

WEST DEVON COUNCIL



West Devon
Borough
Council

Minutes of a meeting of the **West Devon Council** held on **Tuesday, 18th February, 2020** at **4.00 pm** at the **Chamber - Kilworthy Park**

Present: **Councillors:**

Chairman Cllr Leech
Vice Chairman

Cllr Ball	Cllr Bolton
Cllr Bridgewater	Cllr Cheadle
Cllr Crozier	Cllr Davies
Cllr Daniel	Cllr Edmonds
Cllr Ewings	Cllr Heyworth
Cllr Hipse	Cllr Jory
Cllr Kemp	Cllr Kimber
Cllr Moody	Cllr Moyse
Cllr Musgrave	Cllr Pearce
Cllr Ratcliffe	Cllr Renders
Cllr Samuel	Cllr Sellis
Cllr Southcott	Cllr Spettigue
Cllr Vachon	Cllr Wood
Cllr Yelland	

In attendance:

Officers:

Chief Executive

Monitoring Officer

Section 151 Officer

Senior Specialist – Democratic Services

58. **Apologies for Absence**

CM 58

Apologies for absence were received from Cllrs A Coulson, C Mott and P Ridgers.

59. **Declarations of Interest**

CM 59

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

Cllrs K Ball and M Davies both declared a personal interest in agenda item 8(b): 'Notice of Motions' (Minute CM 62 below refers). Cllr Ball declared his interest by virtue of being an Executive member of the OkeRAIL Forum and remained in the meeting and took part in the debate and vote thereon. Cllr Davies declared his interest by virtue of formally being the Chairman of the OkeRAIL Forum and also remained in the meeting and took part in the debate and vote thereon; and

Cllrs R Cheadle, P Crozier, C Edmonds, M Ewings, T Leech, J Moody, T Pearce, M Renders, P Ridgers, T Southcott, P Vachon, L Wood and J Yelland all declared a personal interest in agenda item 10: 'Revenue Budget Proposals' (Minute CM 64 below refers) and specifically part 17 of the recommendation by virtue of also serving on a town or parish council. All of these Members remained in the meeting and took part in the debate and vote thereon.

60. **Confirmation of Minutes**

CM 60

It was moved by Cllr N Jory, seconded by Cllr L Samuel and upon the motion being submitted to the Meeting was declared to be **CARRIED** and **"RESOLVED** that the Council agree the Minutes of the 17 December 2019 as a true and correct record."

61. **To receive communications from the Mayor or person presiding**

CM 61

(a) The Chief Executive

The Mayor reminded the meeting that this was to be the last Council meeting before the Chief Executive left the employ of the Council. Both the Mayor and Leader of the Council proceeded to pay tribute and offer their sincere thanks for the work that had been undertaken by the Chief Executive during her five years of service with the Council.

In particular, the Leader stated that, whilst there had been a number of challenges during the last five years, it was testament to the Chief Executive that the Council was now a more leaner and efficient organisation than when she had first joined the authority.

In response, the Chief Executive thanked the Mayor and Leader for their kind words and stated that the achievements that had been made by the Council were largely due to the foresight of Members and the ability of the Council's excellent workforce.

(b) The Civic Dinner

In highlighting that his Civic Dinner was to be held on Friday, 27 March 2020, the Mayor asked that any Members who were still to reply to his invitation do so before Friday, 21 February 2020.

62.

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

CM 62

(a) It was moved by Cllr N Jory and seconded by Cllr L Samuel:

"With immediate effect, this Council adopts the International Holocaust Remembrance Alliance (IHRA) Working Definition of Antisemitism that reads as follows:

"Antisemitism is a certain perception of Jews, which may be expressed as hatred towards Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities."

Cllr Jory introduced the motion and highlighted the importance of the issue and that the motion sought adoption of the recognised international definition of Antisemitism.

With no further debate ensuing, it was declared to be **CARRIED** and **"RESOLVED** that, with immediate effect, this Council adopts the International Holocaust Remembrance Alliance (IHRA) Working Definition of Antisemitism that reads as follows:

"Antisemitism is a certain perception of Jews, which may be expressed as hatred towards Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities."

