

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 style="width: 100%; border: none;"> <tr> <td style="width: 33%;">Cllr Baldwin</td> <td style="width: 33%;">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> </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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Cllr Mott	Cllr Yelland																														
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.

Agenda Item 5

At the Meeting of the **WEST DEVON BOROUGH COUNCIL** held in the **COUNCIL CHAMBER, KILWORTHY PARK, TAVISTOCK** on **TUESDAY** the **17th** day of **FEBRUARY 2015** at **4.30 PM** pursuant to Notice given and Summons duly served.

Present Cllr C M Marsh – The Mayor (In the Chair)

Cllr S C Bailey	Cllr R E Baldwin
Cllr K Ball	Cllr M J R Benson
Cllr W G Cann OBE	Cllr A Clish-Green
Cllr D W Cloke	Cllr M V L Ewings
Cllr T J Hill	Cllr L J G Hockridge
Cllr D M Horn	Cllr A F Leech
Cllr J R McInnes	Cllr J B Moody
Cllr N Morgan	Cllr M E Morse
Cllr D E Moyse	Cllr C R Musgrave
Cllr R J Oxborough	Cllr T G Pearce
Cllr P J Ridgers	Cllr R F D Sampson
Cllr P R Sanders	Cllr D K A Sellis
Cllr J Sheldon	Cllr E H Sherrell
Cllr D Whitcomb	

Head of Paid Service
Executive Director (Service Delivery & Commercial
Development)
Monitoring Officer
Democratic Services Manager
Section 151 Officer
Head of Devon Building Control Partnership

CM 72 APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllrs C Hall, L B Rose and D M Wilde.

CM 73 DECLARATIONS OF INTEREST

The Mayor invited Members to declare any interests in the items of business to be considered during the course of the meeting. These were recorded as follows:-

Cllrs S C Bailey, M V L Ewings, A F Leech, C M Marsh and E H Sherrell each declared a personal interest in Item 11: 'Leisure Service Procurement' (CM 79 refers). Cllrs Bailey, Ewings and Sherrell each declared their interest by virtue of being Tavistock Town Councillors. Cllr Leech declared his interest by virtue of being an Okehampton Town Councillor and Cllr Marsh declared her interest by virtue of being a member of the Okehampton Community Recreation Association (OCRA). Each of these Members remained in the meeting during consideration of this item and took part in the debate and vote thereon.

Cllr T G Pearce declared a personal interest in Item 21: 'Future Options for the Devon Building Control Partnership' (CM 89 refers) by virtue of being a Member of the Partnership and remained in the meeting and took part in the debate and vote thereon.

Cllrs K Ball, L J G Hockridge, J R McInnes, D E Moyse and R P Sanders each declared a personal interest in Item 18: 'Review of Parking Charges in Princetown Car Park' (CM 86 refers) by virtue of their representation on the Dartmoor National Park Authority and remained in the meeting and took part in the discussion and vote thereon.

CM 74 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 9 December 2014 and the special meeting held on 20 January 2015 as a true record.”

For the purpose of the record, Cllr D K A Sellis asked for it to be recorded that she had submitted her apologies for the special meeting held on 20 January 2015 due to the meeting conflicting with other Borough Council business.

CM 75 COMMUNICATIONS FROM THE MAYOR

The Mayor wished to bring forward the following communications:-

- On behalf of the Council, the Mayor introduced and welcomed both the Head of Paid Service and the Executive Director – Service Delivery and Commercial Development to their first Council meetings since joining the Council;
- In respect of the inaugural Council Tax Resolution Panel meeting on Tuesday, 24 February 2015, the Council was informed that this meeting had been lawfully established to set the Council Tax for 2015/16. For clarity, the Mayor proceeded to inform that the Panel consisted of the four Group Leaders only, but any other Member of Council could attend and take part at this meeting if they so wished.
- With regard to her upcoming Civic Dinner, the Mayor reminded those Members who had yet to confirm their attendance at this event to do so as soon as was practically possible;
- The Mayor also made reference to an upcoming event at Ashbury Golf Club on Saturday, 7 March 2015. The Council was informed that the Tamar Valley Male Voice Choir was performing a charity concert at this event and tickets were still available.

CM 76 MOTIONS

The Mayor confirmed that no motions had been submitted for consideration at this meeting.

a. **Community Services Committee – 20 January 2015**

It was moved by Cllr R F D Sampson, 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 January 2015 meeting be received and noted, with the exception of the following Unstarred Minutes:”

In respect of the Unstarred Minutes:

i. **CS 16 – Introduction of Experimental Pay & Display Charges in Long Stay Car Parks in Okehampton and Tavistock**

The following recommendation, which differed from the recommendation which was agreed at the Community Services Committee meeting, was moved by Cllr R F D Sampson and seconded by Cllr K Ball:

‘It is recommended that the experimental Pay & Display charges in all long-stay car parks in Okehampton and Tavistock be implemented for a period of 12 months, with monthly reviews, which will ensure the close monitoring of the scheme. The recommended charge is one tariff of £2 for all-day parking in long-stay car parks, with an additional charge of 50p for half an hour in Mill Road car park.

It is further recommended that, for the duration of the experimental order, the Wharf car park be designated as a short-stay car park with a maximum stay of three hours. Short stay parking charges to remain consistent with current tariffs, i.e.

*½ hour - £0.50;
1 hour - £1.00;
2 hours - £1.80; and
3 hours - £2.20.’*

In discussion on the altered recommendation, a number of Members stated their concern at the original proposal which had been recommended by the Community Services Committee. However, the revised wording (which had been moved and seconded) had overcome each of their concerns in this regard and these Members were happy to put on record their support for this proposal. When put to the vote, this proposal was declared **CARRIED**.

ii. CS 17 – Consideration of objections received in respect of Coach Parking in Mill Road Car Park, Okehampton

It was moved by Cllr R F D Sampson, seconded by Cllr K Ball and upon being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that:-

- 1) the provision of two coach parking bays in the Mill Road car park be formally approved and exempt from payment of a parking fee; and
- 2) the Off-Street Parking Places Order be so amended and advertised as such.”

b. Overview & Scrutiny Committee – 27 January 2015

It was moved by Cllr M V L Ewings, 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 27 January 2015 meeting be received and noted.”

c. Planning & Licensing Committee – 13 January 2015

It was moved by Cllr C M Marsh, seconded by Cllr M J R Benson and upon being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that the Minutes of the 13 January 2015 meeting be received and noted.”

d. Resources Committee - 3 February 2015

It was moved by Cllr P R Sanders, seconded by Cllr R E Baldwin and upon being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that the Minutes of the 3 February 2015 meeting be received and noted, with the exception of the following Unstarred Minutes:”

In respect of the Unstarred Minutes:

i. RC 26 Revenue and Capital Budget Proposals for 2015/16 to 2018/19

The Council noted that this item would be considered later on in the agenda (Minute CM 78 below refers).

ii. RC 28 Our Plan – Annual Delivery Plan

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

1. the draft Annual Delivery Plan, as the Council’s Corporate Plan for 2015/16, be adopted; and
2. authority be delegated to the Community Manager to make minor grammatical and typographical changes to be document in order to finalise it for publication.”

CM 78 REVENUE AND CAPITAL BUDGET PROPOSALS FOR 2014/15 TO 2017/18

A report was considered that updated Members on the revenue budget position for the year 2015/16. In introducing the report, the Leader informed that it would be his intention to propose that the Council should increase Council Tax by 1.9%. To enable the debate, the recommendations were then moved by Cllr P R Sanders and seconded by Cllr R E Baldwin.

In the subsequent discussion, reference was made to:-

- (a) the proposal to increase Council Tax by 1.9%. Whilst a Member expressed his concern at the negative public perception associated with any increase in Council Tax, other Members countered that it was essential to build additional monies into the Council’s base budget;
- (b) the amount of New Homes Bonus (NHB) monies being used to bridge the Budget gap. Some Members highlighted the statement in the presented agenda report whereby, in the future, the savings generated by the Transformation Programme would result in the Council being able to reduce the extent to which NHB monies were used to fund the Council’s Revenue Budget. In hoping that this statement would be realised, these Members felt that the current trend of being so reliant upon NHB monies would be unsustainable in the future;
- (c) the work of the finance officers. A number of Members wished to put on record their gratitude for the hard work undertaken by the finance officers during the Budget setting process.

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

The voting on part 1 of the recommendation (i.e. that Council Tax should be increased by 1.9%) was recorded as follows:-

For the motion (27): Cllrs Bailey, Baldwin, Ball, Benson, Cann, Clish-Green, Cloke, Ewings, Hill, Hockridge, Horn, Leech, Marsh, McInnes, Moody, Morgan, Morse, Moyse, Musgrave, Oxborough, Pearce, Ridgers, Sampson, Sanders, Sellis, Sheldon and Whitcomb

Against the motion (1): Cllr Sherrell

Abstentions (0):

Absent (3): Cllrs Hall, Rose and Wilde

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

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

For the motion (27): Cllrs Bailey, Baldwin, Ball, Benson, Cann, Clish-Green, Cloke, Ewings, Hill, Hockridge, Horn, Leech, Marsh, McInnes, Moody, Morgan, Morse, Moyse, Musgrave, Oxborough, Pearce, Ridgers, Sampson, Sanders, Sellis, Sheldon and Whitcomb

Against the motion (1): Cllr Sherrell

Abstentions (0):

Absent (3): Cllrs Hall, Rose and Wilde

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

It was then **“RESOLVED** that:

1. an increase in Council Tax of 1.9% be agreed (which equates to a Band D council tax of £208.39 for 2015/16, an increase of £3.89 per year or 7 pence per week). This option equates to a Council Tax requirement of £4,054,644 (Appendix B1 of the presented agenda report refers);

2. the financial pressures as outlined in Appendix A of the presented agenda report (equating to £484,400) be accepted;
3. the proposed savings of £148,700 as outlined in Appendix A of the presented agenda report be adopted;
4. the Collection Fund surplus of £60,589 be agreed;
5. an additional £567,710 of New Homes Bonus Grant be used to balance the 2015-16 Budget. (NOTE: this is in addition to the £657,059 of New Homes Bonus already built into the budget assumptions to be used for 2015-16);
6. the Total Net Expenditure of the Council for 2015/16 be £8,134,325 (Appendix B1 and B2 of the presented agenda report refers);
7. the 2015/16 Capital Programme projects totalling £451,000 (as per section 8.1 of the presented agenda report) be approved;
8. the 2015/16 Capital Programme of £451,000 be financed by using £212,000 of New Homes Bonus funding and £239,000 of Government Grant (as per section 8.1 of the presented agenda report);
9. the Council transfers £2,610 of its allocation of New Homes Bonus for 2015/16 to an Earmarked Reserve called 'Community Investment Fund – Dartmoor National Park', to be applied for and drawn down by Dartmoor National Park as required. (NOTE. this amount is a one-off payment and the position will be considered annually by the Council as part of the budget process. The condition is that this is for use within the boundaries of the Borough Council only);
10. the Council Tax Support Grant of £87,285 be passed on to Town and Parish Councils (this is a reduction of 15% from 2014/15) as per Appendix E of the presented agenda report;
11. the minimum level of the Unearmarked Revenue Reserves be maintained at £750,000 as per Section 7 of the presented agenda report; and
12. the level of reserves (as set out within the presented agenda report) and the assessment of their adequacy and the robustness of budget estimates be noted. (Note: this is a requirement of Part 2 of the Local Government Act 2003)."

CM 79

LEISURE SERVICE PROCUREMENT

A report was presented that summarised the strategic issues that the Council would need to consider as part of assessing future leisure provision, including the use of the leisure assets, following the end of the current contract in 2016.

In discussion, the following points were raised:-

- (a) Members recognised the importance of the proposed joint Leisure Services Board having its first meeting before the May 2015 local elections;
- (b) It was confirmed that the soft market testing would include reference to provision for a swimming pool at the Tavistock centre;
- (c) In expressing their support for these proposals, a number of Members wished for the immense work undertaken by officers to be recognised. Moreover, the view was expressed that these proposals were the best possible solution which was available to the Council at this time.

It was then proposed by Cllr R F D Sampson, seconded by Cllr K Ball and upon being submitted to the Meeting was declared to be **CARRIED** and **“RESOLVED** that:

1. the objectives for future leisure services delivery (as set out in paragraph 1.5 of the presented agenda report) be agreed;
2. leisure services be offered as a joint contract for up to 25 years with South Hams District Council to include facilities (and options) as set out in paragraph 6.6 of the presented agenda report. This to include consideration of options for prudential borrowing and to retain an option for separate contracts if required;
3. a joint leisure services procurement exercise be agreed with South Hams District Council through the competitive dialogue process;
4. it be agreed that Repair and Maintenance obligations lie with the operator(s);
5. it be agreed that the procurement exercise include an option to assess local operation of the Parklands Leisure Centre at Okehampton. In addition, that local input to service delivery shall be secured through local participation in Annual Service Development Plans;
6. a joint Leisure Services Board be established with South Hams District Council based upon an agreed Joint Procurement Protocol. Membership to consist of nominated WDBC Members and comparable SHDC representation. In this respect, that detailed arrangements be delegated to the Natural Environment and Recreation Manager, in consultation with the Leader of the Council and the Chairman of the Community Services Committee. In addition, the Board will be supported by an officer working group;

7. agreement be given to a procurement preparation and evaluation exercise (to be timetabled as set out in paragraph 11.1 and Appendix 1 of the presented agenda report);
8. officers be instructed to appoint specialist leisure expertise (or other expertise as required) to support the procurement and evaluation of leisure services in accordance with procurement procedures and Financial Regulations;
9. officers also be instructed to conclude liaison with stakeholders and interested parties in order to refine third party details for inclusion in procurement;
10. detailed arrangements for procurement and evaluation be delegated to the Natural Environment and Recreation Manager, in consultation with the Leader of the Council, the Chairman of the Community Services Committee, Board Members and relevant local Ward Members (where there are location specific issues); and
11. a further report be presented to the Council on the outcome of the procurement exercise and tender evaluation setting out recommendations for future service arrangements.”

CM 80

COLLABORATION AGREEMENT

Members considered a report that presented a draft Collaboration Agreement between the Council and South Hams District Council to record the basis upon which the Councils would continue to collaborate together.

In introducing the report, the Leader clarified that reference in the draft agreement to: *'the unanimous consent of the Councils'* referred to each of the Councils involved in the Agreement and not the number of voting Members at each Council meeting.

In discussion, particular reference was made to:-

- (a) the shared services relationship with South Hams District Council. The Leader stressed that this recommendation was in no way whatsoever a stepping stone towards a fully fledged merger with South Hams District Council. In addition, the point was raised that the purpose of the report was to formalise the working relationship between the two authorities;
- (b) initial concerns being allayed. A Member commented that, before this meeting, the Executive Director (Service Delivery and Commercial Development) had been able to allay his initial concerns in relation to the recommendation and he was therefore now minded to vote in support of these proposals.

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

1. the Collaboration Agreement (as outlined at Appendix A of the presented agenda report) be agreed; and
2. the Executive Director (Service Delivery and Commercial Development) be given delegated authority, in consultation with the Leader of Council, to make any minor amendments to the Agreement to reflect the new structure, in accordance with the Transformation Programme.”

CM 81 INTERIM DELEGATION SCHEME TO OFFICERS

A report was considered that sought to adopt an interim Delegation Scheme to Officers during the transitional and implementation period of the new Transformation Programme.

In discussion, it was noted that, whilst the Interim Delegation Scheme would come into effect immediately, the remaining Parts of the Constitution would be presented to the Annual Council meeting in May.

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

1. the interim Delegation Scheme (as attached at Appendix 1 of the presented agenda report) be adopted; and
2. authority be delegated to the Head of Paid Service and the Monitoring Officer to amend the Delegation Scheme to ensure continuity during the implementation of the T18 structure.”

CM 82 APPOINTMENT OF ELECTORAL REGISTRATION OFFICER AND RETURNING OFFICER

Consideration was given to a report that sought approval for the appointment of the Executive Director (Strategy and Commissioning) as the Electoral Registration Officer and the Returning Officer, in accordance with the Representation of the People Act 1983.

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

1. the Executive Director – Strategy and Commissioning (Steve Jordan) be appointed as the Electoral Registration Officer and Returning Officer for West Devon Borough Council; and

2. the Executive Director – Service Delivery and Commercial Development (Sophie Hosking) be appointed as the Deputy Electoral Registration Officer for West Devon Borough Council.”

CM 83

APPOINTMENT OF A NEW INDEPENDENT REMUNERATION PANEL

A report was considered that sought Council approval to appoint a new Independent Remuneration Panel and that endorsed the next Review being undertaken before May 2015.

In discussion, reference was made to:-

- (a) reviewing the Scheme before May 2015. On balance, a number of Members felt that, despite the new governance arrangements not taking effect until May 2015, it was appropriate for the new Council to inherit a revised Scheme upon its election. Whilst expressing this view, these Members also acknowledged that a further Review into the scheme would be required once the new governance arrangements had been given the opportunity to settle down;
- (b) additional cost implications arising from this Review. Whilst an additional £28,000 had been built into the Budget for Members Allowances, some Members felt that, unless absolutely impossible, the Review should result in a cost neutral outcome for the Council.

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

1. with immediate effect, the proposed appointments (as outlined at paragraph 2.3 of the presented agenda report) be made to the Independent Remuneration Panel; and
2. the next review of the Scheme of Members’ Allowances be completed before the new Council be elected in May 2015.”

CM 84

MEMBERS’ MEETING ATTENDANCE STATISTICS

Members considered a report that presented the recommendations of the Member Group that was tasked with reviewing the subject of Members’ attendance at public meetings of the Council and its Committees.

