

West Devon Council



West Devon
Borough
Council

Title:	Summons																														
Date:	Tuesday, 19th May, 2015																														
Time:	11.00 am																														
Venue:	Chamber - Kilworthy Park																														
Full Members:	<p style="text-align: center;">Mayor Cllr Marsh OBE Deputy Mayor Cllr Cloke</p> <p><i>Members:</i></p> <table><tbody><tr><td>Cllr Baldwin</td><td>Cllr Moyse</td></tr><tr><td>Cllr Ball</td><td>Cllr Musgrave</td></tr><tr><td>Cllr Benson</td><td>Cllr Oxborough</td></tr><tr><td>Cllr Cann OBE</td><td>Cllr Parker</td></tr><tr><td>Cllr Cheadle</td><td>Cllr Pearce</td></tr><tr><td>Cllr Davies</td><td>Cllr Ridgers</td></tr><tr><td>Cllr Edmonds</td><td>Cllr Roberts</td></tr><tr><td>Cllr Evans</td><td>Cllr Sampson</td></tr><tr><td>Cllr Hockridge</td><td>Cllr Samuel</td></tr><tr><td>Cllr Jory</td><td>Cllr Sanders</td></tr><tr><td>Cllr Kimber</td><td>Cllr Sellis</td></tr><tr><td>Cllr Leech</td><td>Cllr Sheldon</td></tr><tr><td>Cllr McInnes</td><td>Cllr Stephens</td></tr><tr><td>Cllr Moody</td><td>Cllr Watts</td></tr><tr><td>Cllr Mott</td><td>Cllr Yelland</td></tr></tbody></table>	Cllr Baldwin	Cllr Moyse	Cllr Ball	Cllr Musgrave	Cllr Benson	Cllr Oxborough	Cllr Cann OBE	Cllr Parker	Cllr Cheadle	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 Leech	Cllr Sheldon	Cllr McInnes	Cllr Stephens	Cllr Moody	Cllr Watts	Cllr Mott	Cllr Yelland
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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. Confirmation of Minutes

1 - 28

To approve and adopt as a correct record the Minutes of the Meetings of the Council held on:

(i) 17th February 2015

(ii) 24th February 2015 (Council Tax Resolution Panel)

(iii) 31st March 2015 (Special Meeting)

6. To receive communications from the Mayor or person presiding

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

8. To agree the Roles and Responsibilities of the Overview and Scrutiny Committees post May 2015

29 - 36

9. To adopt the Council's Constitution

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

10. 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

11. **To consider motions of which notice has been duly submitted by Members in accordance with Council Procedure Rule 15**
12. **To consider any questions submitted under Council Procedure Rule 21**
13. **To receive the Minutes of the following Committees, to note the delegated decisions and to consider the adoption of those Minutes which require approval:**

37 - 90

- (i) **Audit Committee**
Meeting held on 24th February 2015

Unstarred Minutes to agree
Members are recommended to agree:

AC 36 Internal Audit – Revision of and progress against the 2014/15 Plan
Resolved to Recommend that the report together with Appendices A and B be adopted.

AC 37 Three Year Internal Audit Plan 2015/16 to 2017/18 and Annual Internal Audit Plan – 2015/16
Resolved to Recommend that:
1. the three year Internal Audit Plan for the period 2015/2016 to 2017/2018 (Appendix A) be approved and adopted; and,
2. the Annual Internal Audit Plan for 2015/2016 (Appendix C) be also approved and adopted.

AC 39 Treasury Management Strategy, Minimum Revenue Provision Policy and Annual Investment Strategy for 2015/16

RESOLVED to RECOMMEND that Council approves the:
(i) prudential indicators and limits for 2015/2016 to 2017/2018 contained within Appendix A;
(ii) Minimum Revenue Provision (MRP) Statement contained within Appendix A which sets the Council's policy on MRP;
(iii) Treasury Management Strategy 2015/2016 and the Treasury Prudential Indicators 2015/2016 to 2017/2018 contained within the Appendix B; and,
(iv) Investment Strategy 2015/2016 contained within Appendix C and the detailed criteria included in Appendix D.

