be approved, subject to inclusion of the minor changes as referred to in the published minutes of the Hub Committee meeting; and
2. those minor changes considered necessary to the terms as highlighted to the Commissioning Manager (Waste), in consultation with the lead Hub Committee Member for Commercial Services (who is also the Chairman of the Waste Working Group).

**ii. HC 71 West Devon Parking Strategy**

Having been moved by Cllr P R Sanders and seconded by Cllr L Samuel, a debate ensued that included reference to the following points:-

- A Member reiterated her previously raised belief that the Council should be investigating the merits of charging to park at Kilworthy Car Park. As an assurance, a Member did advise that this matter was currently being considered by the Invest to Earn Working Group. In opposition to the proposal, a Member felt that such an initiative would penalise those Members and officers who did not live within walking distance of Kilworthy Park;
- When considering the current number of vacant premises in Tavistock, a Member advised that she was unable to support the proposed increases in car parking charges. In contrast, another Member expressed the view that to be able to park for £2 all day was, in his opinion, too cheap.

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

1. the West Devon Parking Strategy (as outlined at Appendix A to the report presented to the Hub Committee meeting) be adopted; and
2. Pay and Display charges be amended in accordance with Appendix B of the report presented to the Hub Committee report, excepting Market Street, Okehampton, where charges remain unchanged, and presented Appendix C to the Hub Committee report. The changes proposed within the Appendix B allow for innovative tariff setting to be tested where sustainable solutions have been brought forward by the advisory Car Parking Strategy Group, and, providing they do not affect the ability to achieve service sustainability, will come back to be presented to the Hub Committee."

68.

### **Waste Review**

#### **CM 68**

A report was considered that presented the latest recommendations arising from the Frontline Services (Waste Procurement) Project Board.

In his introduction, the lead Hub Committee Member informed that the wording of the recommendation contained in the presented agenda report reflected the fact that the last Project Board meeting had been inquorate.

During the ensuing questioning stage, some Members sought some clarification in relation to the financial figures outlined in exempt Appendix B.

It was therefore declared **CARRIED** and **"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."

Once all Members were satisfied that they had no further questions or issues to raise on either exempt Appendix A or B, it was then declared **CARRIED** and **"RESOLVED** that the press and public be re-admitted to the meeting."

It was then moved by Cllr R F D Sampson and seconded by Cllr T G Pearce and declared **CARRIED** and **"RESOLVED** that the progress of the project be noted and the view of the Frontline Services (Waste Procurement) Project Board to continue to the next stage of the competitive dialogue process for waste collection, recycling and cleansing services."

69. **Commercial Acquisition Strategy Update**

**CM 69**

The Council considered a report that sought to update Members on the decision on 5 December 2017 to borrow up to £37.45 million to implement the adopted Commercial Property Acquisition Strategy (Minute CM 45 refers).

It was subsequently moved by Cllr P R Sanders and seconded by Cllr N Jory and declared **CARRIED** and "**RESOLVED** that the updated Commercial Property Acquisition Strategy (as detailed in Appendix A of the presented agenda report) be approved and implemented."

70. **Treasury Management Strategy**

**CM 70**

The Council considered a report that sought approval of the 2018/19 Treasury Management and Investment Strategies together with their associated prudential indicators.

In discussion, Members were supportive of the proposal to slightly relax the criteria that would result in the list of potential counterparties that the Council could invest in being expanded.

It was then moved by Cllr C Edmonds and seconded by Cllr R Cheadle and declared **CARRIED** and "**RESOLVED** that approval be given to:

1. the prudential indicators and limits for 2018/19 to 2020/21 (as outlined within Appendix A of the presented agenda report);
2. the Minimum Revenue Provision (MRP) Statement (as outlined within Appendix A of the presented agenda report). (NB. this sets out the Council's policy on MRP);
3. the Treasury Management Strategy for 2018/19 and the Treasury Prudential Indicators 2018/19 to 2020/21 (as contained within Appendix B of the presented agenda report); and
4. the Investment Strategy 2018/19 (Appendix C of the presented agenda report refers) and the detailed criteria included in Appendix D of the presented agenda report. (NB. the Council's Counterparty list from applying the criteria is shown in Appendix E of the presented agenda report)."