In discussion, the following points were raised:-

- (a) A Member requested that the published record should include an explanatory sentence for instances when Members had suffered a long term illness;
- (b) Since it would be so difficult to monitor attendance at Outside Bodies, it was proposed that these should not be included on the published record;

- (c) To also provide a more accurate record of Member attendance, it was agreed that, with effect from May 2015, minutes of the Council and its Committees should include the arrival and leave time of Members during each meeting;
- (d) Whilst a number of Members expressed their support for the principle of publishing attendance statistics on the website, they also had a number of reservations in respect of imposing sanctions on what was considered to be such a limited barometer of performance. A lengthy debate ensued on this matter, after which the majority of Members concluded that the Council should trial this proposal before then undertaking a review into the process in twelve months time.

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

1. with immediate effect, the principle of publishing Members’ meeting attendance statistics on the Council website on a quarterly and annual basis be agreed;
2. the meetings (as outlined at paragraph 2.1 of the presented agenda report) be included on the published record, with an attendance threshold being set at 75% of those meetings to which a Member had been appointed;
3. the process for sanctions (as outlined at paragraph 2.6 of the presented agenda report) be adopted to come into effect during the 2015/16 Municipal Year and be reviewed twelve months thereafter; and
4. the importance of Members appointed to Outside Bodies providing regular feedback to the Council be reinforced.”

CM 85

PLANNING OBLIGATIONS THRESHOLD

Consideration was given to a report that was produced in response to a change in government policy on the use of S106 obligations, which had been introduced through a Ministerial Statement published on 28 November 2014.

In introducing the report, the Leader informed of his intention to propose an additional recommendation whereby the Council should write a letter to the Department for Communities and Local Government and West Berkshire and Reading District Councils in support of their legal challenge.

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

1. the following thresholds for affordable housing be adopted in respect of new applications for planning permission:
 - a) In Tavistock and Okehampton (the towns), the Council will seek ‘on site’ provision of affordable housing on developments of 11 units or more unless the site lies within an Area of Outstanding Natural Beauty (AONB).
 - b) In the rural areas of West Devon and Areas of Outstanding Natural Beauty (AONB) (excluding Dartmoor National Park) , the Council will seek a financial contribution from developments of between 6 – 10 units and ‘on site’ provision of affordable housing on developments off 11 units or more.
2. the following thresholds for tariff - style infrastructure be adopted in respect of new applications for planning permission:
 - a) In Tavistock and Okehampton (the towns), the Council will seek contributions on developments of 11 units or more unless the site lies within an Area of Outstanding Natural Beauty (AONB).
 - b) In the rural areas of West Devon and Areas of Outstanding Natural Beauty (AONB) (excluding Dartmoor National Park), the Council will seek a financial contribution from developments of between 6 – 10 units and above.
3. the interim threshold be reviewed prior to the submission of the new Local Plan; and
4. That this authority writes a letter to the Department for Communities and Local Government and West Berkshire and Reading District Councils supporting their legal challenge.”

CM 86

REVIEW OF PARKING CHARGES IN PRINCETOWN CAR PARK

Members considered a report that made a recommendation in respect of the Pay and Display tariffs in Princetown Car Park.

It was agreed that Members would be notified once these changes had come into effect.

It was then moved by Cllr R F D Sampson, seconded by Cllr T G Pearce and upon being submitted to the Meeting was declared to be **CARRIED** and **“RESOLVED** that the revised parking charges in Princetown Car Park (as detailed at paragraph 2.1 of the presented agenda report) be implemented.”

CM 87

PAY POLICY STATEMENT

Consideration was given to a report that set out the Council's statutory obligation to adopt a pay policy statement in accordance with the provisions of the Localism Act.

It was then moved by Cllr P R Sanders, seconded by Cllr R E Baldwin and upon being submitted to the Meeting was declared to be **CARRIED** and **"RESOLVED** that the pay policy statement for 2015/16 be adopted."

CM 88

PAYMENT OF COUNCILLOR EXPENSES

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

A request had been received from Cllr J B Moody for payment of expenses dating back to October 2014.

It was subsequently moved by Cllr R F D Sampson, seconded by Cllr P R Sanders and upon being submitted to the Meeting was declared to be **CARRIED** and **"RESOLVED** that payment could be made of the expense claims from Councillor J B Moody (backdated to October 2014)."

CM 89

THE FUTURE OPTIONS FOR THE DEVON BUILDING CONTROL PARTNERSHIP

It was moved by Cllr R F D Sampson, seconded by Cllr A Clish-Green and upon being submitted to the Meeting was declared to be **CARRIED** and **"RESOLVED** that under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the Meeting for the debate that took place on this item of business on the grounds that exempt information may be disclosed under Paragraph 3 – Information relating to the financial or business affairs of any particular person including the authority holding that information from Part I of Schedule 12(A) to the Act."

In discussion, the Head of Paid Service emphasised that the recommendation was only seeking approval to prepare a business case at this stage. Assuming that the recommendation was approved, a further report would be presented back to each Council and it would then be a matter for the partner authorities to see if they could agree upon the same solution as a way forward for the Partnership.

It was then proposed by Cllr T G Pearce, seconded by Cllr P R Sanders and upon being submitted to the meeting was declared to be **CARRIED** and **“RESOLVED** that agreement be given to the preparation of a detailed business case for the setting up of a Local Authority Trading Company (joint venture) and to explore the possibility of a joint venture with a private sector company.”

It was then proposed by Cllr R F D Sampson, seconded by Cllr M V L Ewings and upon the motion being submitted to the Meeting was declared to be **CARRIED** and **“RESOLVED** that the press and public be re-admitted to the meeting.”

CM 90

COMMON SEAL

A copy of the documents signed by the Mayor during the period from 2 December 2014 to 30 January 2015 was attached to the agenda (page 95 refers) and noted by the Meeting.

It was then moved by Cllr R F D Sampson, seconded by Cllr M V L Ewings and upon the motion being submitted to the Meeting was declared to be **CARRIED** and **”RESOLVED** that the Mayor and the Monitoring Officer (or deputies appointed by them) be authorised to witness the fixing of the seal on any documents for the forthcoming year”.

(The Meeting terminated at 7.15 pm)

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At the Meeting of the **COUNCIL TAX RESOLUTION PANEL** held in the **COUNCIL CHAMBER, KILWORTHY PARK, TAVISTOCK** on **TUESDAY** the **24th** day of **FEBRUARY 2015** at **2.00 pm** pursuant to Notice given and Summons duly served.

Present

Cllr A Clish-Green Cllr R F D Sampson
Cllr D Whitcomb

Finance COP Lead
Member Services Manager

Apologies

Cllr P R Sanders

In attendance

Cllr M J R Benson Cllr W G Cann OBE

CTRP 1 APPOINTMENT OF CHAIRMAN

It was **PROPOSED, SECONDED** and on being put to the vote declared **CARRIED** that Cllr R F D Sampson be elected Chairman of the Council Tax Resolution Panel.

CTRP 2 DECLARATION OF INTEREST

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

CTRP 3 COUNCIL TAX SETTING FOR 2015/16

A report was considered that enabled the Council to calculate and approve the Council Tax requirement for 2015/16.

The Finance COP Lead responded to queries and confirmed that a press release had been issued following the setting of the council tax at the full Council meeting held on 17 February 2015 and that the press release clearly set out the share of council tax that was received by the Borough Council. In addition, in answer to a question, the Finance COP Lead made reference to the difficulty of roundings.

It was then **PROPOSED, SECONDED** and on being put to the vote declared **CARRIED** and **RESOLVED** that the formal Council Tax resolutions be approved as detailed below:

1. That it be noted that in December 2014, the Senior Management Team, under delegated authority from full Council, approved the Council Tax Base for the year 2015/16:
 - (a) for the whole Council area as 19,457.00 in accordance with regulation 3 of the Local Authorities (Calculation of Council Tax Base)(England) Regulations 2012; and

- (b) for dwellings in those parts of its area to which a parish precept relates in accordance with regulation 6 of the Local Authorities (Calculation of council Tax Base)(England) Regulations 2012 as in the attached Appendix A of the presented agenda report.
2. That the Council Tax requirement for West Devon Borough Council's own purposes for 2015/16 (excluding parish precepts) is calculated at £4,054,644 (appendix B refers in the presented agenda report).
3. That the following amounts are calculated by the Council for the year 2015/16 in accordance with Sections 31 to 36 of the Local Government Finance Act 1992 and the Localism Act 2011 (Appendix B refers in the presented agenda report):
- (a) £26,223,523 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (2) of the Act taking into account all precepts issued to it by parish/town councils (gross expenditure including parish precepts).
- (b) £20,986,568 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (3) of the Act (total income including formula grant and council tax surplus).
- (c) £5,236,955 being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year. (Item R in the formula in Section 31B of the Act) (Council Tax requirement including parish precepts).
- (d) £269.16 being the amount at 3(c) above (Item R), all divided by item T (1(a) above) calculated by the Council in accordance with Section 31B of the Act as the basic amount of its Council Tax for the year (average Band D Council Tax for West Devon Borough Council and parishes).
- (e) £1,182,311 being the aggregate amount of all special items (parish precepts) referred to in Section 34(1) of the Act (as per Appendix C of the presented agenda report).
- (f) £208.39 being the amount at 3(d) above less the result given by dividing the amount at 3(e) above by

item T (1(a) above) calculated by the Council in accordance with Section 34(2) of the Act as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no parish precept relates (Band D Council Tax for West Devon Borough Council only).

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

Valuation Bands								
Precepting authority	A £	B £	C £	D £	E £	F £	G £	H £
Devon County Council's tax requirements	774.18	903.21	1,032.24	1,161.27	1,419.33	1,677.39	1,935.45	2,322.54
Police & Crime Commissioner's tax requirements	112.98	131.81	150.64	169.47	207.13	244.79	282.45	338.94
Devon & Somerset Fire & Rescue Authority's tax requirements	52.28	60.99	69.71	78.42	95.85	113.27	130.70	156.84

5. That the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the amounts of the Council Tax for the year 2015/16 for each of the categories of dwellings shown at Appendix D of the presented agenda report (total of all valuation band council taxes for West Devon Borough Council including parishes, county, police and crime commissioner and fire authority).
6. That the Council has concluded that the basic amount of Council Tax for West Devon Borough Council for 2015/16 is not excessive in accordance with principles approved under Section 52ZB Local Government Finance Act 1992 (see calculation at Appendix B of the presented agenda report)."

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At the Special Meeting of the **WEST DEVON BOROUGH COUNCIL** held in the **COUNCIL CHAMBER, KILWORTHY PARK, TAVISTOCK** on **TUESDAY** the **31ST** day of **MARCH 2015** at **4.30 PM** pursuant to Notice given and Summons duly served.

Present Cllr C M Marsh – The Mayor (In the Chair)

Cllr S C Bailey	Cllr R E Baldwin
Cllr K Ball	Cllr M J R Benson
Cllr W G Cann OBE	Cllr A Clish-Green
Cllr D W Cloke	Cllr M V L Ewings
Cllr C Hall	Cllr T J Hill
Cllr L J G Hockridge	Cllr A F Leech
Cllr J R McInnes	Cllr M E Morse
Cllr D E Moyse	Cllr C R Musgrave
Cllr R J Oxborough	Cllr P J Ridgers
Cllr L B Rose	Cllr R F D Sampson
Cllr P R Sanders	Cllr D Whitcomb

Group Manager – Support Services
Group Manager – Customer First
Monitoring Officer
Democratic Services Manager
Section 151 Officer
Member Services Manager

CM 91 MR DONALD HORN

Having been invited by the Mayor, Cllr P R Sanders referred to the recent death of Donald Horn, who had been a Borough Councillor since May 2007.

In his tribute, Cllr Sanders advised of his utter shock when he first heard of the sad news and that the thoughts of the Council were with Donald's family at this time. Furthermore, the Council had lost a good friend in Donald and he would be sorely missed by Members and officers alike.

As a mark of respect, the Council then proceeded to stand and observe a moment's reflection.

CM 92 APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllrs J B Moody, N Morgan, T G Pearce, D K A Sellis, J Sheldon, E H Sherrell and D M Wilde.

CM 93 DECLARATIONS OF INTEREST

The Mayor invited Members to declare any interests in the items of business to be considered during the course of the meeting, but there were none made.

CM 94**BUSINESS BROUGHT FORWARD BY THE MAYOR**

The Mayor informed the Council that she had agreed for one urgent item to be raised at this meeting. The item sought approval of unstarred minute AC 39 'Treasury Management Strategy, Minimum Revenue Provision Policy and Annual Investment Strategy for 2015/16' which had arisen from the Audit Committee meeting held on 24 February 2015 and was considered urgent due to the time constraints associated with this matter. It was the intention of the Mayor for this item to be considered immediately.

It was then proposed by Cllr T J Hill, seconded by Cllr W G Cann OBE and upon being submitted to the Meeting was declared to be **CARRIED** and **"RESOLVED** that approval be given to the:

1. prudential indicators and limits for 2015/16 to 2017/18 (as outlined in Appendix A of the agenda report presented to the Committee);
2. Minimum Revenue Provision (MRP) Statement contained within Appendix A of the agenda report presented to the Committee, which sets the Council's policy on MRP;
3. Treasury Management Strategy 2015/16 and the Treasury Prudential Indicators 2015/16 to 2017/18 as contained within Appendix B of the agenda report presented to the Committee; and
4. Investment Strategy 2015/16 (as outlined in Appendix C of the presented agenda report to the Committee) and the detailed criteria included in Appendix D of the same agenda."

CM 95**COMMUNICATIONS FROM THE MAYOR**

The Mayor wished to raise the following points:-

- On behalf of the Council, the Mayor introduced and welcomed both the Group Manager – Support Services and the Group Manager – Customer First to their first Council meetings since joining the Council;
- Members were asked to note that the next Informal Council meeting (scheduled for 13 April 2015) had been cancelled;
- With regard to the current Our Plan consultation exercise, Members were reminded that the deadline for public responses was 5.00pm on Monday, 13 April 2015. In highlighting this deadline, the Mayor asked that Members remind their communities that this was their opportunity to make any representations in this regard; and
- As previously advised, the Mayor also wished to remind the Council that the presentation of her Mayoral Awards for this year would take place upon the rising of this meeting.

CM 96**MOTIONS**

In the absence of Cllr T G Pearce, it was moved by Cllr R F D Sampson and seconded by Cllr W G Cann OBE:

'That this Council agrees that, with the exception of the Annual Meeting (which should continue to commence at 11.00am), all other Full Council Meetings should commence at 2.00pm for the next Civic Year 2015/16 and thereafter.'

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

- the current start time of 4.30pm presenting problems for a number of Members (particularly during the winter months). In expanding upon this point, the proposer highlighted that a number of Members were often required to leave meetings early in order to attend town and parish council meetings or to reduce the potential impact arising from inclement winter weather; and
- there being fewer serving Members now in full time employment.

In discussion, an amendment was proposed by Cllr A Clish-Green and seconded by Cllr R J Oxborough as follows:

"That a decision on this motion should be deferred until the Annual Council meeting in May when it could then be considered by the newly elected Council."

In support of the amendment, Members felt that it was only right and proper for such matters to be determined by the new Council upon its election. In contrast, other Members were of the view that the start time of Council meetings should be known before any prospective candidates had to make a decision on whether or not to stand for election.

When put to the vote, the amendment was declared **LOST**.

In discussion on the motion, the following points were raised:-

- (a) A number of Members highlighted the importance of attracting younger residents to stand for Council. As a consequence, these Members felt that an earlier start time could potentially deter younger candidates from standing for election;
- (b) A Member was of the view that very few Council meetings finished after 6.00pm and there was therefore every opportunity for Members to stay until the conclusion of these meetings before then attending town and parish council meetings later that evening.

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

CM 97**T18 BUDGET MONITORING REPORT – END OF JANUARY 2015 (MONTH 10)**

A report was considered that presented a monitoring update on the T18 Transformation Programme.

In discussion, reference was made to:-

- (a) the budget code underspends. For clarity, it was noted that the underspends were not as a consequence of any significant slippage in the Programme and that these were largely attributed to a number of backdated invoices which were still to be paid after this reporting period;
- (b) the 'Delivering Differently' Fund. Members were informed that the Council had made a bid to central government for up to £100,000 from the 'Delivering Differently' Fund. In reply to a question, the S151 Officer confirmed that she would find out when the Council was to be informed as to whether or not the bid had been successful and let Members know accordingly.

It was then proposed by Cllr P R Sanders, seconded by Cllr R E Baldwin and upon being submitted to the Meeting was declared to be **CARRIED** and **"RESOLVED** that:

1. the progress to date on the Transformation Programme be noted; and
2. delegated authority be given to the S151 Officer, in consultation with the Executive Director of Strategy and Commissioning (Head of Paid Service) and the Leader of Council, to determine the appropriate financing requirement from the Council's Earmarked Reserves in 2014/15, to fund the year end accounting provision for the Transformation Programme (as set out in Section 3 of the presented agenda report)."

CM 98**SCHEME OF MEMBERS' ALLOWANCES FOR 2015/16**

The Council considered a report that sought approval to determine a new Scheme of Members Allowances for the 2015/16 Municipal Year.

In addition, the report also presented the conclusions of the Political Structures Working Group in respect of the:-

- role profile for a Hub Committee Member;
- areas of responsibility for Hub Committee Members; and
- process to determine the areas of responsibility for each appointed Hub Committee Member.

In discussion, particular reference was made to:-

- (a) the recommended Special Responsibility Allowance (SRA) for Hub Committee Members. In recognising the sentiment of the Panel's recommendations in this regard, a number of Members felt that the proposal to entitle Hub Committee Members to claim a SRA at a multiple of 100% of the Basic Allowance was excessive. Furthermore, Members did not feel it justifiable (especially when considering the impact on staff arising from the Transformation Programme) that the Council should so significantly increase its budget expenditure on its Members Allowances.

It was then proposed by Cllr R E Baldwin and seconded by Cllr P J Ridgers that:

"Hub Committee Members be entitled to claim a SRA at a multiple of 25% of the Basic Allowance."