(b) It was moved by Cllr J Yelland and seconded by Cllr K Ball:

"This Council will write to the Secretary of State for Transport, The Rt Hon Grant Shapps and the Prime Minister urging the government to set and announce the date for the re-opening of the railway line between Okehampton and Exeter as a matter of urgency.

OkeRAIL Forum has been lobbying central government since 2015 for the re-introduction of a regular daily passenger service between Okehampton and Exeter. The work that OkeRAIL Forum has undertaken has provided evidence of the demand for the service and the positive impact it would have directly on the wider area from North Devon to Cornwall. The benefits include the following:

- 1. The establishment of a complementary line to the Dawlish route which is seriously disrupted by severe weather on a regular basis. This will future proof and ensure resilience for the South West Peninsular.*
- 2. Reduce the reliance on the private car*
- 3. Improve air quality and reduce traffic congestion.*

4. *Reduce the carbon footprint business owners, employers, residents and visitors to the area wishing to travel for work, education and/or leisure.*
5. *Open up the South West to new investment in terms of job creation and business opportunities which will, in turn, stimulate the economy, increase productivity and reduce poverty.*
6. *Instill confidence in those who wish to move to the area that access to the South West is sustainable.*

There is strong evidence from the community and stakeholders in the emerging Neighbourhood Plan for Okehampton and the Hamlets of the need for the railway line and WDBC's Joint Local Plan fully supports it through Spatial Priority SP4 and Policy TTV13."

Cllr Yelland introduced the motion and made particular reference to:-

- the amount of work that had been undertaken to ensure that the line was reinstated and the project was now so close to being completed. As a result, it was considered to be vitally important for the momentum to be maintained with the motion urging Central Government to set a date for the re-opening of the line;
- reinstatement of the line would have significant social, economic and environmental benefits to the area;
- there being absolutely no impact arising from the leaseholder (who had not owned any assets) recently going into administration; and
- the similar importance of the reinstatement of the Tavistock to Bere Alston line.

During the subsequent debate, the following points were raised:-

- (a) The lack of resilience of the existing Dawlish to Teignmouth rail line was highlighted;
- (b) Having declared a Climate Change and Biodiversity Emergency, it was felt to be incumbent upon the Council to keep the pressure on Central Government;
- (c) Assurances were given that copies of the letter would be sent to the local MPs as well as to the Secretary of State for Transport and the Prime Minister;
- (d) A Member thanked the proposer for also highlighting the Tavistock to Bere Alston line in her introduction and, whilst acknowledging that the two projects were at different stages, emphasised that they were both of equal importance to the Council;

- (e) With regard to the reference in the motion to the phrase 'complementary line', some Members were of the view that this could weaken the motion. In response, other Members stated that the intention of including this phrase was to highlight that the Okehampton to Exeter line would add to the resilience of the South West peninsula;
- (f) The seconder highlighted that Plymouth was currently the only major city with one major rail line and emphasised the economic benefits that would arise from the re-establishment of both the Exeter to Okehampton and Tavistock to Plymouth rail lines.

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

"This Council will write to the Secretary of State for Transport, The Rt Hon Grant Shapps and the Prime Minister urging the government to set and announce the date for the re-opening of the railway line between Okehampton and Exeter as a matter of urgency.

OkeRAIL Forum has been lobbying central government since 2015 for the re-introduction of a regular daily passenger service between Okehampton and Exeter. The work that OkeRAIL Forum has undertaken has provided evidence of the demand for the service and the positive impact it would have directly on the wider area from North Devon to Cornwall. The benefits include the following:

- 1. The establishment of a complementary line to the Dawlish route which is seriously disrupted by severe weather on a regular basis. This will future proof and ensure resilience for the South West Peninsular.*
- 2. Reduce the reliance on the private car*
- 3. Improve air quality and reduce traffic congestion.*
- 4. Reduce the carbon footprint business owners, employers, residents and visitors to the area wishing to travel for work, education and/or leisure.*
- 5. Open up the South West to new investment in terms of job creation and business opportunities which will, in turn, stimulate the economy, increase productivity and reduce poverty.*
- 6. Instill confidence in those who wish to move to the area that access to the South West is sustainable.*

There is strong evidence from the community and stakeholders in the emerging Neighbourhood Plan for Okehampton and the Hamlets of the need for the railway line and WDBC's Joint Local Plan fully supports it through Spatial Priority SP4 and Policy TTV13."