71. **Pay Policy Statement**

**CM 71**

Consideration was given to a report that proposed that the Council adopted the draft Pay Policy Statement and the Pay and Reward Strategy.

In the ensuing discussion, the following points were raised:-

- (a) In response to a question, officers confirmed that, in instances where it was appropriate to do so, the Council did pay professional

fees that were integral to a member of staff undertaking their role. Following a request, officers gave a commitment to provide the actual cost implications to the Council of paying these fees to an interested Member outside of the meeting;

- (b) With regard to reference in the agenda report to '*one-off pay awards given to an employee in exceptional circumstances*', it was confirmed that such decisions were both infrequent and operational in nature and were small sums of money. As a further assurance, officers stated that such monies were awarded from within the existing staffing budget that was set by the Council.

It was then moved by Cllr P R Sanders and seconded by Cllr L Samuel and declared **CARRIED** and "**RESOLVED** that:

1. the Pay Policy Statement for 2018/19 (as outlined at Appendix A of the presented agenda report) be adopted; and
2. the Pay and Reward Strategy 2018/19 (as outlined at Appendix B of the presented agenda report) be adopted.

72. **Calendar of Meetings 2018/19**  
**CM 72**

The Council considered a report that sought its approval of the draft Calendar of Meetings for 2018/19.

During discussion, the following points were raised:-

- (i) In recognising the complexities associated with producing the draft Calendar, Members thanked the Democratic Services Specialist for doing an excellent piece of work;
- (ii) With regard to Committee meeting start times, some Members felt that it was now timely to undertake a review and it was therefore **PROPOSED** and **SECONDED** that:

*'The Political Structures Working Group be tasked with undertaking a review of the start time of formal Committee meetings.'*

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

It was then moved by Cllr P R Sanders and seconded by Cllr L Samuel and declared **CARRIED** and "**RESOLVED** that:

1. the draft Calendar of Meetings 2018/19 be approved; and
2. the Political Structures Working Group be tasked with undertaking a review of the start time of formal Committee meetings."

73. **Appointment to Joint Local Plan Joint Steering Group and Formal Establishment of the Financial Stability Review Group  
CM 73**

Members considered a report that sought to re-appoint Cllr Parker on to the Joint Local Plan Joint Steering Group. Furthermore, the report also sought to formally establish the Financial Stability Review Group.

With regard to the Review Group, an additional recommendation was **PROPOSED** and **SECONDED** as follows:-

*'That updates from the Financial Stability Review Group be included as a standing agenda item for future Hub Committee meetings.'*

It was then moved by Cllr P R Sanders and seconded by Cllr R F D Sampson and declared **CARRIED** and **"RESOLVED** that, with immediate effect and for the remainder of the 2017/18 Municipal Year:

1. Cllr G Parker be appointed to serve on the Joint Local Plan Joint Steering Group;
2. the Conservative Group vacancy on the Hub Committee remain unfilled pending the outcome of the Political Structures Working Group review;
3. approval be given to the formal establishment of the Financial Stability Review Group with Cllrs R Cheadle, M Davies, C Edmonds, N Jory, R Oxborough and J Yelland being appointed to serve on this Group;
4. the draft Terms of Reference for the Financial Stability Review Group (as detailed at Appendix A of the presented agenda report) be approved; and
5. updates from the Financial Stability Review Group be included as a standing agenda item for future Hub Committee meetings."

74. **Accommodation Report  
CM 74**

(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 provided an update to the Hub Committee recommendation on 13 March 2018 (minute \* HC 74 refers).

Following a detailed debate, it was then moved by Cllr N Jory and seconded by Cllr R J Oxborough and declared **CARRIED** and **"RESOLVED** that the principles (as outlined in Section 7 of the presented agenda report) be supported."

The Meeting concluded at 6.00 pm

**Signed by:**

**Chairman**

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