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

At this point, some Members advised that, when considering the level of responsibility for Hub Committee Members, it was their view that a 25% multiplier was too low. In the ensuing debate, the following suggestions were raised (but were never voted upon):-

- That Hub Committee Members should be entitled to claim a SRA at a multiple of 40% of the Basic Allowance; and
- That Hub Committee Members and the Chairman of the Audit Committee should be entitled to claim a SRA at a multiple of 40% of the Basic Allowance.

It was then proposed by Cllr W G Cann OBE and seconded by Cllr A F Leech that:

"A decision on the Scheme of Members Allowances for 2015/16 be deferred until the Annual Council meeting on 19 May 2015."

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

It was then proposed by Cllr M V L Ewings and seconded by Cllr P J Ridgers that:

"Hub Committee Members be entitled to claim a SRA at a multiple of 33% of the Basic Allowance."

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

- (b) the importance of the review being undertaken once the new governance arrangements had been given the opportunity to settle down was recognised;
- (c) the ability to claim mileage for attendance at local town and parish council meetings. Whilst welcoming this proposal, some Members felt that it should be specified in the Scheme that this ability would be restricted to travel within the West Devon Borough Council boundary only;
- (d) the proposed areas of responsibility for Hub Committee Members. A Member asked for Community Safety and Young People to be included within the list of responsibilities.

It was then moved by Cllr R E Baldwin, seconded by Cllr P J Ridgers and upon being submitted to the Meeting was declared to be **CARRIED** and **“RESOLVED** that, for the 2015/16 Municipal Year:

1. the conclusions of the Independent Remuneration Panel (as outlined at paragraphs 2.1.1, 2.1.2 and 2.1.3 and Appendix B of the presented agenda report) be agreed, with the exception of Hub Committee Members being entitled to claim a SRA at a multiple of 33% (and not 100%) as recommended by the Panel;
2. Members should be entitled to claim their mileage for attendance at town and parish council meetings within their local Ward of which they are not already a Member and that this entitlement should be restricted to travel within the West Devon Borough Council boundary only; and
3. the role profile for a Hub Committee Member (Appendix C of the presented agenda report); the areas of responsibility for the Hub Committee Members (Appendix D of the presented agenda report) and the process to determine the areas of responsibility for each appointed Hub Committee Member (as outlined at paragraph 2.4 of the presented agenda report) be noted.”

CM 99

CALENDAR OF MEETINGS FOR 2015/16

A report was considered that sought approval of the calendar of meetings of Council bodies for the 2015/16 municipal year.

In discussion, reference was made to:-

- (a) a Standards Committee meeting being added to the calendar to take place on 7 July 2015;
- (b) the provision whereby the first Monday of each Calendar month was set aside for special meetings if any were required;

- (c) the joint Overview and Scrutiny Committee meeting on 12 January 2016. The Council was advised that this joint meeting had been diarised to enable both Overview and Scrutiny Committees the opportunity to scrutinise the 2016/17 budget proposals;
- (d) a general preference (wherever possible) for meeting start times to take place in the afternoon rather than the morning.

It was then moved by Cllr P R Sanders, seconded by Cllr R E Baldwin and upon being submitted to the Meeting was declared to be **CARRIED** and **“RESOLVED** that the Calendar of Meetings for the 2015/16 municipal year (as per Appendix A to the presented agenda report) be adopted, subject to inclusion of the amendments as outlined in discussion points (a) and (b) above.”

CM 100 LOCAL LAND CHARGES

It was moved by Cllr R F D Sampson, seconded by Cllr P R Sanders and upon being submitted to the Meeting was declared to be **CARRIED** and **“RESOLVED** that under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the Meeting for the debate that took place on this item of business on the grounds that exempt information may be disclosed under Paragraph 3 – Information relating to the financial or business affairs of any particular person including the authority holding that information from Part 3 of Schedule 12(A) to the Act.”

A report was then considered which advised the Council of the outcome of the settlement proposed for the refund of personal search fees.

In discussion, the following points were raised:-

- (a) Members were assured that this matter was a national issue and was no reflection upon Council officers, who had been following central government guidance. This issue had arisen as a consequence of European Union legislation;
- (b) In this regard, it was noted that the Local Government Association had been actively lobbying on behalf of local authorities.

It was then proposed by Cllr P R Sanders, seconded by Cllr R E Baldwin and upon being submitted to the meeting was declared to be **CARRIED** and **“RESOLVED** that:-

1. the Council settles the claim on the terms as outlined in the presented agenda report; and
2. delegated authority be given to the Head of Paid Service in conjunction with the Leader of the Council and S151 Officer to conclude the negotiation of the Council’s liability to pay part of the Claimants costs and any interest sum, having regard to the Council’s appointment of the overall nationwide claim.”

It was then proposed by Cllr M V L Ewings, seconded by Cllr A Clish-Green and upon the motion being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that the press and public be re-admitted to the meeting.”

CM 101 MAYOR’S CONCLUDING REMARKS

As this was anticipated to be the last Council meeting of the 2014/15 Municipal Year, and the local elections would have taken place before the Council was to meet again, the Mayor thanked all Members and officers for their commitment and diligence not just during her year of office, but also for the preceding four years of the current administration. The Mayor proceeded to wish those retiring Members well for the future and those Members who were seeking re-election good luck in their respective endeavours.

In reply, other Members wished to thank the Mayor for the way she had managed the office this year and too wished her every success and happiness in the future.

(The Meeting terminated at 6.10 pm)

NAME OF COMMITTEE	Annual Council
DATE	19 May 2015
REPORT TITLE	ROLES AND RESPONSIBILITIES OF THE OVERVIEW AND SCRUTINY COMMITTEES POST MAY 2015
Report of	The Democratic Services Manager
WARDS AFFECTED	All

Summary of report:

To consider a report that seeks Council approval to agree the principle of how the roles and responsibilities are divided between the two newly established Overview and Scrutiny Committees.

Financial implications:

There are no significant financial implications arising from this report.

RECOMMENDATION:

That, with immediate effect, the Council **RESOLVES** that the Council Constitution be amended to reflect that:

1. Overview and Scrutiny Committee 'A' and Overview and Scrutiny Committee 'B' be known as the 'Overview and Scrutiny (Internal) Committee' and the 'Overview and Scrutiny (External) Committee' respectively, with the broad terms of reference (as presented at Appendix A) being approved;
2. the Audit Committee convene its meetings on the same day as the Overview and Scrutiny (External) Committee meetings are held, with the consequent minor adjustments to the Calendar of Meetings being made in consultation with the two Committee Chairmen; and
3. the roles of Audit Committee Chairman and either of the Overview and Scrutiny Committee Chairmen should not be allocated to the same Member.

Officer contact:

Darryl White, Democratic Services Manager (email: darryl.white@swdevon.gov.uk).

1. BACKGROUND

- 1.1 At its meeting on 9 December 2014, the Council considered a report that presented the conclusions of the Political Structures Working Group in relation to the future governance structure for the Council.
- 1.2 The Council subsequently agreed that a Hub Committee and two Overview and Scrutiny Committees should be established with effect from May 2015 (Minute CM 65 refers).
- 1.3 The report also recognised that the terms of reference for the two Committees would be drafted 'prior to the annual review of the Constitution being agreed' (meeting summons item 9 refers). In so doing, it was felt that consideration must be given to how the maximum benefits of the Overview and Scrutiny function can be realised for the Council.
- 1.4 The draft proposals (as outlined below) are being presented following informal consultation with some senior Members.

2. ISSUES FOR CONSIDERATION

Draft Terms of Reference – Overview and Scrutiny Committees

- 2.1 It is recommended that both Overview and Scrutiny Committees should retain the ability to develop and review policy and scrutinise the work of the Hub Committee and its Members. This is important in light of the Calendar making provision for four meetings of each Committee (on an alternate basis) and the frequent requirement for decisions to be made on a timely basis.
- 2.2 In terms of how specific roles and responsibilities can be divided between the two Overview and Scrutiny Committees, it is suggested that this can be undertaken by virtue of the Committees having an internal and external focus respectively. The internal Committee would be responsible for considering and scrutinising how the Council is performing as an organisation (e.g. performance, culture and internal policies), whereas the external Committee would be responsible for considering and focusing on the impact the Council and its partners are making on our customers and communities (e.g. the Local Enterprise Partnership, Housing Associations and the Community Safety Partnership).
- 2.3 In line with the openness agenda and the drive to increase public involvement and awareness in the decision-making process, it is also recommended that the Committees procedure rules include provision for members of the public to be able to ask questions and raise issues at Committee meetings.
- 2.4 To reflect these recommendations, the draft terms of reference are outlined at Appendix A. In addition, the Council is reminded that the Monitoring Officer has the ability to exercise her delegated authority in order to make any further necessary minor amendments to the terms of reference in the Council Constitution before the first meeting of each Committee.

The Relationship between the Audit Committee and the Overview and Scrutiny Committees

- 2.5 It is recognised that there will be close links between the Overview and Scrutiny Committees and the Audit Committee.
- 2.6 To further reinforce this close relationship, it is recommended that meetings of the Overview and Scrutiny (External) Committees should be held on the same day as the Audit Committee, with Audit Committee meetings taking place in the morning and the Overview and Scrutiny (External) Committee meetings being held in the afternoon. This proposal will require some minor adjustments to be made to the Calendar of Meetings and it is recommended that these be undertaken in consultation with the two relevant Committee Chairmen.
- 2.7 Whilst recognising the relationship, there will still be a distinct separation of duties between the three Committees. As a consequence, it is felt important for three different Members to be appointed to the Chairman role of these three Committees.

3. RISK MANAGEMENT

- 3.1 The Risk Management implications are shown at the end of this report in the Strategic Risks Template.

4. OTHER CONSIDERATIONS

Corporate priorities engaged:	All
Statutory powers:	Local Government Act 2000
Considerations of equality and human rights:	None directly related to this report
Biodiversity considerations:	None directly related to this report
Sustainability considerations:	None directly related to this report
Crime and disorder implications:	None directly related to this report
Background papers:	The Council Constitution; and Council Summons and Minutes from 9 December 2014 meeting.
Appendices attached:	Appendix A: Overview and Scrutiny Committees – Draft Terms of Reference

STRATEGIC RISKS TEMPLATE

No	Risk Title	Risk/Opportunity Description	Inherent risk status			Mitigating & Management actions	Ownership	
			Impact of negative outcome	Chance of negative outcome	Risk score and direction of travel			
1	Failure of Council to reach a decision	It will be incredibly difficult for the critical role of the Overview and Scrutiny function to be undertaken without the Council being able to approve a clearly defined division of the roles and responsibilities of its two Committees.	4	1	4	↔	Informal consultation has taken place with senior Members prior to this report being prepared and presented.	Head of Paid Service / Democratic Services Manager

Direction of travel symbols ↓ ↑ ↔

Overview and Scrutiny Committees: Draft Terms of Reference

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

1. General Role

1.1. The Council will appoint two Overview & Scrutiny Committees with the following functions. Each Overview & Scrutiny Committee will:

- 1.1.1. review and/or scrutinise decisions made or actions taken in connection with the discharge of any of the Council's functions;
- 1.1.2. make reports and/or evidence based recommendations to the Council and any committee or joint committee in connection with the discharge of any functions;
- 1.1.3. consider any matter affecting the area or its inhabitants;
- 1.1.4. make reports and/or evidence based 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
- 1.1.5. exercise the right to call-in, for reconsideration, decisions made but not yet implemented by the Hub Committee.

2. Specific functions

Each Overview and Scrutiny Committee may (within its own thematic area):

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, Overview and 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;
- (e) Follow up on action agreed to ensure that Overview and Scrutiny Committee decisions have been implemented.

The focus of a policy development and review exercise could be on:

- Whether the intended policy outcomes have been achieved;
- Whether services have been taken up by the intended client group;
- Processes used in service delivery;
- Assessing whether service provision is addressing the needs of the community;
- How satisfied customers are with current service provision;
- Whether resources are allocated effectively for the service.

The policy development and review function could be discharged in a number of ways including:

- Meetings of the relevant whole Overview and Scrutiny Committee;
- Task and Finish Review Groups comprised of a selection of Overview and Scrutiny Committee Members, as well as potentially other co-opted Member (e.g. external experts), members of the community and the relevant lead Hub Committee Member.

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;
- (ii) review and scrutinise the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas;
- (iii) 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;
- (iv) exercise the right to call-in, for re-consideration, decisions made but not yet implemented by any committee, where appropriate;
- (v) make evidence based recommendations to the appropriate committee and/or Council arising from the outcome of the scrutiny process;
- (vi) 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;
- (vii) 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 and Scrutiny Committees shall be responsible for the monitoring of partnership arrangements in accordance with the Council's Partnership Policy.

2.4. Joint Working

Subject to the agreement of both respective Chairmen, the Overview and Scrutiny Committees shall have the ability to establish joint task and finish groups with South Hams District Council Members to consider (any) cross-cutting issues that are of significant interest or concern to both councils.

2.5. Finance

The Overview and Scrutiny Committees shall exercise overall responsibility for the finances made available to them.

2.6. Annual report

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

3. Broad Thematic Area of each Overview & Scrutiny Committee

Overview & Scrutiny Committee	Thematic Area:
Internal	To consider and scrutinise how the Council is performing as an organisation (e.g. performance, culture, internal policies and organisation strategies (including T18)).
External	To consider and focus on the impact the Council and its partners are making on our customers and communities (e.g. the Health and Wellbeing agenda and Community Safety).

Proceedings of Overview and Scrutiny Committees

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

Agenda Item 13

At a Meeting of the **AUDIT COMMITTEE** held at the Council Chamber, Council Offices, Kilworthy Park, Drake Road, **TAVISTOCK** on **TUESDAY** the **24th** day of **FEBRUARY 2015** at **11.00 am**.

Present: Cllr D K A Sellis – Chairman
Cllr T J Hill Cllr J Sheldon

Finance Community of Practice Lead
Head of Devon Audit Partnership
Finance Business Partner (AW)
Committee & Ombudsman Link Officer

In attendance: Mr S Johnson – Grant Thornton – Audit Manager

AC 30 APOLOGIES FOR ABSENCE

Apologies for absence were received from the Vice-Chairman Cllr J B Moody and from Cllr M Morse.

***AC 31 CONFIRMATION OF MINUTES**

The Minutes of the Meeting held on 25th November 2014, were confirmed and signed by the Chairman as a correct record.

AC 32 REPORT ON VALUE FOR MONEY FOR WEST DEVON BOROUGH COUNCIL

Grant Thornton (External Auditors) presented a report (page 9 to the Agenda) which summarised the findings from their work supporting their Value for Money (VfM) conclusion. The VfM report complemented Grant Thornton's Audit Findings Report through providing additional detail on the themes which underpinned the VfM conclusion.

Grant Thornton had identified no significant risks during their VfM planning and expressed their conclusion as:

“On the basis of our work, and having regard to the guidance on the specified criteria published by the Audit Commission, we are satisfied that in all significant respects the Council has put in place proper arrangements to secure economy, efficiency and effectiveness in its use of resources for the year ending 31st March 2014.”

Arising from the discussion thereon:

- (i) Council tax benefits and housing benefits (2012/2013 data) – the Committee noted the higher cost of administering the benefits but was assured that these costs would reduce when 2013/2014 data was used to be nearer the “family average” and when the T18 Programme was fully operational costs would be further reduced.
- (ii) Housing Services (2012/2013 data) – the Committee noted that homelessness was increasing in 2012/2013 and officers agreed to investigate possible reasons for this and to present a report to the Committee's next meeting.

It was **RESOLVED** that the report be welcomed and noted.

***AC 33 CERTIFICATION WORK FOR WEST DEVON BOROUGH COUNCIL FOR YEAR ENDED 31st MARCH 2014**

Grant Thornton (External Auditors) presented their letter (page 25 to the Agenda) confirming that they had certified certain claims and returns submitted by the Borough Council as required so to do. Arrangements for certification were prescribed by the Audit Commission, which had agreed the scope of work with each relevant government department or agency, and auditors would be issued with Certification Instructions for each specific claim or return.

Grant Thornton had certified one claim submitted by the Council for the 2013/2014 financial year relating to expenditure of £14.1 million. The certification was “qualified” inasmuch as the Council did not update the system parameters annually “specifically for types of claim for which that no cases are expected e.g. Polygamous marriages”. Whilst this did not affect the total claim submitted, Grant Thornton needed to test the robustness of the system to ensure compliance. In so doing the Council incurred an additional charge of £900.

It was **RESOLVED** that the letter be received and noted and the assurance of the Finance Community of Lead that Grant Thornton’s recommendations as given in Appendix A (page 26 to the Agenda) have been adopted and acted upon.

***AC 34 WEST DEVON BOROUGH COUNCIL AUDIT COMMITTEE UPDATE**

Grant Thornton presented a report (page 29 to the Agenda) updating the Committee on the progress being made in the delivery of their responsibilities as the Council’s External Auditors. The report also referenced a number emerging national issues and developments for the Committee’s information.

The report also included a detailed position statement on the work currently being undertaken and the timetable and scope of activity for future work to be undertaken within the current year.

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

***AC 35 PROTECTING THE PUBLIC PURSE – FRAUD BRIEFING 2014**

Grant Thornton presented a Fraud Briefing (page 42 to the Agenda) which had been prepared as a Power Point presentation by the Audit Commission. The purpose of the Fraud Briefing was four-fold:

- (i) to provide an information source to support councillors in considering their council’s fraud detection activities;
- (ii) to extend an opportunity for councillors to consider fraud detection performance, compared to similar local authorities;
- (iii) to give focus to discussing local and national fraud risks, reflect on local priorities and the proportionate responses needed; and,
- (iv) to be a catalyst for reviewing the Council’s current strategy, resources and capability for tackling fraud.