AC 40 Strategic Risk Assessment – 6 Monthly Update

Resolved to Recommend that the issues identified by the Committee and detailed in items (i) to (iii) below be considered by the Council:

- (i) External funding opportunity
In response to a question by the Chairman it was agreed that the possibility of selling advertising space on the Council's web site would be investigated;
- (ii) in relation to risk FA06 (page 142 to the Agenda) the Committee suggested that opportunities to retain and to capitalise on assets be explored before considering the sale of such assets; and,
- (iii) in relation to risk T11 (page 151 to the Agenda) it was suggested that a full presentation on the T18 Programme be presented to all new Members of the Council following the local government elections in May 2015.

Meeting held on 28th April 2015

Unstarred Minutes to agree

Members are recommended to agree:

AC 44 Annual Review of Council's Constitution

RESOLVED to RECOMMEND that:

- (i) the amendments to the West Devon Borough Council Constitutions 2015 (as summarised above and fully outlined on the Council's web site) be approved and adopted;
- (ii) the Monitoring Officer be authorised to make further amendments to the Hub Committee and Overview & Scrutiny Committee functions and areas of responsibility in order to reflect the emerging T18 structure; and,
- (iii) the Environmental Health Community of Practice Lead/Divisional Environmental Health Officers/Customer First Group Managers be authorised to undertake matters under the Anti-Social, Crime and Policing Act 2014 as set out above.

(**NOTE:** the above item appears under Agendum 9 above).

AC 45 Internal Audit – Progress against the 2014/15 Plan

RESOLVED to RECOMMEND that:

- (i) both the report and the progress against the 2014/2015 Internal Audit Plan be noted; and,
- (ii) a report on the payment and recovery of over payments of housing benefits be presented to the Committee's next meeting.

(ii) Community Services Committee
Meeting held on 3rd March 2015

(iii) Overview & Scrutiny Committee
Meeting held on 24th March 2015

(iv) Planning & Licensing Committee
Meeting held on 10th February 2015

Unstarred Minutes to agree

Members are recommended to agree:

P&L 55 To determine whether to adopt a procedure for licensing Horse Drawn Omnibuses, Drivers and Conductors to operate within the West Devon Borough Council area

RESOLVED to RECOMMEND that Council:

- (i) Adopt a procedure for the licensing of Horse Drawn Omnibuses, driver(s) and conductors within the West Devon Borough Council area and for the drafting of the related licensing procedure, conditions, code of conduct and preparation of Byelaws, together with the power to grant, revoke, suspend or refuse to transfer or renew an omnibus licence, driver, conductors licence, to the Head of Environmental Health and Housing/Service Group Manager; and
- (ii) To approve an initial annual fee of £550 for the application to grant an omnibus licence and £150 for the application to grant an annual omnibus drivers or conductors licence and to delegate the review of fees to the Planning and Licensing Committee.

In relation to the above, Members are requested to note the contents of the correspondence received from Burrator Parish Council and from the Dartmoor Access Forum.

Meeting held on 10th March 2015

Meeting held on 7th April 2015

Licensing Panel meeting held on 28th April 2015

(v) Resources Committee

Meeting held on 14th April 2015 – this Meeting was cancelled

(vi) Standards Committee

Meeting held on 17th March 2015

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

15. To report on the composition of political groups

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

Audit	5 Members + Named Substitutes
Hub	9 Members (to include Leader and Deputy Leader)
Overview & Scrutiny 1	11 Members
Overview & Scrutiny 2	11 Members
Planning & Licensing	10 Members + Named Substitutes
Standards	9 Members

with all of the Borough Council Member appointments to the above Committees being politically balanced.

- 17. To receive the appointments from the Political Groups of the Members they have selected to serve on the Committees. To appoint 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** **91 - 92**
- 18. To appoint the Chairman and Vice-Chairman to the Committees of the Council** **93 - 94**
- 19. To appoint representatives to the list of Outside Bodies for the ensuing year.** **95 - 96**
- 20. To appoint representatives to the list of Other Groups for the ensuing year** **97 - 98**
- 21. To order the affixing of the Common Seal for the ensuing year in that the Mayor and the Executive Directors (or deputies appointed by them) be authorised to witness the fixing of the seal on any documents.**