63.

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

CM 63

a. Hub Committee – 17 December 2019

It was moved by Cllr N P Jory, seconded by Cllr L Samuel and upon being submitted to the Meeting was declared to be **CARRIED** and **“RESOLVED** that the Minutes of the 17 December 2019 meeting be received and noted”.

b. Invest to Earn Committee – 17 December 2019

It was moved by Cllr C Edmonds, seconded by Cllr R Cheadle and upon being submitted to the Meeting was declared to be **CARRIED** and **“RESOLVED** that the Minutes of the 17 December 2019 meeting be received and noted”.

c. Development Management and Licensing Committee – 7 January 2020

It was moved by Cllr J Yelland, seconded by Cllr T G Pearce and upon being submitted to the Meeting was declared to be **CARRIED** and **“RESOLVED** that the Minutes of the 7 January 2020 meeting be received and noted”.

d. Overview and Scrutiny Committee – 14 January 2020

It was moved by Cllr M V L Ewings, seconded by Cllr P Kimber and upon being submitted to the Meeting was declared to be **CARRIED** and **“RESOLVED** that the Minutes of the 14 January 2020 meeting be received and noted”.

e. Audit Committee – 21 January 2020

It was moved by Cllr M Davies, seconded by Cllr P Vachon and upon being submitted to the Meeting was declared to be **CARRIED** and **“RESOLVED** that the Minutes of the 21 January 2020 meeting be received and noted”.

f. Hub Committee – 28 January 2020

It was moved by Cllr N P Jory, seconded by Cllr L Samuel and upon being submitted to the Meeting was declared to be **CARRIED** and **“RESOLVED** that the Minutes of the 28 January 2020 meeting be received and noted, with the exception of recommendations HC 66, HC 71, HC 72, HC 74 and HC 77”.

In respect of the Committee recommendations:

i) HC 66 Revenue Budget Monitoring Report Quarter 3

It was moved by Cllr N Jory, seconded by Cllr L Samuel and upon being submitted to the Meeting was declared to be **CARRIED** and **“RESOLVED** that £30,000 of the Homelessness Prevention underspend be transferred into the Homelessness Prevention Earmarked Reserve at the end of the 2019/20 Financial Year.”

ii) HC 67 Pre Application Process in Planning

It was moved by Cllr N Jory, seconded by Cllr L Samuel and upon being submitted to the Meeting was declared to be **CARRIED** and **RESOLVED** that the Pre-Application process, as detailed in Appendix 1 of the agenda report presented to the Hub Committee, be approved."

iii) HC 72 Electric Charging Points

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

1. the Council signs up to the Collaboration Agreement with Devon County Council for the installation of Electric Vehicle Charging Points;
2. the potential sites where the Electric Vehicle Charging Points should be installed be as listed at paragraph 1.3 of the agenda report presented to the Hub Committee;
3. the Council enter into a lease with the appointed supplier for a ten year period; and
4. funding (£8,000) for the charging points be obtained from the Car Park Maintenance Reserve.

iv) HC 74 Future IT Procurement

It was moved by Cllr N Jory, seconded by Cllr L Samuel and upon being submitted to the Meeting was declared to be **CARRIED** and **RESOLVED** that approval be given to the use of £65,000 from the IT Development Earmarked Reserve and £18,000 from the Budget Surplus Contingency Earmarked Reserve for the Future IT Project Implementation."

v) HC 77 Reports of Bodies – Overview and Scrutiny Committee 14 January 2020: O&S 72: Safeguarding: Annual Update

It was moved by Cllr N Jory, seconded by Cllr L Samuel and upon being submitted to the Meeting was declared to be **CARRIED** and **RESOLVED** that the revised Safeguarding Policy (as attached at Appendix A of the presented agenda report to the Overview and Scrutiny Committee meeting) be adopted.