West Devon Borough Council was a member of a comparator group of 21 local authorities and contained within the report was comparable data showing the fraud detected in West Devon. During the year 2013/2014, West Devon had detected 12 cases of Housing Benefit and Council Tax Benefit fraud valued at £51,932 (average for the comparator group was 65 cases valued at £122,447) and no cases of Council Tax discount fraud (average for the comparator group was 7 cases valued at £2,705).

In West Devon there were no cases of detected fraud in relation to procurement, insurance, economic and third sector nor were there any detected cases of internal fraud.

It was **RESOLVED** that the report be welcomed and noted.

AC 36 INTERNAL AUDIT – REVISION OF AND PROGRESS AGAINST THE 2014/15 PLAN

The Head of Devon Audit Partnership presented a report (page 54 to the Agenda) on the principal activities and findings of the Council's Internal Audit team for 2014/2015 to the 31st December 2014 through highlighting the need to revise the internal audit plan to reflect the impact of the T18 Transformation Programme blueprinting, by providing a summary of the main issues raised by completed individual audits and by showing the progress made by the Internal Audit team against the 2014/2015 annual audit plan as reviewed by this Committee in April 2014.

The internal audit plan was continuously reviewed and update to reflect emerging risks and the 2014/2015 Internal Plan was presented with the report at Appendix A (page 60 to the Agenda) and this had been extended to show the final position of each audit and it also replicated part of the monitoring report presented monthly by the S151 Officer. A summary of the issues raised and the agreed action arising was presented in Appendix B (page 63 to the Agenda). The internal audit plan for 2014/2015 was progressing according to the programme and was considered to be "on target".

It was **RESOLVED** to **RECOMMEND** that the reports 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

The Head of Devon Audit Partnership and the Section 151 Officer presented a joint report (page 68 to the Agenda) to provide the Committee with the opportunity to review and comment upon the proposed internal audit plan for the forthcoming three years 2015/16 to 2017/18 and the proposed internal audit plan for 2015/16.

A three year plan had been drawn up to cover the period 2015/2016 to 2017/2018 and this was presented with the report at Appendix A (page 75 to the Agenda). The three year plan reflected the reduced level of internal audit resource following the T18 review; audit resources had been reduced to around 100 days per financial year from 115 days and

the plan had been developed to optimise the use of the limited audit time now available. Appendix B (page 80 to the Agenda) showed pictorially the provisional time aggregation for service audits during the three year period.

The Annual Audit Plan for 2015/2016 was presented as Appendix C to the report (page 81 to the Agenda) and this detailed the audit programme and resource allocation for the year.

It was **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 38 INTERNAL AUDIT: CHARTER & STRATEGY – 2015/16**

The Head of Devon Audit Partnership and the Section 151 Officer presented a joint report (page 83 to the Agenda) on the proposed Internal Audit Charter and Strategy for 2015/2016. The Public Sector Internal Audit Standards (PSIAS) and the Audit Manual required that the Charter and Audit Strategy be presented to the Audit Committee for review and approval. The Charter was presented with the report at Appendix A (page 87 to the Agenda) with the Audit Strategy presented as Appendix B (page 96 to the Agenda).

The Charter detailed the scope of work required to be undertaken by Internal Audit and the Strategy document detailed how the internal audit service would be delivered.

It was **RESOLVED** that the Internal Audit Charter and Strategy 2015/2016 be approved and adopted.

AC 39 TREASURY MANAGEMENT STRATEGY, MINIMUM REVENUE PROVISION POLICY AND ANNUAL INVESTMENT STRATEGY FOR 2015/16

The Finance Community of Practice Lead (S.151 Officer) presented a report (page 105 to the Agenda) seeking approval of the proposed Treasury Management and Investment Strategies together with their associated prudential indicators. Sound financial management and administration underpinned the entire strategy and the budget for investment income for 2015/2016 had been set at £40,000. Falling interest rates over the years had had a considerable impact on the Council's potential income from investments. As an example of falling investment income, the Committee was advised that between 2007/2008 and 2015/2016 investment income had fallen by £680,000.

Six appendices were presented with the report with Appendix A being the Capital Prudential Indicators (page 111 to the Agenda); Appendix B being the Treasury Management Strategy (page 115 to the Agenda); Appendix C being the Annual Investment Strategy (page 121 to the Agenda); Appendix D being the Treasury Management Practice (TMP 1) – Credit and Counterparty Risk Management (page 125 to the

Agenda); Appendix E being the Treasury Management Scheme of Delegation (page 130 to the Agenda); and, Appendix F bring a glossary of terms (page 131 to the Agenda).

It was **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

The Finance Community of Practice Lead presented the six monthly update report on Strategic Risk Assessment (page 133 to the Agenda). Two appendices were presented with the report with Appendix A (page 136 to the Agenda) showing the Strategic Financial and Asset Risks, Strategic Management Risks, Strategic Staffing Risks and Corporate Issues Risks, and Appendix B (page 147 to the Agenda) showing the Transformation Programme 2018 Risks.

Arising from the discussion the following issues were discussed:

- (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.

It was **RESOLVED** to **RECOMMEND** that the issues identified by the Committee and detailed in items (i) to (iii) above be considered by the Council.

(The Meeting terminated at 1.05 pm.)

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At a Meeting of the **AUDIT COMMITTEE** held at Meeting Room 3, Council Offices, Kilworthy Park, Drake Road, **TAVISTOCK** on **TUESDAY** the **28th** day of **APRIL 2015** at **11.00 am**.

Present: Cllr D K A Sellis – Chairman
Cllr T J Hill Cllr M Morse
Cllr J Sheldon

Monitoring Officer
Finance Community of Practice Lead
Specialist (Accountant Business Partner)
Head of Devon Audit Partnership
Audit Manager – Devon Audit Partnership
Committee & Ombudsman Link Officer

In attendance: Mr S Johnson – Grant Thornton – Audit Manager
Mr B Morris – Grant Thornton – Director

AC 41 APOLOGY FOR ABSENCE

An apology for absence was received from the Vice-Chairman, Cllr J B Moody.

***AC 42 ITEM REQUIRING URGENT ATTENTION**

The Chairman reported that Agendum 5 – Devon Pension Fund, had been withdrawn from the Agenda because it had been included in error.

***AC 43 CONFIRMATION OF MINUTES**

The Minutes of the Meeting held on 24th February 2015 (page 6 to the Agenda) were confirmed and signed by the Chairman as a correct record.

AC 44 ANNUAL REVIEW OF THE COUNCIL'S CONSTITUTION

The Monitoring Officer presented a report (page 25 to the Agenda) seeking the Committee's approval to request Council to adopt the updated Constitution. The Constitution had been amended during the year to reflect that changes that had occurred which had affected the Council and to incorporate any changes necessary to ensure that the Constitution was up-to-date, lawful and reflected the Council's current practices.

The proposed main amendments, as detailed in paragraph 2 of the Officers' report and shown highlighted on the Council's web site, were:

Hub Committee: Council had approved the establishment of the Hub Committee to replace both the Community Services and Resources Committees with effect from Council's Annual Meeting on 19th May 2015. The terms of reference for the Hub Committee were set out in Part 3 of the Constitution and which, in essence, merged the responsibilities of the two former committees.

Clarification was still ongoing about the new ways in which the Council would deliver its services and delegated authority was sought for the Monitoring Officer to further amend the details of the responsibilities

(specific service area etc) for the Hub Committee to ensure a fit for purpose remit was available for the new Council.

Overview & Scrutiny Panels: changes had been made to Part 3 of the Constitution (terms of reference for Committees) and Part 4 (Overview & Scrutiny Rules) in order to reflect the Council's agreement to replace the single Committee with two Overview & Scrutiny Committees. Further consequential amendments had been made throughout the Constitution to reflect the change to two Committees and the detailed terms of reference would be finalised at the first meetings of the two Committees.

Sealing: it was proposed that, in view of the agile working arrangements under T18, sealing of the Council's documents be undertaken by the Monitoring Officer (or a duly authorised member of the Monitoring Officer's team) without requiring the Mayor or another Member of the Council to also authorise in order that urgent matters can be attended to from remote locations.

Part 7: Management Structure: to be revised and attached to the Constitution following the finalisation of the T18 Structure.

Additionally, authority was also being sought to delegate the new powers under the Anti-Social Behaviour, Crime and Policing Act 2014 to the Community of Practice Environmental Health Lead/Divisional Environmental Health Officers/Customer First Group Manager (depending on appointments) to:

- (i) be the proper Officer for this Act;
- (ii) make Public Space Protection Orders;
- (iii) issuing fixed penalty notices with a penalty of £100;
- (iv) serving community protection notices
- (v) making closure orders; and,
- (vi) to decide the local threshold for the Community Trigger.

It was **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.

AC 45

INTERNAL AUDIT – PROGRESS AGAINST THE 2014/15 PLAN

The Head of Devon Audit Practice presented a report (page 30 to the Agenda) on the principle activities and findings of the Council's Internal Audit Team. Two appendices were presented with the report with Appendix A (page 36 to the Agenda) showing the progress being made in carrying out the planned audits and, Appendix B (page 39 to the

Agenda) which gave a summary of the main issues raised for audits where a final report had been issued and action agreed. Additionally, Appendix A had been extended to show the final position for each audit and it also replicated a part of the monthly monitoring report presented to the S.151 Officer.

Arising from a discussion on Housing Benefits Debtors (Appendix B page 43 to the Agenda) the Committee was advised that the Council had a hardship fund to assist those who had unwittingly received overpayments and that to reclaim those overpayments would cause in extreme hardship. To help in mitigating overpayment a business case was being considered for the provision of additional staff.

It was **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.

***AC 46 UPDATE ON INDICATORS FROM THE AUDIT COMMISSION'S VALUE FOR MONEY PROFILE TOOL**

Arising from Minute No AC 32 – 2014/2015, the Finance Community of Practice Lead presented a report (page 47 to the Agenda) on the latest indicators available from the Audit Commission's Value for Money Profile Tool. The recourse to the Audit Commission's VfM Tool arose from two questions raised by the Committee at its Meeting on 24th February 2015 in relation to Grant Thornton's Value for Money report. The questions raised were in relation to the costs associated in providing the Council Tax Benefit and Housing Benefit systems.

The Committee had been concerned that the cost of providing the benefits service appeared high both in terms of administration costs and costs per head. The most recent available data from 2013/2014 for Housing and Council Tax Benefit administration and the Net Spend Indicators clearly showed that the Council's spend per head of population had reduced and was favourably placed lower than the average District Council cost per head of population. The Net Spend per Head Indicators suggested that the Council was on a par with other District Councils.

It was **RESOLVED** that the report be noted and that its content be welcomed and this be conveyed to the Council via an article in the Bulletin.

***AC 47 THE AUDIT PLAN FOR WEST DEVON BOROUGH COUNCIL**

The Council's External Auditors, Grant Thornton LLP, presented a report (page 51 to the Agenda) updating the Committee on the External Audit Plan 2014/2015. The report identified three significant risks and risks of a lesser nature and the work undertaken to mitigate those risks. Further, Grant Thornton had undertaken a risk assessment to identify any areas of risk to their Value for Money Conclusion. The results of the Value for Money audit work and key messages arising would be reported in the Audit Findings report and the Annual Audit Letter.

An Action Plan was presented with the report (page 68 to the Agenda) and this showed that the one item identified for action had been dealt with immediately.

Arising from the discussion thereon, Grant Thornton said that the Internal Audit regime was robust and provided excellent financial information and the Finance Community of Practice Lead reported that the call on the T18 redundancy budget was within available funds.

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

***AC 48**

WEST DEVON BOROUGH COUNCIL AUDIT COMMITTEE UPDATE

The Council's External Auditors, Grant Thornton LLP, presented a report (page 71 to the Agenda) on the progress being made on delivering their responsibilities as the Council's external auditors. The 2014/15 Accounts Audit Plan and the Interim Accounts Audit had both been completed and the reports of those items had been included in the report mentioned above (Minute No. AC 46). The final accounts audit would be undertaken between July and September and reported to the Committee's meeting on 30th September 2015. The Value for Money Conclusion work was on-going and, again, would be reported to the Committee's next meeting in September. Work on the Certification of the Council's Whole Government Accounts would begin in June, for completion by November 2015.

Arising from the discussion thereon and in relation to Minute No AC 44 above, Grant Thornton reported that they could provide appropriate Overview & Scrutiny training for Members of the Council should it be required. The workshops/training could be provided when Grant Thornton were no longer the Council's appointed external auditors.

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

***AC 49**

CHAIRMAN'S REMARKS

This being the last meeting of the Committee in this Council, the Chairman took the opportunity of thanking both the Members and officers and the external auditors, Grant Thornton, for their commitment to the Committee during the life of the Council.

(The Meeting terminated at 12.45 pm)

At a Meeting of the **COMMUNITY SERVICES COMMITTEE** held at the Council Chamber, Council Offices, Kilworthy Park, Drake Road, **TAVISTOCK** on **TUESDAY** the **3rd** day of **MARCH 2015** at **2.00 pm**.

Present: Cllr K Ball – Vice-Chairman – in the Chair
Cllr M J R Benson Cllr K A Clish-Green
Cllr D Cloke Cllr C Hall
Cllr M E Morse Cllr D E Moyse
Cllr R J Oxborough

Substitutes: Cllr J Moody Cllr T Pearce
Executive Director (Service Delivery & Community)
Natural Environment & Recreation Manager
Committee & Ombudsman Link Officer

In attendance: Cllr A Leech Cllr R Musgrave

CS 19 APOLOGIES FOR ABSENCE

Apologies for absence were received from the Chairman, Cllr R F D Sampson (Substitute Cllr T Pearce) and from Cllr N Morgan (Substitute Cllr J Moody).

CS 20 DECLARATIONS OF INTEREST

Cllr R J Oxborough – Minute No CS 23 – Leisure Centre Contract Monitoring – Personal – Son employed at Meadowlands Leisure Pool.

***CS 21 CONFIRMATION OF MINUTES**

The Minutes of the Meeting held on 20th January 2015, were confirmed and signed by the Vice-Chairman as a correct record.

***CS 22 TAMAR VALLEY AREA OF OUTSTANDING NATURAL BEAUTY (AONB): MEMORANDUM OF AGREEMENT AND RELATED MATTERS**

The Natural Environment & Recreation Manager presented a report (page 6 to the Agenda) seeking the Committee's agreement for the Council to be involved in a comprehensive review of the future delivery options of the AONB activities currently led by the Tamar Valley AONB Partnership to identify preferred delivery options for 2016/2017 onwards.

Funding for the AONB was secured through DEFRA providing a grant covering three quarters of the costs of the service with the remaining quarter being met through the Borough Council and its partner councils South Hams District Council and Cornwall Council. Cornwall Council was the lead and major contributory council and engaged the dedicated AONB staff.

The financial and administrative arrangements for the AONB were set down in a Memorandum of Agreement (MoA) to which each funding partner was a signatory. The current MoA was due to expire during March 2015. In anticipating this DEFRA had indicated that 2014/2015 funding levels would be maintained for 2015/2016 but would give no indication of future funding levels. It was understood that an announcement on future AONB funding would be made after the General Election in May 2015 which would “allow Councils the necessary time and security to plan for 2016/17 and beyond”.

It was **RESOLVED** that:

- (i) a renewed Memorandum of Agreement for the Tamar Valley AONB be entered into for the year 2015/2016 on an assumed standstill budget;
- (ii) the Natural Environment & Recreation Manager be authorised to agree, in consultation with the Chairman and Vice-Chairman of the Community Services Committee, the final wording of the Agreement; and,
- (iii) officers be requested to participate in a structured review of the future options for delivery of the Tamar Valley AONB from 2016/2017 onwards and to report back to the Community Services Committee or its successor Committee on the preferred options.

***CS 23**

LEISURE CENTRE CONTRACT MONITORING

Mr J Smith, the Contact Manager for LiTC and 1Life attended the meeting for this item.

The Natural Environment & Recreation Manager and the Leisure Contracts Officer presented a joint report (page 13 to the Agenda) on the current performance and key issues of the leisure centre management arrangements with Leisure in The Community (LiTC) and 1Life, formally Leisure Connection. The contract was performing very well and within budget both in terms of the management fee and repairs and maintenance.

In respect of Meadowlands, the Committee noted the large increase in positive comments during the period October 2014 to January 2015 and Mr Smith reported that this was the outcome of a new practice at Meadowland of actively seeking engagement with clients and responding to comments received. Some refurbishment had taken place including a complete upgrading of the cafe area and replacement of the current pool side lockers was imminent. The Committee was further advised that during the past week two new primary schools, Mary Tavy and Callington, would be taking up swimming lessons.

In response to a question Mr Smith agreed to discuss with the management of The Wharf the possibility of re-introducing joint swim and film sessions for children during the school holiday periods.

The Committee was very pleased to note that Meadowlands had achieved the highest growth rate for a swim school across all the contracts operated by 1Life during the past year.

In respect of Parklands, usage was increasing across all disciplines and the GP referral scheme was working very well.

It was **RESOLVED** that the report be noted and welcomed.

(The Meeting terminated at 2.45 pm.)

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At a Meeting of the **OVERVIEW & SCRUTINY COMMITTEE** held at the Council Chamber, Council Offices, Kilworthy Park, Drake Road, **TAVISTOCK** on **TUESDAY** the **24th** day of **MARCH 2015** at **2.00 pm**.

Present:

Cllr M V L Ewings - Chairman
Cllr D E Moyse – Vice-Chairman
Cllr L J G Hockridge Cllr J B Moody
Cllr J Sheldon Cllr D Whitcomb

Executive Director (Service Delivery and Commercial Development)
Group Manager Customer First
Community Manager
Development Manager
Legal Specialist
Customer Services Manager
Member Services Manager

Substitute:

Cllr R E Baldwin substituted for Cllr D K A Sellis
Cllr M J R Benson substituted for Cllr C Hall

In Attendance:

Cllr W G Cann OBE and Cllr T G Pearce

***O&S 35 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Cllr A Clish-Green, Cllr C Hall for whom Cllr M J R Benson substituted and from Cllr D K A Sellis for whom Cllr R E Baldwin acted as substitute.

***O&S 36 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 and the following were made:

Cllrs Benson and Sheldon declared a personal interest in Item 7 'Town and Parish (TAP) Fund' (Minute O&S 40 below refers) by virtue of being involved in their respective Link Committees where recommendations relating to TAP fund applications had been made. They remained in the meeting and took part in the debate and vote thereon.

Whilst not specifically declaring an interest, both Cllr Moyse and Cllr Hockridge declared that they were Members of the National Park Authority and that this should be noted in respect of Item 6 'New Homes Bonus Allocation to Dartmoor National Park Authority' (Minute O&S 39 below refers).

***O&S 37 CONFIRMATION OF MINUTES**

The Minutes of the meeting held on 27 January 2015 were agreed and signed by the Chairman as a correct record.

***O&S 38**

ATTENDANCE OF CHIEF EXECUTIVE AND CHAIRMAN OF DEVON HEALTHWATCH

The Chairman introduced Mr Miles Sibley, the Chief Executive of Devon Healthwatch. Mr Sibley went on to give an overview of the activity of Devon Healthwatch and points made included the following:

- Devon Healthwatch was neither a complaints service nor a regulator. It did however obtain feedback, positive and negative, from users of health services on what was and was not working. Whereas complaints tended to be focussed on an individual, Healthwatch was interested in groups of service users;
- Examples were given of reports written by Healthwatch following consultation on elements of services. One such example related to access to care services by public transport. The findings were compiled into a report and would be submitted as a response to the current consultation by Devon County Council on public transport services;
- Future matters for consideration would include the ageing population, support for young people particularly in respect of mental health issues and access to GP surgeries and care services with the increasing number of housing developments;
- In response to questions, the structure of health services was explained in that there was a Health and Wellbeing Board, a Scrutiny Committee at County level, a number of regulators and inspectors who all had a distinct role. Healthwatch was funded by the County Council and worked with a number of delivery partners;
- In response to a question, Mr Sibley confirmed that Healthwatch was publicly funded but politically neutral, both locally and nationally. Their role was to take soundings and not to have specific views. In respect of privatisation, Healthwatch did not have a stance;
- One Member noted that the number of respondents to the surveys carried out by Healthwatch was not large and asked if the reports were representative. In response, Mr Sibley advised that the number of respondents may not seem large, but whilst Devon was large the number of users of health services was much smaller. Regulators needed to ensure statistical validity to their work. Healthwatch was more concerned with authenticity;
- In response to a question, it was confirmed that there were several ways to get in touch with Healthwatch, including freephone, email, website, twitter and via their roadshows.

The Chairman concluded this item by thanking Mr Sibley for his attendance.

***O&S 39**

NEW HOMES BONUS ALLOCATION TO DARTMOOR NATIONAL PARK

The Community Manager presented a report that provided Members with information on the projects being funded by Dartmoor National Park Authority (DNPA) from the New Homes Bonus allocated by the Borough Council and gave Members the opportunity to comment and make suggestions on future allocation and its use.

During discussion, some Members noted their disappointment with the amount set aside for DNPA this year. The Community Manager agreed to circulate detail of how the sum had been arrived at.

It was then **RESOLVED** that:

- a. The projects being funded by Dartmoor National Park Authority from the New Homes Bonus funds allocated by West Devon Borough Council be noted; and
- b. There were no recommendations in relation to future allocations of funds and their use.

***O&S 40 TOWN AND PARISH (TAP) FUND**

The Community Manager presented a report that provided the Committee with information on projects supported through the TAP scheme.

During discussion, some Members raised concerns over the lack of clarity in respect of the criteria for a TAP Fund application. The Community Manager confirmed that the intention was for minimal criteria for the Fund being simply a requirement for collaboration.

Some Members felt it was appropriate for the Fund to be used to replace reduced services, such as employing a lengthsman. Other Members felt the Fund should not be used in this way and should in fact be for other projects.

A number of Members felt the TAP Fund was a success story and the Community Manager confirmed that West Devon Borough Council was one of the better authorities in Devon in respect of spending the available money. This was likely to be as a result of the existing Link Committees which meant a structure was in place within which the TAP Fund recommendations could be assessed.

Finally and in response to a question, the Community Manager confirmed that following an audit, Devon County Council had recommended changes to the procedure so that payments were now made retrospectively, although there was some small element of flexibility built in for exceptional circumstances.

It was then **RESOLVED** that:

- a. The projects benefitting from TAP funding in 2013/14 and 2014/15 be noted; and
- b. No changes to the scheme were recommended.

***O&S 41 UPDATE ON THE PROTOCOL BETWEEN LEGAL AND PLANNING**

The Legal Specialist presented a report that advised Members of the current working practices between Legal Services and Development Management.

During discussion, points made included the following:

- Training for officers was held at both Follaton and Kilworthy and officers from both South Hams and West Devon were able to attend the most convenient session;
- Training for Members relating to the s106 process that had been held at South Hams would be arranged for West Devon Borough Council Members early in the new Council. It would also be important to include the impact of Community Infrastructure Levy (CIL) and whether the authority should adopt this as it would impact on the method of funding projects. Officers were keeping a close eye on any government guidance that may force authorities along this route;
- A number of Members raised the importance of early and thorough training for Planning and Licensing Committee Members following the May elections. The Development Manager confirmed that planning training would be included as part of the Induction process;
- The Legal Specialist confirmed that the presented appendix related to a protocol for planning appeals that went to public enquiry. In other appeals the process would be less demanding. Members requested that the presented appendix be amended to strengthen the first paragraph, and also that a separate protocol be produced for the Judicial Review process, to be agreed by the Chairman and Vice Chairman of Overview and Scrutiny Committee;
- One Member raised an instance of an appeal that had been registered but the local Ward Member had not been notified. The Development Manager confirmed that this should not be the case and he would look into the matter;
- One Member stated that Planning Inspector decisions for dismissal of appeals should be carefully read, as often their wording was thorough and could be used for guidance;
- Members were pleased to note the improved working relationship between the Legal officers and their Planning colleagues.

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

***O&S 42 PERFORMANCE REPORT – PERFORMANCE INDICATORS (Q3 2014/15)**

The Chairman introduced a report that provided Members with information on Key Performance Indicators at the end of quarter 3 for 2014/15. The information was set out with the Balanced Scorecard showing broad performance levels. The Chairman also drew Members attention to the updated Appendix B document circulated at the meeting which was to replace the original Appendix B, which contained incorrect figures.

During discussion, the Customer Services Manager advised that there had been an improvement in the 'call answer time' figures to December, but the last quarter was always their most difficult as there would be calls relating to annual billing of council tax. Currently the calls were busy but still manageable. Temporary staff had been employed and permission

was in place to employ further temporary staff if needed to cope with calls relating to the elections.

The Chairman asked that, as part of their induction, new members of staff should be made aware of the names of Members of West Devon Borough Council and also be given an idea of the geography and parishes of the Borough. The Customer Services Manager advised that switchboard operators did receive training and also had access to the intranet. In future, it was hoped that new technology would identify callers so it would be apparent if an incoming call was from a Member of Council.

The Executive Director advised Members of the timescales for the current phase of T18, how that would impact on staffing levels and measures being taken to mitigate potential staff shortages.

In response to a question, the Customer Services Manager advised that it was possible to monitor and track part completed on-line forms.

Members concluded the discussion relating to 'call answer time' by proposing that response 2 was the most appropriate, that Q4 was expected to show no improvement but that improvement was expected from June 2015 onwards. The Executive Director added that a full report would be presented to the relevant Overview and Scrutiny Committee during September/October in relation to customer services.

The Members then discussed the planning section of the report. The Development Manager clarified the difference between justified and non justified complaints. He also advised that the high staff turnover was not a reflection on West Devon Borough Council and it was not a poor performing authority. Part of the issue related to policy whereby affordable housing contributions were required on a greater number of planning applications. This added to the time taken to determine applications.

One Member asked if there would be a planning officer available at Kilworthy after the introduction of T18. In response, the Executive Director confirmed that there would be planning specialists who would be dedicated officers and that they would be allowed to work agilely. Once T18 had been fully implemented, the ways of working would be customer focussed and planning applications would be handled by case managers so each applicant would have one person to contact. That case manager would be responsible for the processing of the application and that would include contacting the local Ward Member(s). Members may want to discuss the application with a planning specialist. The new ways of working should improve the process and officers would be very keen to hear Members feedback.

One Member raised the importance of being able to speak to applicants, residents and officers on a face to face basis. Another Member added that Members could make an appointment to see planning specialists face to face and discuss matters with them. The Executive Director confirmed

that there was no wish to prevent those contacts from taking place and local knowledge was very important. However the issue was with the internal structure and more effective ways of working had to be explored.

Members concluded this discussion by confirming that response 2 was appropriate and the Group Manager Customer First confirmed that she would present a full report to the relevant Overview and Scrutiny Committee in September/October. She also advised that meetings were taking place to try and address the current shortage of planning officers by approaching neighbouring authorities to assess their capacity to support the Council in the short term.

It was then **RESOLVED** that:

- (i) The Key Performance Indicators for Q3 be noted and actions detailed considered to improve future performance;
- (ii) Members had considered appropriate action for Indicators at 'Red' status for two consecutive quarters and in respect of 'Average call answer time' and 'Percentage of minor applications determined within statutory time frame' Members queried the action response and expressed concerns.

***O&S 43 REGULATION OF INVESTIGATORY POWERS ACT 2000: REPORT ON INSPECTION AND AUTHORISATION**

As a standing item on the agenda, Members noted that there had been no requests to use the powers under RIPA during the last quarter.

(The meeting terminated at 4.10 pm)

At a Meeting of the **PLANNING & LICENSING COMMITTEE** held at the Council Chamber, Council Offices, Kilworthy Park, Drake Road, **TAVISTOCK** on **TUESDAY** the **10th** day of **FEBRUARY 2015** at **10.00 am**.

Present:

Cllr C M Marsh – Chairman
Cllr M J R Benson – Vice-Chairman
Cllr R E Baldwin Cllr W G Cann OBE
Cllr C Hall Cllr L J G Hockridge
Cllr T G Pearce Cllr J Sheldon
Cllr D Whitcomb Cllr D Wilde

Development Manager
Senior Planning Officer (JG)
Planning Officer (NG)
Planning Officer (LD)
Solicitor
Business Support Manager
Member Services Manager

In attendance:

Cllr D W Cloke Cllr M V L Ewings
Cllr A F Leech Cllr R J Oxborough
Cllr P R Sanders

P&L 50 DECLARATIONS OF INTEREST

Cllr L J G Hockridge – Application 01182/2014 – Personal – Ward Member and knows the applicant.

Cllr C M Marsh – Application 01182/2014 – Personal – Knows the applicant

Cllr T G Pearce – Personal – Member of Devon Building Control Partnership

***P&L 51 CONFIRMATION OF MINUTES**

The Minutes of the Meeting held on 13th January 2015 (page 3 to the Agenda), were confirmed and signed by the Chairman as a correct record.

***P&L 52 PLANNING, LISTED BUILDING AND ENFORCEMENT REPORTS**

The Committee considered the applications prepared by the Development Manager (page 10 to the Agenda) and considered also the comments of Town and Parish Councils together with other representations received, which are noted below, and **RESOLVED:**

PLANNING APPLICATION REPORT

Case Officer: Jeremy Guise

Ward: Bridestowe

Ward Member: Cllr L J G Hockridge

Application No: 01182/2014

Agent/Applicant:
EJFP Planning
49 Bannawell Street
Tavistock
PL19 0DP

Applicant:
R Phillips
Bratton Mill
Bratton Clovelly
Devon

Site Address: Land Adjacent To Primrose Cottage, Bratton Clovelly, Devon

Development: Demolition of existing workshop and erection of 3 bed dwelling with associated car parking and garden.

Reason item is being put before Committee

Cllr L J G Hockridge, Ward Member - The Parish Council have raised concerns about highways issues - visibility - and the proposal being out of character. I am concerned about the highways issues. Please bring to Planning & Licensing Committee for decision.

Recommendation: Conditional Consent

Conditions

1. Time limit
2. In accordance with approved plans
3. Material samples
4. Removal of PD
5. Unexpected contamination
6. Details of surface water design
7. Schwegler bat box requirement
8. Access parking and visibility splays to be provided before first use
9. Natural Slate
10. Natural stonework

Key issues for consideration:

- Principle of subdivision to create a separate building plot
- The impact upon the amenities of the existing dwelling
- The adequacy of the residential arrangements for the proposed dwelling
- The design and appearance of the proposed dwelling, including its impact upon the street scene
- The impact of the proposed dwelling upon the amenities of neighbouring residential property
- The adequacy of access arrangements and impact upon the highway network
- The adequacy of measures to offset the impact of the development

Site Description:

Primrose Cottage is located within the village settlement of Bratton Clovelly. It forms part of a ribbon of development that extends to the south west of the village along Chapel Street.

Buildings are located on both sides of Chapel Street, but are more extensive on the western side, where modern houses have been in filled. Beyond Primrose Cottage, there are no separate dwellings on the eastern side of Chapel Street, only the single storey workshop building, that forms the subject of this application, and parking, gardens and outbuildings associated with the dwellings opposite. Primrose Cottage

is orientated south west/north east and extends across the whole depth of its plot. Its garden and many of the windows serving the main habitable rooms face towards the south west and the workshop/application site.

The village of Bratton Clovelly occupies an elevated position within the landscape with open countryside falling away to the south east.

The Proposal:

Permission is sought to demolish the existing single storey workshop and erect a 126sqm dwelling, with associated car parking, on approximately 2/3rds of the garden to the south west. Plans show a large, 126sqm, house comprising entrance hallway, study, WC, living room, kitchen and utility room on the ground floor and three bedrooms – all with en-suite bathrooms on the first floor.

The external appearance of the proposed house is dominated by a slate gabled roof and a chimney on the south east elevation with rendered walls and extensive glazing on the south west elevation. The first floor windows on the northwest elevation that would serve a bedroom and bathroom and face towards Primrose Cottage are shown obscure glazed. Overall the ridge height of the proposed dwelling would, at 7m from ground level, the same as Primrose Cottage.

Consultations:

County Highways Authority
Environmental Health Section
WDBC Drainage Engineer
WDBC Countryside & Special Projects Officer
Bratton Clovelly Parish Council
Representations – 12 representations received

SPEAKERS: Mrs D Pitts – Objector
Mr R Philips – Applicant

It was then moved by the Chairman, seconded by the Vice-Chairman, that the application be granted conditionally and upon being put to the vote, the motion was lost.

The Committee was concerned about the size and massing of the proposal and the design being out of keeping. The Committee also raised concerns in relation to visibility on the highway, however, the Chairman reminded Members that highways matters were not a material issue. Finally, the loss of amenity for Primrose Cottage was noted.

It was then moved and seconded that the application be refused and upon being put to the vote the application was **REFUSED** for the following reasons:

1. Size and proximity to Primrose Cottage was unacceptable
2. Inappropriate design out of keeping for the area
3. Cramped form of development
4. Inadequate parking

PLANNING APPLICATION REPORT

Case Officer: Jeremy Guise

Ward: Tavistock South

Ward Members: Cllr M Ewings; Cllr R Oxborough; Cllr E Sherrell

Application No: 01276/2014

Agent/Applicant:

Mr R Barnes
37 Laura Grove
Paignton
Devon
TQ3 2LP

Applicant:

Stonehaven (Healthcare) Ltd
Mr S Stone
Mardle House
Mardle Way
Buckfastleigh
Devon
TQ11 0NS

Site Address: Chollacott Nursing Home, 61 Whitchurch Road, Tavistock, Devon PL19 9BD

Development: Extension at side and rear to form 10 additional bedrooms with ancillary accommodation and covered car spaces. Extension at side to form manager's office.

Reason item is being put before Committee

Cllr R Oxborough: I would like this application to be considered at Planning for the following reasons:-

- (i) Adverse affect on neighbours' amenity
- (ii) Inadequate car parking
- (iii) Whitchurch Road is hazardous
- (iv) Over development

Recommendation: Grant conditional planning permission

Conditions:

1. Time Limit
2. Approved Plan numbers
3. Unexpected contamination
4. Material samples
5. Details of bat roosting and bird nesting provisions prior to commencement
6. Construction management plan required
7. Drainage assessment and details required

Key issues for consideration:

- The principle of residential extension to the building
- The design and the impact of the proposed extensions upon the appearance of the building
- The impact upon the amenities of neighbouring residential property
- The adequacy of access and parking arrangements

Site Description:

No. 61 Whitchurch Road is a large late Victorian/Edwardian house currently occupied by Chollacott Nursing Home. Originally a double fronted villa style property with a square bay and angled bays; it has been much altered with large extensions

added to the south and east, and a large conservatory structure on the front, in connection with the current use.

The nursing home is accessed from a drive off Whitchurch Road which it shares with number 59 Whitchurch Road and Cholly Folly to the north. Parking is provided for approximately 10 cars, either in an informal area in front of the property or in a parking bay 2/3rds of the way up the drive.

The Proposal:

Planning permission is sought for a part 2 and part 3 storey extension on the north east rear elevation and an extension to the existing front entrance porch to provide a new office space

The proposal would provide:-

- An extended and re-fitted kitchen, laundry, store, WC and bin store and 4 covered car parking spaces at ground floor level; a new sitting room (approx. 41sqm);
- 6 new bedrooms with en-suite bathrooms one with a private terrace, assisted bathroom and WC at first floor level; and
- 4 new bedrooms with en-suite bathrooms at second floor level

These would all be linked by a lift.