64. **Revenue Budget Proposals for 2020-21**

CM 64

Consideration was given to a report that presented the Hub Committee draft recommendations on the Revenue Budget for 2020-21.

In discussion, reference was made to:-

- (a) car parking fees. It was confirmed that car parking should be cost neutral to the Council and assurances were given that a 4%

increase was justifiable to offset additional staffing costs (that had been frozen since 2018) to the Council and the cost of resurfacing works. For clarity, it was confirmed that local businesses and stakeholders were being consulted with and a further report on this matter was scheduled to be presented to the Council meeting on 24 March 2020

- (b) the Budget proposals. A number of Members welcomed the report and felt that its contents reflected the hard work that had been put in by both officers and Members to reach this point;
- (c) the Communications Strategy to underpin the Budget. When publicising the Council's budget proposals for 2020-21, Members emphasised the need for the Council to adopt a positive media campaign. In response, the Leader informed that he had already been working with the Communications Team and he fully recognised the importance of the Council giving further explanations to the public about its budget;
- (d) the Dartmoor National Park Sustainable Community Fund. In support of the continuation of this Fund, some Members advised that these monies were incredibly well received by the local town and parish councils;
- (e) an alternative part 17 of the recommendation. The proposer and seconder of the original motion **PROPOSED** and **SECONDED** an alternative to part 17 of their recommendation that read as follows:

'the increase in charges to Town and Parish Councils for the emptying of dog waste and litter bins (as outlined at paragraph 5.15 of the presented agenda report) be deferred for a year. During 2020/21, a consultation exercise will be carried out with Town and Parish Councils, with the recommendations then being presented to the Council as part of the Budget Setting process for 2021-22, with a view to the full charge being applied from 1 April 2021.'

During the ensuing debate on this alternative, it became apparent that there were contrasting views. In support, some Members highlighted the amount of negative feedback that had been received from town and parish councils. This, coupled with the lack of advanced notice that had been given by the Borough Council, had left them to conclude that a deferral for one year would be appropriate.

In contrast, other Members emphasised the financial pressures that were being faced by the Borough Council and, when considering that the initiative had been subject of informal Member discussion for twelve months, there was surprise expressed that Members had not been consulting with their local town and parish councils.

Indeed, as a result of these consultations, some town and parish councils had already increased their respective precepts to offset the additional costs.

The Mayor advised that, such was the difference in opinion, it was his intention for the alternative proposal to be subject to a separate recorded vote.

At the conclusion of the debate and, in accordance with statutory legislation, the Mayor then called for a recorded vote on parts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16 and 18 of the recommendation. The vote was subsequently recorded as follows:-

For the motion (27): Cllrs Ball, Bolton, Bridgewater, Cheadle, Crozier, Daniel, Davies, Edmonds, Ewings, Heyworth, Hipsey, Jory, Kimber, Leech, Moody, Moyse, Musgrave, Pearce, Ratcliffe, Renders, Samuel, Sellis, Southcott, Spettigue, Vachon, Wood and Yelland

Against the motion (0):

Abstentions (0):

Absent (4): Cllrs Coulson, Kemp, Mott and Ridgers
and the vote on parts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16 and 18 of the recommendation was therefore declared **CARRIED**.

In accordance with statutory legislation, the Mayor then called for a recorded vote on revised part 17 of the recommendation. The vote on this part was subsequently recorded as follows:-

For the motion (18): Cllrs Ball, Cheadle, Crozier, Davies, Edmonds, Heyworth, Jory, Kimber, Leech, Moyse, Musgrave, Ratcliffe, Samuel, Sellis, Southcott, Spettigue, Vachon and Yelland

Against the motion (8): Cllrs Bolton, Bridgewater, Daniel, Ewings, Hipsey, Moody, Pearce and Wood

Abstentions (1): Cllr Renders

Absent (4): Cllrs Coulson, Kemp, Mott and Ridgers

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

It was consequently "**RESOLVED** that:

1. the Council Tax for 2020/21 be increased by £5 (Band D of £236.63 for 2020/21 – an increase of 10 pence per week or £5 per year – equating to a 2.16% increase);
2. the financial pressures (as shown in Appendix A of the presented agenda report (amounting to £663,500) be approved;
3. the contributions to Earmarked Reserves of £87,500 be approved;

4. the savings of £530,200 (as shown in Appendix A of the presented agenda report and to include the investment of a further £500,000 in the CCLA Property Fund) be approved;
5. £228,135 of New Homes Bonus funding be used to fund the 2020/21 Revenue Budget (as set out in paragraph 2.20 of the presented agenda report);
6. the deficit recovery period of the Pension Deficit be maintained at 17 years (as outlined at paragraph 2.25 of the presented agenda report);
7. an Economy Officer post (to be shared with South Hams District Council) be included within the staffing establishment in accordance with Section 1.7 of the presented agenda report;
8. delegated authority be granted to the Section 151 Officer, in consultation with the Leader and Deputy Leader of Council, to agree the final amount of New Homes Bonus funding for the Dartmoor National Park Sustainable Community Locality Fund for 2020/21;
9. a collection fund surplus of £67,000 be utilised in 2020/21;
10. it be noted that the Total Net Expenditure of the Council is £7,211,895 for 2020/21;
11. 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 (NB. this is a requirement of Part 2 of the Local Government Act 2003);
12. the proposed Environmental Health Charges (as set out in Appendix D of the presented agenda report) be approved;
13. the Fees and Charges for Development Management (as set out in Appendix C of the presented agenda report) remain unchanged;
14. charges be introduced for the use of the existing Electric Charging Points at Kilworthy Park, Tavistock;
15. with immediate effect, Proof of Life charges be introduced (in accordance with paragraph 5.13 of the presented agenda report);
16. with immediate effect, the changes to S257 Footpath Diversion Orders be approved (in accordance with paragraph 5.14 of the presented agenda report);
17. the increase in charges to Town and Parish Councils for the emptying of dog waste and litter bins (as outlined at paragraph

5.15 of the presented agenda report) be deferred for a year. During 2020/21, a consultation exercise will be carried out with Town and Parish Councils, with the recommendations then being presented to the Council as part of the Budget Setting process for 2021-22, with a view to the full charge being applied from 1 April 2021; and

18. delegated authority be given to the Section 151 Officer, in consultation with the lead Hub Committee Member, to set the Local Land Charges as appropriate to ensure cost recovery.”

65. **Capital Budget Proposals for 2020-21**

CM 65

A report was considered that presented the draft Capital Programme Proposals for 2020/21.

In discussion, Members recognised the importance of the Council leading by example and ensuring that its Community Housing schemes were seen as being exemplars within the industry. In response to a number of Members stating the importance of all developers striving to obtain 'decent homes standards', it was agreed that officers would provide a Briefing Note to all Members outside of this meeting;

In accordance with statutory legislation, the Mayor then called for a recorded vote on parts 1, 2 and 3 of the recommendation. The vote was subsequently recorded as follows:-

For the motion (27): Cllrs Ball, Bolton, Bridgewater, Cheadle, Crozier, Daniel, Davies, Edmonds, Ewings, Heyworth, Hipsey, Jory, Kimber, Leech, Moody, Moyse, Musgrave, Pearce, Ratcliffe, Renders, Samuel, Sellis, Southcott, Spettigue, Vachon, Wood and Yelland

Against the motion (0):

Abstentions (0):

Absent (4): Cllrs Coulson, Kemp, Mott and Ridgers

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

It was consequently "**RESOLVED** that:

1. the Capital Programme for 2020/21 (totalling £910,000 and as set out in Appendix A of the presented agenda report) be approved;
2. the Capital Programme for 2020/21 (totalling £140,000 and as set out in Exempt Appendix C of the presented agenda report) be approved; and
3. the 2020/21 Capital Programme of £1,050,000 be financed from the funding sources as set out in Section 4 of the presented agenda report.”

The Meeting concluded at 5.35 pm

Signed by:

Chairman