Consultations:

County Highways Authority
Environmental Health Section
Tavistock Town Council
WDBC Senior Engineer
WDBC Landscape Officer
WDBC Countryside & Special Projects Officer
Representations – 12 representations received

SPEAKER: Mrs J Williams – Objector

It was then moved by the Chairman, seconded by the Vice-Chairman, that the application be granted conditionally and upon being put to the vote, the motion was lost.

The Committee had a number of concerns relating to this application, and took account of the local Ward Member's experience of issues in connection with access to the property and the lack of suitable parking and the impact that this had on neighbouring residents. There was the further issue of impact on neighbouring properties as a result of the size of the proposal and the resultant overlooking. There were additional concerns about the lack of storage included in the proposal.

It was then moved and seconded that the application be refused and upon being put to the vote the application was **REFUSED** for the following reasons:

1. This proposal was overdevelopment of the site
2. The un-neighbourly impact on neighbouring properties
3. The loss of storage and associated effect of the restricted nature of the site
4. Inadequate car parking on site
5. Impact on properties in Chollacott Close in terms of overlooking, light pollution and loss of planting.

PLANNING APPLICATION REPORT

Case Officer: Mrs Nicola Glanville

Ward: Lew Valley

Ward Member: Cllr J McInnes

Application No: 01194/2014

Applicant:

Mrs A Murphy
Blackberry Stamps
Tregeseal
St Just
Penzance
Cornwall
TR19 7PY

Site Address: 7 Kellands Lane, Okehampton, Devon EX20 1FQ

Development: Householder application for retention of fence measuring 2.6 metres.

Reason item is being put before Committee: Cllr McInnes has called this in on the grounds of visual intrusion.

Recommendation: Conditional approval

Conditions:

1. Strict compliance with the drawings.
2. Details of a paint finish to the fence shall be agreed in writing with the LPA and carried out within 6 months of the date of approval.

Key issues for consideration:

The main issues associated with this scheme are those of residential amenity and material finishes.

Financial Implications:

None.

Site Description:

The site is on a modern housing estate, where housing is in close proximity with small rear gardens. The site is not Listed nor is it within a Conservation Area.

The fence is located between two garages and encloses both properties. 9 Kellands Lane and its garden are at a considerably higher level than No. 7 Kellands Lane and its garden.

The Proposal:

This is an application for the retention of an extension to the top of an existing wooden panelled fence between 7 Kellands Lane and 9 Kellands Lane. When measured on site, the additional fence panel to be retained measures 750mm. The height of the fence at the ground level of 7 Kellands Lane would be 2.6m overall, including the addition.

Consultations:

County Highways Authority
Environmental Health Section
Okehampton Hamlets Parish Council
Representations – 4 representations received

SPEAKER: Mrs A Murphy – Applicant

Conclusion

Overall the materials are in keeping with those already used within the development, although it does raise the fence it does provide additional privacy to both properties due to the change in levels, and does not adversely affect amenity at either property. As such it is considered acceptable.

It was then moved by the Chairman, seconded by the Vice-Chairman, that the application be granted conditionally and upon being put to the vote, the motion was lost.

A number of Members of the Committee did not support this application and felt that it should be refused as a fence of this height would not normally be allowed. Other Members had some sympathy with the applicant in respect of the actions of the developer and felt that the application should be supported.

It was then moved and seconded that the application be refused and upon being put to the vote the application was **REFUSED** for the following reasons:

1. The proposal was visually out of keeping with the area.

PLANNING APPLICATION REPORT

Case Officer: Laura Davies

Ward: Lew Valley

Ward Member: Cllr J McInnes

Application No: 01379/2014

Agent/Applicant:

Mrs A Burden
Luscombe Maye
59 Fore Street
Totnes
Devon
TQ9 5NJ

Applicant:

Mr J Dixon
Lands End Farm
Northlew
Okehampton
Devon
EX20 3PP

Site Address: Barn, Broomhill, Northlew, Okehampton, Devon EX20 3PP

Development: Retention of barn for agricultural use.

Reason item is being put before Committee

This application is to be considered by the Planning and Licensing Committee at the request of Cllr McInnes.

DEFERRED pending site inspection.

Members considered it necessary to visit the site to properly assess the nature of the proposed rebuilding and the reasonableness of the barn in association with the land

holding having regard to the planning history as set out in the planning officer's report.

Key issues for consideration:

- Impact on character and surrounding landscape;
- Impact on neighbouring occupiers.

Site Description:

The application site is located on the west side of the road within the open countryside to the south of Northlew. The application site relates to an existing agricultural building and adjacent hardsurfacing. The barn is located immediately adjacent to the highway and site levels fall away from the highway to the west.

The Proposal:

This application seeks the retention of the existing barn for agricultural purposes. The applicant has confirmed that the barn was in a poor state of repair and works were undertaken to repair it although the Council's Enforcement Officers, further to an investigation, confirmed that the nature of the works were too extensive to be considered as repairs to an existing building. Due to the structural issues with the barn works have been started to secure it prior to this application. This application seeks to retain the barn with the following additions/alterations:

- The addition of new quoins to the southern and northern corners;
- Two door openings to the south western elevation to be replaced with windows;
- Door created to the north-western elevation in place of a previous arrow slit;
- Strengthening of walls with internal concrete blocks;
- Re-siting of wall to north-west elevation 0.45m increase in width to accommodate concrete block structure;
- Removal of existing corrugated roof and replacement with slate roofing.

The barn is intended to be used for shelter for livestock and storage for farm equipment, feed and logs.

Consultations:

County Highways Authority
Northlew Parish Council
Borough Engineer
Ecology Officer
Representations – 2 representations received

***P&L 53 PLANNING APPEALS UPDATE**

APPLICATION No:	00552/2014
APPELLANT:	Mr R Barnett
PROPOSAL:	Revised scheme for extension and alterations to dwelling.
LOCATION:	Little Ground, Lodge Hill, Okehampton, Devon EX20 1JH
APPEAL STATUS:	APPEAL LODGED
APPEAL START DATE:	7-Jan-2015
APPEAL DECISION:	
APPEAL DECISION DATE:	

APPLICATION No: 01128/2014
APPELLANT: Mr A Ranford
PROPOSAL: Householder application for the erection of a garage/workshop.
LOCATION: 6 Devonshire Gardens, North Tawton, Okehampton, Devon EX20 2ES
APPEAL STATUS: **APPEAL LODGED**
APPEAL START DATE: 7-Jan-2015
APPEAL DECISION:
APPEAL DECISION DATE:

APPLICATION No: 01111/2014
APPELLANT: Mr H Bushin
PROPOSAL: Householder application for extensions and alterations to dwelling.
LOCATION: Cornhill, Upcott Hill, Okehampton, Devon EX20 1SQ
APPEAL STATUS: **APPEAL LODGED**
APPEAL START DATE: 8-Jan-2015
APPEAL DECISION:
APPEAL DECISION DATE:

APPLICATION No: 00627/2014
APPELLANT: Mr P Green
PROPOSAL: Prior notification of the Change of Use of agricultural building to dwelling house and associated operational development.
LOCATION: Greenlane Bridge Farm, Sampford Courtenay, Okehampton, Devon EX20 2SA
APPEAL STATUS: **APPEAL DECIDED**
APPEAL START DATE: 2-Sep-2014
APPEAL DECISION: Appeal Dismissed
APPEAL DECISION DATE: 09-Jan-2015

***P&L 54 DELEGATED DECISIONS**
The Committee received and noted the list of delegated decisions (page 41 to the Agenda).

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

The Business Support Manager (EH&H) presented a report (page 53 to the Agenda) seeking the Committee's view on whether to adopt a licensing procedure, including officer delegation, in connection with licensing Horse Drawn Omnibuses, drivers and conductors. An enquiry had been received to provide such a service over a specific route but the Council did not have a by-law or policy to enable such a licence to be considered.

The Committee was requested to make a recommendation to Council to either adopt a procedure for licensing horse drawn omnibuses with an appropriate fee structure or to decline to do so. The report before the Committee showed that consultation had taken place with other

local licensing authorities and with Animal Aid's Horse Consultant who had expressed a willingness to make a presentation to Councillors should the decision made to proceed with adopting a licensing regime.

In coming to a view, the Committee appreciated that this was an in principle decision, and noted that if the principle was approved then each application should be taken to Committee for determination.

It was **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.

(The Meeting terminated at 12.15 pm.)

At a Meeting of the **PLANNING & LICENSING COMMITTEE** held at the Council Chamber, Council Offices, Kilworthy Park, Drake Road, **TAVISTOCK** on **TUESDAY** the **10th** day of **MARCH 2015** at **11.15 am**.

Present:

Cllr C M Marsh – Chairman	
Cllr M J R Benson – Vice-Chairman	
Cllr R E Baldwin	Cllr W G Cann OBE
Cllr C Hall	Cllr L J G Hockridge
Cllr T G Pearce	Cllr J Sheldon
Cllr D Whitcomb	

Development Manager
Principal Planning Officer
Planning Officer (LD)
Planning Officer (JC)
Planning Officer (NG)
Strategic Planning Officer (RB)
Solicitor
Committee & Ombudsman Link Officer

In attendance: Cllr A Leech

P&L 56 APOLOGY FOR ABSENCE

An apology for absence was received from Cllr D Wilde.

P&L 57 DECLARATIONS OF INTEREST

Cllr L J G Hockridge – Application 01399/2014 – Personal – Had discussed the application with the applicant.

Cllr T G Pearce – Personal – Member of Devon Building Control Partnership.

***P&L 58 CONFIRMATION OF MINUTES**

The Minutes of the Meeting held on 10th February 2015 (page 3 to the Agenda), were confirmed and signed by the Chairman as a correct record.

***P&L 59 PLANNING, LISTED BUILDING AND ENFORCEMENT REPORTS**

The Committee considered the applications prepared by the Development Manager (page 14 to the Agenda) and considered also the comments of Town and Parish Councils together with other representations received, which are noted below, and **RESOLVED:**

PLANNING APPLICATION REPORT

Case Officer: Laura Davies

Ward: Lew Valley

Application No: 01379/2014

Agent/Applicant:

Mrs A Burden
Luscombe Maye
59 Fore Street

Applicant:

Mr J Dixon
Lands End Farm
Northlew, Devon

Totnes
Devon TQ9 5NJ

Site Address: Barn, Broomhill, Northlew, Devon,

Development: Retention of barn for agricultural use.

Reason item is being put before Committee

This application is to be considered by the Planning and Licensing Committee at the request of Cllr McInnes.

Recommendation: Conditional Consent

Conditions

1. Development in Accordance with Approved Plans
2. Surface Water Drainage - within 3 months of the date of decision.
3. Protected Species - Prior to works re-starting on site, details of proposed re-provision within the building for bats and barn owls, in accordance with the recommendations set out in the Ecological Survey Report submitted in relation to application 01485/2011 (available on the Council's website) shall be submitted to and approved in writing by the Local Planning Authority. Such provision shall be implemented on site and retained permanently unless otherwise agreed in writing.
4. The application site shall only be used for agricultural purposes, unless otherwise agreed in writing by the Local Planning Authority.

Key issues for consideration:

- Impact on character and surrounding landscape;
- Impact on neighbouring occupiers.

Site Description:

The application site is located on the west side of the road within the open countryside to the south of Northlew. The application site relates to an existing agricultural building and adjacent hard-surfacing. The barn is located immediately adjacent to the highway and site levels fall away from the highway to the west.

The Proposal:

This application seeks the retention of the existing barn for agricultural purposes. The applicant has confirmed that the barn was in a poor state of repair and works were undertaken to repair it although the Council's Enforcement Officers, further to an investigation, confirmed that the nature of the works were too extensive to be considered as repairs to an existing building. Due to the structural issues with the barn works have been started to secure it prior to this application. This application seeks to retain the barn with the following additions/alterations:

- The addition of new quoins to the southern and northern corners;
- Two door openings to the south western elevation to be replaced with windows;
- Door created to the north-western elevation in place of a previous arrow slit;
- Strengthening of walls with internal concrete blocks;
- Re-siting of wall to north-west elevation 0.45m increase in width to accommodate concrete block structure;
- Removal of existing corrugated roof and replacement with slate roofing.

The barn is intended to be used for shelter for livestock and storage for farm equipment, feed and logs.

Consultations:

County Highways Authority
Northlew Parish Council
Borough Engineer
Ecology Officer
Representations – 2 representations received

SPEAKER: Mrs C Hoyte – Agent

The Committee had undertaken a site inspection and had noted that the works so far carried out to barn appeared to be more excessive than generally required to accommodate a small number of sheep and other farming accoutrements. Having listened to the applicant's agent's presentation the Chairman moved that the application be granted as recommended by the case officer: the motion was seconded by the Vice-Chairman but upon being put to the vote the motion was **LOST**.

It was then moved by Cllr Pearce and seconded by Cllr Cann that the application be refused as there had been substantial alteration to the historic barn, including residential style openings. Upon being put to the vote, the application was **REFUSED** for the following reasons:

1. the work undertaken to the barn including a damp proof course, insulated cavity walling and domestic style openings go beyond that reasonably expected for an agricultural building.

PLANNING APPLICATION REPORT

Case Officer: James Clements

Ward: Okehampton West

Ward Members: Cllr M Marsh; Cllr M Morse

Application No: 00977/2014

Agent/Applicant:

Mr S Blakeman
Rose Cottages
North Road
Exbourne
Okehampton
Devon
EX20 3SH

Applicant:

Mrs A Y Martin-Fleming
129 Station Road
Okehampton
Devon
EX20 1EH

Site Address: 129 Station Road, Okehampton, Devon, EX20 1EH

Development: Retrospective application for part change of use of garden to a mixed use of residential garden and holiday use to include the retention of a yurt, a timber building (known as the Bird Box) and ancillary building to provide kitchen and bathroom facilities, construction of decking and associated works.

Reason item is being put before Committee: The application is being called to committee by Cllr Marsh due to concerns regarding overdevelopment of the site.

DEFERRED pending site inspection:

1. Effect on the amenity of adjoining occupiers
2. Relationship of proposal to other development

Key issues for consideration:

Principle of development

Impact upon landscape and area tree preservation order

Residential amenity considerations

Highway considerations

Site Description:

The proposal site is the residential curtilage to no. 129 Station Road, which is a large end of terrace dwelling, located within the built-up part of Okehampton, towards its southern edge, outside of a settlement envelope and adjacent to Okehampton Train station. The site is accessed via a private lane which encircles no.129 Station Road (dividing the dwelling from its garden) and neighbouring properties.

The application site area measures approximately 0.34ha and includes a parking area, a grassed garden area and a wooded area covered by an area tree preservation order.

To the north the site shares a common boundary with Simmons Park, to the east with a residential property called The Coach House, to the south with a vehicular access track/bridleway known as Tramlines Lane and to the west with the host dwelling no.129 Station Road.

To the south of the site there is Okehampton Station (Dartmoor Railway), Okehampton Youth Hostel and Adventure Okehampton.

The Proposal:

Retrospective planning permission is sought for the change of use of part of a residential garden to a tourist accommodation use. The application includes the retention of several structures and reuse of an existing building to be used as camping/holiday accommodation. This includes:

- A yurt measuring approximately 4.9m in diameter and 2.85m in height located approximately 7m from the southern boundary (approximately 21m from the host dwelling no.129 Station Road) on a raised decking area;
- A structure known as the Bird Box constructed with horizontal timber boarding and a steel clad roof, measuring between 3.1 & 6m in height located within trees on the eastern side of the application site (approximately 27m from The Coach House) on raised decking;
- Change of use of existing building to ancillary toilet/washroom building;
- Parking area to the west of the garden area.

Consultations:

County Highways Authority

Environmental Health Section

9. Submission of Waste Audit Statement
10. Adherence to plans
11. Adherence to Flood Risk Assessment (FRA)
12. Noise condition
13. Contaminated land condition
14. Foul and surface water drainage condition
15. Archaeology condition
16. Landscape condition
17. 10% Renewable energy on-site or reduction in energy use over and above Building regulations.
18. Provision of ducting for high speed broadband
19. Retail area maximum of 250m²
20. Retail unit to be a neighbourhood retail use/convenience goods

Key issues for consideration:

Financial Implications (Potential New Homes Bonus for major applications):

It is estimated that this development has the potential to attract New Homes Bonus of £397,533 per annum, payable for a period of 6 years.

Members are advised that this is provided on an information basis only and is not a material planning consideration in the determination of this application.

Site Description:

The site forms part of a larger site allocated in the Council's adopted Core Strategy 2011. The application site is identified as parcel 2 of SP22a in the East of Okehampton Masterplan (here on in referred to as The Masterplan). It comprises approximately 14.7 hectares in size. It is mainly in agricultural use for grazing and is bordered to the east by the dense woodland of the Stockley Valley, to the north and east by Chichacott Lane and to the south by Crediton Road.

There are various constraints within and around this site, these include heritage and archaeological assets; to the west of Parcel 2 on the boundary of Chichacott Road is a Roman Fort, which is protected as a Scheduled Ancient Monument (SAM). This is a nationally significant asset. Some evidence of the fort is still available on the ground and as such the visual setting of this important heritage feature will be an important consideration in the layout of new development.

The Environment Agency has identified a flood zone through the Stockley Valley. This is classified as flood zone 3, which is considered to be at high risk of flooding. As such, residential development in this area is considered to be 'more vulnerable' and should not be located here. It is therefore proposed that no development takes place within the identified flood zone. There is also a minor watercourse in the northern part of the parcel. The watercourses and the woodlands which surround them are important habitats for local biodiversity.

The Stockley Valley forms a dense area of woodland and runs along the eastern boundary of Parcel 2. Lowland mixed deciduous woodland is present here. There is also a network of locally distinctive hedgerows present on this parcel. Parcel 2 can be viewed from the northern boundary of the Dartmoor National Park and in views towards Dartmoor. However, this area of land is relatively low lying and relates both physically and visually with surrounding built up development.

The Proposal:

Up to 375 new residential units, a 250m2 neighbourhood retail unit and a new primary school and accompanying Section 106 package:

- Phasing – this will deliver the roundabout to the link road at the completion of a certain number of units
- Suds management and maintenance
- Landscape and ecology management and maintenance
- POS provision and maintenance
- Market housing mix
- Affordable housing including phasing, mix and tenure
- Access arrangement to land for DCC to deliver link road
- Clawback agreement – allows for revisiting the viability of the scheme in order to ‘top up’ the section 106 contributions (and take off-site affordable housing monies) to a maximum of the full amount currently required IF the scheme is more viable at this future time. The viability will first be revisited in this way at the commencement of construction of the 150th unit and then twice more following this throughout the build.

Section 106 monies.

There is a general Section 106 ‘pot’ of £5,820,614, plus an additional £332,500 resulting from the primary school site development.

These monies are recommended to be divided as follows based upon the aspirations of the community, the Masterplan, the prioritisation of infrastructure within the Infrastructure Delivery Plan and with input from the local ward members.

There are not sufficient funds available to provide all the contributions and infrastructure required. As such the Section 106 package recommended is as follows:

- Offsite highway contribution towards delivery of the link road and town centre access road (this amount is adequate to either deliver the entire of the remainder of the link road, or a proportion of the link road and the town centre access road) It is on a per dwelling basis of £4,140 per dwelling
- £5,000 to DCC for a traffic regulation order to alter the extent of the 30mph areas around the site
- Education contribution – primary and secondary including a contribution towards the purchase of a site to provide a new primary school (2 bed plus, market units only to make this contribution):
Primary - £4,032 per 2 bed+ market dwelling
Secondary - £2,736 per 2 bed+ market dwelling (after the 67th unit)
- Sport pitches and recreation minimum £50,000, maximum £503,700 (amount to be dictated by monies remaining following education contribution which is dependent upon number and type of units built)
- Affordable Housing on site 6% - minimum 80% rented, 20% other intermediate housing.

Consultations:

Okehampton Hamlets Parish Council
Okehampton Town Council
Environmental Health Section

Affordable Housing Officer
Countryside Officer
Open Space Sport and Recreation officer
Landscape Officer
Development Engineer
Environment Agency
Dartmoor National Park
RSPB
English Heritage
Highways Agency
Police Architectural Liaison Officer
DCC Archaeology
South West Water
Natural England
DCC Highways
DCC Education
Representations: 3 representations received

Conclusion

Having regard to all of the policy considerations listed and the requirements established in the Masterplan, it is considered that there are merits to the proposal in terms of the strategic allocation set out in Core Strategy Policy SP22.

Whilst it is unfortunate that the development is not able, at this point in time, to deliver/contribute to all the infrastructure requirements requested, it is able to provide adequate monies to offset the majority of the education contribution required and enough money to deliver the link road, in combination with delivering the roundabout in kind. Similarly there is some affordable housing being delivered and an amount towards pitch provision which would aid in the upgrade of current pitches or similar.

Although in outline only, the proposal allows for many of the aspirations of the site such as protection of the Roman road and building remains on site, POS onsite, the northern end of the link road and the provision of a site for a 420 place Primary School and up to 375 homes which will help to boost the Council's five year housing land supply. The scheme is also found to be acceptable in relation to highway safety, landscape, drainage and ecology.

Overall then although the scheme is providing a very low percentage of affordable housing and the S106 contributions are below that required to fulfil all those requested, the scheme is considered to be providing all that it can in the current development economics climate. With a safeguard of a claw-back built into the S106 it is considered overall to be an appropriate scheme for this site.

The Committee expressed its disquiet over the low percentage of affordable housing agreed with the Council's Affordable Housing Officer but understood the reasoning for this.

PLANNING APPLICATION REPORT

Case Officer: James Clements

Ward: Thrushel

Ward Member: Cllr D Horn

Application No: 01399/2014

Agent/Applicant:

Mr P Wonnacott
Rodds Bridge Farm
Bude
Cornwall
EX23 0LS

Applicant:

Mr & Mrs Robbins
Nethercott
Welltown Farm
Polson Bridge
Launceston
Cornwall
PL15 9QU

Site Address: Nethercott, Welltown Farm, Polson Bridge, Launceston, Cornwall PL15 9QU

Development: Householder application for erection of single storey extension to south west elevation.

Reason item is being put before Committee: Called to Committee by Cllr Horn – ‘The reason being that it had Parish Council support, all reasonable attempts had been made to conform to policy plus the need of the Applicant on Health and Wellbeing grounds’.

REFUSED for the following reasons:

1. The proposed extension, by reason of its design, scale, massing and siting, is considered to unacceptably harm the character of the existing barn conversion which is considered to be a non-designated heritage asset. As such the proposed extension is considered to be contrary to policies SP1 and SP20 of the West Devon Borough Council Core Strategy 2011, policy H40 of the West Devon Borough Council Local Plan Review (as amended 2011), the Re-use of Rural Buildings SPD and the National Planning Policy Framework.

Key issues for consideration:

- Impact upon the character, appearance and significance of the converted barn

Site Description:

Nethercott, Launceston is an impressive detached, stone built bank-barn conversion with a natural slate roof and timber windows and doors. The barn was most likely constructed in the first half of 19th century and is considered to be a non-designated heritage asset. The barn was converted under planning reference no. 0967/2000/TAV. It is considered to be a high quality conversion that successfully retains the character of this traditional bank barn.

The proposal site is to the east of Launceston, Cornwall, in open countryside. Views from the site are mainly open countryside, with agriculture providing a predominant use of the land in the wider area.

The Proposal:

This application proposes the erection of a single storey extension at first floor level to the south-western side elevation of the property.

The proposed extension would be constructed at first floor adjacent to the main entrance door (at first floor) that serves the kitchen. It would extend 3.0 metres out from the property, 3.9 metres in depth, 2.2m to eaves height and 3.15m to ridge height. The porch would be constructed with a stone dwarf wall, a natural slate roof and stained hardwood timber windows and door. Both the eaves and the roof ridge of the proposal fall short of the existing roof eaves and ridge. A half hip roof is proposed to match the roof of the barn.

Consultations:

County Highways Authority
Environmental Health Section
Lifton Parish Council
Representations – 1 representation received

SPEAKER: Mr C Robbins – Applicant

PLANNING APPLICATION REPORT

Case Officer: Mrs Nicola Glanville

Ward: Drewsteignton

Ward Member: Cllr P Ridgers

Application No: 01422/2014

Applicant:

Mr I Wheeler
High Wynds
Martin Farm
Whiddon Down
Okehampton
Devon
EX20 2QL

Site Address: Martin Farm, Whiddon Down, Okehampton, Devon, EX20 2QL

Development: Householder retrospective application for the erection of a shed for the storage and repair of classical motor vehicles (hobby use).

Reason item is being put before Committee – This application has been called to Committee by Cllr Ridgers for the following reason:

‘This application is brought to committee having regard to the local concerns in respect of the size of the building and its potential for business use.’

GRANTED subject to the following conditions:

1. Strict compliance with the drawings
2. Non-commercial use only/ancillary to the dwellinghouse known as High Wynds
3. Boundary condition to retain trees along boundary marked in blue on approved plans.

Key issues for consideration:

- The main planning considerations are siting, design and appearance and amenity of neighbouring occupiers
- Noise

Site Description:

The proposal site is 230m north of a highway and is accessed by private track, with multiple users. The building is located to the left of the track, with in the garden belonging to High Wynds, a domestic residence. The building is situated at the end of the garden, to the south west of the dwelling.

To the south of the site is Dartmoor View Holiday Park, which is a static caravan park and to the north and west are open fields. On the other side of the access track, to the east of the site is another private dwellinghouse, known as New House.

The site is approximately 300m from the settlement of Whiddon Down, 3.5km from South Zeal and 9km from Okehampton. The site is not Listed, nor is it within a Conservation Area.

The Proposal:

The building subject to this application is a timber framed vertically clad, green building. The roof is constructed of Cladco 34/100 rib roof sheets. The building has double width, timber barn doors and a single door in UPVC. The barn measures 11.43m x 8.83m, with an eaves height of 4m.

The applicant collects and renovates classic cars as a hobby. The garage is used to store and renovate these cars.

Consultations:

County Highways Authority
Environmental Health Section
Drewsteignton Parish Council
Representations – None received

SPEAKER: Mr I Wheeler – Applicant

Conclusion:

Given the assessment above the development is considered acceptable in Planning terms and the Officer's recommendation is to Approve with conditions.

***P&L 60 PLANNING APPEALS UPDATE**

APPLICATION No:	01112/2014
APPELLANT:	Mrs C Langley
PROPOSAL:	Retrospective planning permission for change of use of shop to one bed flat.

LOCATION: The Shop, 22 Bridge Street, Hatherleigh, Okehampton, Devon EX20 3HY
APPEAL STATUS: **APPEAL LODGED**
APPEAL START DATE: 30-Jan-2015
APPEAL DECISION:
APPEAL DECISION DATE:

APPLICATION No: **00552/2014**
APPELLANT: Mr R Barnett
PROPOSAL: Revised scheme for extension and alterations to dwelling

LOCATION: Little Ground, Lodge Hill, Okehampton, Devon EX20 1JH

APPEAL STATUS: **APPEAL DECIDED**
APPEAL START DATE: 7-Jan-2015
APPEAL DECISION: Appeal Dismissed
APPEAL DECISION DATE: 05-Feb-2015

APPLICATION No: **01128/2014**
APPELLANT: Mr A Ranford
PROPOSAL: Householder application for the erection of a garage/workshop

LOCATION: 6 Devonshire Gardens, North Tawton, Okehampton, Devon EX20 2ES

APPEAL STATUS: **APPEAL DECIDED**
APPEAL START DATE: 7-Jan-2015
APPEAL DECISION: Appeal Dismissed
APPEAL DECISION DATE: 05-Feb-2015

APPLICATION No: **01111/2014**
APPELLANT: Mr H Bushin
PROPOSAL: Householder application for extensions and alterations to dwelling.

LOCATION: Cornhill, Upcott Hill, Okehampton, Devon EX20 1SQ

APPEAL STATUS: **APPEAL DECIDED**
APPEAL START DATE: 8-Jan-2015
APPEAL DECISION: Appeal allowed with Conditions
APPEAL DECISION DATE: 06-Feb-2015

APPLICATION No: **00860/2014**
APPELLANT: Mr S Barnett
PROPOSAL: Retention of dwelling – revised scheme to 01885/2011 (retrospective)

LOCATION: Laurel Cottage, Kilworthy Hill, Tavistock, Devon PL19 0EP

APPEAL STATUS: **APPEAL LODGED**
APPEAL START DATE: 10-Feb-2015
APPEAL DECISION:
APPEAL DECISION DATE:

APPLICATION No: 00498/2014
APPELLANT: Mr R Jones
PROPOSAL: Removal of condition 14 restricting the use of the stables to non-commercial purposes on planning permission 3260/2002
LOCATION: Stables, Week, Brentor, Tavistock, Devon
APPEAL STATUS: **APPEAL DECIDED**
APPEAL START DATE: 18-Nov-2014
APPEAL DECISION: Appeal Allowed with Conditions
APPEAL DECISION DATE: 11-Feb-2015

APPLICATION No: 00497/2014
APPELLANT: Mr R Jones
PROPOSAL: Removal of condition 1 restricting occupation to holiday let of APP/Q1153/A/08/2071702 to allow full time residential occupation.
LOCATION: The Coach House, Week, Brentor, Tavistock, Devon PL19 0NL
APPEAL STATUS: **APPEAL DECIDED**
APPEAL START DATE: 18-Nov-2014
APPEAL DECISION: Appeal Allowed with Conditions
APPEAL DECISION DATE: 11-Feb-2015

APPLICATION No: 00635/2014
APPELLANT: Mr J Dennis
PROPOSAL: Erection of 1 turbine (estimated output of 900kw) with 50m hub height, 77m tip height and associated infrastructure
LOCATION: Heane Farm, Runnon Moor Lane, Hatherleigh, Okehampton, Devon EX20 3PL
APPEAL STATUS: **APPEAL LODGED**
APPEAL START DATE: 13-Feb-2015
APPEAL DECISION:
APPEAL DECISION DATE:

APPLICATION No: 00843/2014
APPELLANT: Mr M Williamson
PROPOSAL: Erection of 4 flats and associated car parking
LOCATION: The Poplars, Westfield Industrial Estate, Tavistock, Devon
APPEAL STATUS: **APPEAL DECIDED**
APPEAL START DATE: 26-Nov-2014
APPEAL DECISION: Appeal Dismissed
APPEAL DECISION DATE: 19-Feb-2015

***P&L 61 DELEGATED DECISIONS**
The Committee received and noted the list of delegated decisions (page 63 to the Agenda).

(The Meeting terminated at 1.50 pm.)

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At a Meeting of the **PLANNING & LICENSING COMMITTEE** held at the Council Chamber, Council Offices, Kilworthy Park, Drake Road, **TAVISTOCK** on **TUESDAY** the 7th day of **APRIL 2015** at **10.00 am**.

Present:
Cllr C M Marsh – Chairman
Cllr M J R Benson – Vice-Chairman
Cllr R E Baldwin
Cllr L J G Hockridge
Cllr J Sheldon
Cllr D Wilde
Cllr C Hall
Cllr T G Pearce
Cllr D Whitcomb

Substitute: Cllr A Leech

Development Manager
Planning Team Leader
Planning Officer (JC)
Solicitor (DH)
Committee & Ombudsman Link Officer

In attendance: Cllr D Cloke

P&L 62 APOLOGY FOR ABSENCE

An apology for absence was received from Cllr W G Cann OBE (Substitute: Cllr A Leech).

P&L 63 DECLARATION OF INTEREST

Cllr R E Baldwin – Application 00107/2015 – Personal – Ward Member

Cllr A Leech – Application 00977/2014 – Personal – Chairman of Okehampton Town Council's Planning Committee

Cllr T G Pearce – Personal – Member of Devon Building Control Partnership.

***P&L 64 CONFIRMATION OF MINUTES**

The Minutes of the Meeting held on 10th March 2015 (page 3 to the Agenda), were confirmed and signed by the Chairman as a correct record.

***P&L 65 PLANNING, LISTED BUILDING AND ENFORCEMENT REPORTS**

The Committee considered the applications prepared by the Development Manager (page 17 to the Agenda) and considered also the comments of Town and Parish Councils together with other representations received, which are noted below, and **RESOLVED:**

PLANNING APPLICATION REPORT

Case Officer: James Clements

Ward: Okehampton West

Ward Members: Cllr C M Marsh; Cllr M Morse

Application No: 00977/2014

Agent/Applicant:

Mr S Blakeman
Rose Cottages
North Road
Exbourne
Okehampton
Devon EX20 3SH

Applicant:

Mrs A Y Martin-Fleming
129 Station Road
Okehampton
Devon
EX20 1EH

Site Address: 129 Station Road, Okehampton, Devon, EX20 1EH

Development: Retrospective application for part change of use of garden to a mixed use of residential garden and holiday use to include the retention of a yurt, a timber building (known as the Bird Box) and ancillary building to provide kitchen and bathroom facilities, construction of decking and associated works.

Reason item is being put before Committee: The application is being called to committee by Cllr Marsh due to concerns regarding overdevelopment of the site.

GRANTED subject to the following conditions:

1. Standard time condition
2. Permission to be in accordance with submitted plans
3. Scheme of landscaping
4. Removal of permitted development rights (Part 4 Class B)
5. No external lighting
6. Use to be related to No.129 Station Road
7. Yurt canvas sheeting to be professionally cleaned annually
8. Holiday accommodation only

Key issues for consideration:

Principle of development
Impact upon landscape and area tree preservation order
Residential amenity considerations
Highway considerations

Site Description:

The proposal site is the residential curtilage to No. 129 Station Road, which is a large end of terrace dwelling, located within the built-up part of Okehampton, towards its southern edge, outside of a settlement envelope and adjacent to Okehampton Train station. The site is accessed via a private lane which encircles no.129 Station Road (dividing the dwelling from its garden) and neighbouring properties.

The application site area measures approximately 0.34ha and includes a parking area, a grassed garden area and a wooded area covered by an area tree preservation order.

To the north the site shares a common boundary with Simmons Park, to the east with a residential property called The Coach House, to the south with a vehicular access track/bridleway known as Tramlines Lane and to the west with the host dwelling No.129 Station Road.

To the south of the site there is Okehampton Station (Dartmoor Railway), Okehampton Youth Hostel and Adventure Okehampton.

The Proposal:

Retrospective planning permission is sought for the change of use of part of a residential garden to a tourist accommodation use. The application includes the retention of several structures and reuse of an existing building to be used as camping/holiday accommodation. This includes:

- A yurt measuring approximately 4.9m in diameter and 2.85m in height located approximately 7m from the southern boundary (approximately 21m from the host dwelling No.129 Station Road) on a raised decking area;
- A structure known as the Bird Box constructed with horizontal timber boarding and a steel clad roof, measuring between 3.1 & 6m in height located within trees on the eastern side of the application site (approximately 27m from The Coach House) on raised decking;
- Change of use of existing building to ancillary toilet/washroom building;
- Parking area to the west of the garden area.

Consultations:

County Highways Authority
Environmental Health Section
Okehampton Town Council
South West Water

Ecologist

Representations: 6 representations received

SPEAKER: Mr T Thompson – Objector

During the discussion prior to making a decision two Members expressed their concern about building control and health & safety issues, however, the Development Manager advised that these issues were outside the remit of the Planning & Licensing Committee's powers and only the planning issues need to be considered.

PLANNING APPLICATION REPORT

Case Officer: Mark Wadsworth

Ward: Milton Ford

Ward Member: Cllr R Baldwin

Application No: 00107/2015

Agent/Applicant:

Trewin Design Partnership
1 Stanhope Square
Holsworthy
Devon
EX22 6DR

Applicant:

Mr & Mrs Weymouth
1 Cannon Barn Cottages
Lewdown
Devon
EX20 4BT

Site Address:

Land Adjacent To Cannon Barn Cottages, Lewdown, Devon EX20 4BT

Development:

Erection of single dwelling to include Podiatry Clinic, parking and amenity space.

Reason item is being put before Committee

Whilst recognising the need to control new development outside Lewdown settlement boundary along the former A30; the proposal does relate to the erection of a 'live-work' unit to accommodate the applicant's business. It is considered the committee should consider this planning balance.

REFUSED for the following reasons:

1. Planning consent is sought for residential development on an unallocated Greenfield site. If permitted this would result in a new isolated home in the open countryside where no special circumstances have been forwarded by the applicant to justify the proposal, and so the proposal does not satisfy the aims of paragraph 55 of the NPPF, Policy 31 of the WDBC Local Plan Review and Strategic Policy 5 of the Core Strategy.
2. Outside of the defined settlement limits of Lewdown there is significant sporadic development alongside the old A30, particularly along the northern side of the road, immediately to the west of the village. There are concerns that development on the application site will set a precedent for the development of other gap sites along the old A30 which would be difficult to resist and would consolidate ribbon development alongside the old A30 to the detriment of the open character and appearance of the area. As such the proposed new dwelling would detract from the open character of the landscape contrary to Policy NE10 of the WDBC Local Plan Review and SP17 of the LDF Core Strategy.

Key issues for consideration:

- Principle of development
- Pattern of development
- Design
- Neighbour Amenity
- Highways/Access
- Affordable Housing Contribution
- Drainage

Site Description:

The site is located on the north side of the old A30 highway to the west of village of Lewdown, outside the village settlement boundary. The old A30 was built at an elevated grade, which falls away to the north. The boundaries of the site are delineated by Devon Hedgerows along the northern, western and southern boundaries of the site. There is an existing vehicular access onto the site whilst alongside the highway is a metalled footpath and wide grass verge. The site is currently in use as private garden associated with the nearby 1 Cannon Barn Cottages. It should be noted that the use of the site as domestic garden is not authorised. It will be necessary to submit a Certificate of Lawful Existing Use (CLUED) application to determine whether the use of the site as domestic garden is lawful.

The Proposal:

The proposal is to construct a two-storey, three-bedroom dwelling on the site. To the side of the property would be built a single-storey, flat-roof extension which would

accommodate the applicant's podiatry business. As the site steps down from the old A30 only the first floor and pitched roof of the building would be readily visible from the highway. The new dwelling would be constructed using natural stone, slate, timber and aluminium windows and doors. Vehicles will be able to gain access into the site via the existing field access. The intention is to retain the existing hedgerows along the boundaries of the site.

Consultations:

County Highways Authority
Environmental Health Section
Borough Engineer
Lewdown Grouped Parish Council
Countryside Officer
Representations: 4 representations received

SPEAKER: Mr J Trewin – Agent

PLANNING APPLICATION REPORT

Case Officer: James Clements

Ward: Exbourne

Ward Member: Cllr T Hill

Application No: 01471/2014

Agent/Applicant:

Ford Gilpin Riley
Mr A Saunders
4 Baring Crescent
Exeter
EX1 1TL

Applicant:

Mrs A Collier
Shapwick Grange
Uplyme
Lyme Regis
DT7 3SP

Site Address: Upcott Farm, Broadwoodkelly, Winkleigh, EX19 8DY

Development: The part conversion and rebuilding of an existing farm house to provide two new dwellings and the part retention/part rebuilding of an existing dwelling, including the enlargement of residential curtilages to provide rear garden areas together with associated car parking and vehicular/external areas.

Reason item is being put before Committee

The proposed two new dwellings in the open countryside, constitutes a departure from the development plan.

GRANTED subject to the following conditions:

1. Standard time limit
2. In accordance with submitted plans
3. Details/samples of materials
4. Details/drawings of architectural detailing (windows, cills, chimneys etc)
5. Detailed structural survey
6. Retention of the bee boles unless otherwise agreed in writing by the Local Planning Authority
7. Removal of PD rights (A-H)
8. Removal of PD Rights (fences/walls)
9. Details of boundary treatment

10. Landscaping scheme including Devon hedgebank
11. New stonework to match existing
12. Surface and foul drainage
13. Details of permanent and inbuilt provisions for bats, Barn Owls and other bird species
14. A timing condition to avoid any disturbance of bats and nesting birds
15. Removal of modern agricultural buildings prior to commencement
16. A full scheme of repair to be submitted to and approved in writing by the Local Planning Authority
17. Occupational condition

Key issues for consideration:

Principle of development

Impact upon the non-designated heritage asset

Design and landscape considerations

Financial Implications (Potential New Homes Bonus for major applications):

None

Site Description:

Upcott Farm is an isolated farmstead located 1.2km to the north east of Broadwoodkelly and 1.2km to the south west of Winkleigh. The farm is accessed from an unclassified road to the east of the property by a track approximately 150m in length. The farmstead includes a dilapidated farmhouse and a number of traditional and modern barns. The buildings are located on an elevated piece of land with views of Dartmoor to the south. The farm house can be viewed from the highway to the south east of the property.

Upcott Farm house is a 2-storey building constructed in cob, render and stone with a natural slate roof. It is evident from the building's character and appearance that it was at some point in its history a terrace of three residential properties. Overall the building is in a poor condition with structural concerns identified in a structural appraisal submitted with the application. The only part of the building which has an existing residential use is the western part of the terrace (cottage 1).

Cottage 1:

This is the oldest part of the building constructed in cob and render and originally dates from the late 15th century or first half of the 16th century and retains a number of beams at ground floor ceiling height including a substantial chamfered beam (with simple stop to the chamfer) and a fire place. The building would have originally been 1½ storey with a thatched roof and it is likely that it has been raised on two separate occasions (possibly 17 & 19th centuries). This part of the building was used as a dwelling until approximately 12 months ago.

Cottage 2:

The middle terrace is also constructed in cob and dates from the 17th or 18th century. It has been used for residential storage related to cottage 1 but has not been used as an independent dwelling in living memory. Cottage 2 has three bee boles (a cavity or alcove in a wall where a bee skep is placed) in its southern elevation, constructed in lime plaster set within the cob wall. This feature is unusual and has archaeological interest.

Cottage 3:

The eastern end of the building (cottage 3) was constructed in the late Georgian/Victorian period. Its roof and upper floor collapsed in the past few years. Cottages 2 & 3 have a relatively modern two-storey rear extension. Cottage 3 also has a stone built two-storey extension built in the 19th century.

The farmstead also has a number of traditional and modern outbuildings closely related to the farm house. They include a single storey barn built in stone and cob attached to cottage 1, three stone barns, an open fronted timber barn and two modern steel portal framed agricultural buildings. The application redline does not include two stone barns or modern agricultural structures to the south west of the farm house.

The Proposal:

Planning permission is sought for the part conversion and rebuilding of an existing farm house to provide two new dwellings and the part retention/part rebuilding of an existing dwelling.

The proposal also includes the enlargement of existing gardens to the rear of the farm house to be enclosed by a traditional Devon hedgebank. A turning area and 6 parking spaces would be provided to the south of the farm house adjacent to the access track.

The two-storey rear extensions and would be removed to be replaced with smaller lean-to rear extensions.

An existing cob/stone barn attached to the western gable of the building would be demolished. A timber barn to the south east of the farm house would be demolished to create a parking area for the dwellings. A small stone barn would be retained adjacent to cottage 1 for use as a log store. Two stone barns located approximately 20-30m to the south west of the terrace would continue to be used for agricultural purposes. The two modern agricultural buildings would be removed before development commences.

Consultations:

County Highways Authority
Environmental Health Section
Broadwoodkelly Parish Council
Ecologist
Drainage Officer
Devon County Highways
Conservation Officer
Landscape Officer
Representations: none received

***P&L 66 PLANNING APPEALS UPDATE**

APPLICATION No:	00240/2014
APPELLANT:	RM Builders
PROPOSAL:	Erection of dwelling

LOCATION: Land adjacent to 16 Buddle Close, Tavistock, Devon
APPEAL STATUS: **APPEAL DECIDED**
APPEAL LODGED
APPEAL START DATE: 2-Jun-2014
APPEAL DECISION: Appeal Dismissed
APPEAL DECISION DATE: 24-Feb-2015

APPLICATION No: **00482/2014**
APPELLANT: Notemachine
PROPOSAL: Retrospective advertisement application for ATM surround and fascia.

LOCATION: Martin the Newsagent Ltd, 8 – 9 Fore Street, Okehampton, Devon EX20 1AN

APPEAL STATUS: **APPEAL DECIDED**
APPEAL LODGED
APPEAL START DATE: 29-Jul-2014
APPEAL DECISION: Appeal Split Decision
APPEAL DECISION DATE: 16-Mar-2015

APPLICATION No: **00481/2014**
APPELLANT: Notemachine
PROPOSAL: Retrospective advertisement application for ATM surround and fascia.

LOCATION: Martin the Newsagent Ltd, 8 – 9 Fore Street, Okehampton, Devon EX20 1AN

APPEAL STATUS: **APPEAL DECIDED**
APPEAL LODGED
APPEAL START DATE: 29-Jul-2014
APPEAL DECISION: Appeal Allowed
APPEAL DECISION DATE: 16-Mar-2015

***P&L 67 DELEGATED DECISIONS**
The Committee received and noted the list of delegated decisions (page 39 to the Agenda).

***P&L 68 CHAIRMAN'S REMARKS**
This being the Committee's last Meeting the Chairman took the opportunity to thank both the Members and the Officers for their commitment, hard work and support during the past four years of the Council and wished all well for the future.

(The Meeting terminated at 11.07 am.)

At a Meeting of the **STANDARDS COMMITTEE** held at the Council Chamber, Council Offices, Kilworthy Park, Drake Road, **TAVISTOCK** on **TUESDAY** the **17th** day of **MARCH 2015** at **10.00 am**.

Present:
Cllr A F Leech – Chairman
Cllr J Sheldon – Vice-Chairman
Cllr S C Bailey Cllr R E Baldwin
Cllr M V L Ewings Cllr J R McInnes
Cllr C R Musgrave

Principal Solicitor & Deputy Monitoring Officer
Committee & Ombudsman Link Officer

SC 5 APOLOGY FOR ABSENCE

An apology for absence was received from Cllr J Moody.

***SC6 CONFIRMATION OF MINUTES**

The Minutes of the Meeting held on 2nd December 2014, were confirmed and signed by the Chairman as a correct record.

***SC 7 REQUEST TO GRANT GENERAL DISPENSATIONS**

The Monitoring Officer presented a report (page 5 to the Agenda) requesting the Committee to grant a General Dispensation to all Members of the Council for the next Council term.

In September 2012, this Committee granted a general dispensation to all Members of the Borough Council to speak and to vote on matters where they would otherwise have a Disclosable Pecuniary Interest. This general dispensation would expire in May 2015. Further, in December 2014, this Committee also granted a general dispensation to all dual-hatted Members of the Borough Council until May 2015, to speak and to vote on matters where they were a member of another local authority and in receipt of a Members' Allowance.

General Dispensations could be granted for up to 4 years and those granted by this Committee referenced above would expire May 2015 i.e. the end of the current Council term.

It was **RESOLVED** that:

- (i) a Dispensation be granted to all dual-hatted Members of West Devon Borough Council to speak and to vote on matters where they are members of another local authority and in receipt of a Members' Allowance, from the Annual Meeting in May 2015 until the Annual Meeting in May 2019; and,
- (ii) a General Dispensation be granted as set out below to all Members of the Borough Council from the Annual Meeting in May 2015 to the Annual Meeting in May 2019:
 - (a) Housing – where the Councillor (or spouse or partner) holds a tenancy or lease with the Council as long as the matter does not relate to the Councillors particular tenancy or lease;

- (b) Statutory sick pay – if a Councillor receives this or is entitled to receive it;
- (c) An Allowance, travelling expense, payment or indemnity for Councillors;
- (d) Any ceremonial honour given to Members; and,
- (e) Setting the Council Tax or a precept.

(The Meeting terminated at 10.25 am.)

Agenda Item 17

Members of the Bodies of the Council for 2015/16

A. Audit Committee

Cllr M Davies
Cllr N Jory
Cllr J B Moody
Cllr B Stephens
Cllr L Watts

Substitutes:

Cllr W G Cann OBE
Cllr D K A Sellis
Cllr J Sheldon
Cllr J Yelland

B. Dartmoor National Park

Cllr L J G Hockridge
Cllr D E Moyse

C. Hub Committee

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

D. Overview and Scrutiny (Internal)

Cllr M Davies
Cllr C Edmonds
Cllr J Evans
Cllr L J G Hockridge
Cllr P Kimber
Cllr J McInnes
Cllr C Mott
Cllr D Moyse
Cllr C R Musgrave
Cllr D K A Sellis
Cllr J Yelland

E. Overview and Scrutiny (External)

Cllr K Ball
Cllr R Cheadle
Cllr D W Cloke
Cllr N Jory
Cllr A F Leech
Cllr T G Pearce
Cllr P J Ridgers
Cllr A Roberts
Cllr J Sheldon
Cllr B Stephens
Cllr L Watts

F. Planning and Licensing Committee

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

Substitutes:

Cllr K Ball
Cllr R Cheadle
Cllr C Edmonds
Cllr J Evans
Cllr A F Leech
Cllr J R McInnes
Cllr J B Moody
Cllr P R Sanders
Cllr J Sheldon
Cllr J Yelland

G. Standards Committee

Cllr K Ball
Cllr L Evans
Cllr P Kimber
Cllr A F Leech
Cllr J R McInnes
Cllr J B Moody
Cllr C R Musgrave
Cllr J Sheldon
Cllr J Yelland

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Nominations for Chairman and Vice Chairman of Council Bodies for 2015/2016

A Audit Committee

Cllr M Davies – Chairman

Cllr J B Moody – Vice Chairman

B Hub Committee

Cllr P R Sanders – Chairman

Cllr R E Baldwin – Vice-Chairman

C Overview and Scrutiny Committee ‘A’

Cllr C R Musgrave – Chairman

Cllr J Yelland – Vice-Chairman

D Overview and Scrutiny Committee ‘B’

Cllr P J Ridgers – Chairman

Cllr D W Cloke – Vice-Chairman

E Planning and Licensing Committee

Cllr D K A Sellis – Chairman

Cllr M J R Benson – Vice-Chairman

F Standards Committee

Cllr A F Leech – Chairman

Cllr J Sheldon – Vice-Chairman

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REPRESENTATIVES ON OUTSIDE BODIES 2015/16

1. **Cornwall and West Devon Mining Landscape World Heritage Site Partnership**
Cllr M J R Benson
2. **Dartmoor National Park – Joint Advisory Committee on Housing**
Cllrs A F Leech and D E Moyse
3. **Crowndale Recreational Association**
Cllr C R Musgrave
4. **Dartmoor National Park Forum**
Cllr T G Pearce
5. **Devon Authorities Waste Reduction & Recycling Committee**
Cllr R F D Sampson
6. **Devon Building Control Partnership**
Cllrs T G Pearce and P Kimber
7. **Devon Districts Forum**
Leader of Council
8. **District Councils' Network**
Leader of Council
9. **Highways & Traffic Orders Committee**
Cllrs M J R Benson and A F Leech
10. **iESE Transformation Limited**
Deputy Leader of Council
11. **Local Action for Greater Dartmoor (LEAF)**
Cllr T G Pearce
12. **PATROL Adjudication Joint Committee**
Cllr D W Cloke
13. **Plymouth and Peninsula City Deal**
Leader of Council
14. **Police and Crime Commissioners Scrutiny Panel**
Leader of Council
15. **South Devon and Dartmoor Community Safety Partnership**
Cllr C R Musgrave
16. **South West Councils Employers Panel**
Leader of Council
17. **South West Councils**
Leader of Council
18. **SPARSE Rural**
Chairman of Hub Committee (and Vice-Chairman as Substitute)

- 19. Tamar Estuary Consultative Forum**
Cllr M J R Benson
- 20. Tamar Valley AONB Partnership**
Cllr M J R Benson (voting capacity) and Cllr C R Musgrave (in a non-voting capacity)
- 21. Tavistock College Endowment Fund Trustees**
Cllr J Evans
- 22. Tavistock Townscape Heritage Partnership**
Cllr P R Sanders
- 23. Torridge, North, Mid and West Devon Citizens Advice Bureau**
Cllr A F Leech

(a) Rural Broadband Working Group

Cllr K Ball
Cllr D W Cloke
Cllr J B Moody
Cllr J Sheldon

(b) Car Parking Strategy Group

Cllr K Ball
Cllr P Kimber
Cllr A F Leech
Cllr J Moody
Cllr R F D Sampson
Cllr D K A Sellis

(c) Member Development Steering Group

Appointments to be delegated to the Group Leaders

(e) Okehampton Consultative Liaison Group

Cllr A F Leech
Cllr J Sheldon
Cllr J Yelland

(f) Political Structures Working Group

Cllr R E Baldwin
Cllr W G Cann OBE
Cllr L J G Hockridge
Cllr J R McInnes
Cllr C R Musgrave
Cllr P R Sanders

(g) Rate Relief Panel

Cllr M J Benson
Cllr A F Leech
Cllr C R Musgrave
Cllr T G Pearce
Cllr B Stephens
Cllr L Watts

(h) Tavistock Consultative Liaison Group

Cllr D W Cloke
Cllr M Davies
Cllr C R Musgrave

(i) Joint SH/WD Leisure Board

Cllr R Musgrave
Cllr R Oxborough
Cllr R Sampson

(j) Waste Working Group

Cllr M J R Benson
Cllr N Jory
Cllr J B Moody
Cllr R Musgrave
Cllr T G Pearce
Cllr R F D Sampson

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