

West Devon Council



West Devon
Borough
Council

Title:	Summons																														
Date:	Tuesday, 22nd November, 2022																														
Time:	4.00 pm																														
Venue:	Chamber - Kilworthy Park																														
Full Members:	<p style="text-align: center;">Mayor Cllr Mott Deputy Mayor Cllr Pearce</p> <p><i>Members:</i></p> <table style="width: 100%; border: none;"> <tr> <td>Cllr Ball</td> <td>Cllr Leech</td> </tr> <tr> <td>Cllr Blackman</td> <td>Cllr Moody</td> </tr> <tr> <td>Cllr Bolton</td> <td>Cllr Moyse</td> </tr> <tr> <td>Cllr Bridgewater</td> <td>Cllr Ratcliffe</td> </tr> <tr> <td>Cllr Cheadle</td> <td>Cllr Renders</td> </tr> <tr> <td>Cllr Coulson</td> <td>Cllr Ridgers</td> </tr> <tr> <td>Cllr Crozier</td> <td>Cllr Samuel</td> </tr> <tr> <td>Cllr Davies</td> <td>Cllr Sellis</td> </tr> <tr> <td>Cllr Daniel</td> <td>Cllr Southcott</td> </tr> <tr> <td>Cllr Edmonds</td> <td>Cllr Spettigue</td> </tr> <tr> <td>Cllr Ewings</td> <td>Cllr Turnbull</td> </tr> <tr> <td>Cllr Heyworth</td> <td>Cllr Vachon</td> </tr> <tr> <td>Cllr Jory</td> <td>Cllr Wood</td> </tr> <tr> <td>Cllr Kemp</td> <td>Cllr Yelland</td> </tr> <tr> <td>Cllr Kimber</td> <td></td> </tr> </table>	Cllr Ball	Cllr Leech	Cllr Blackman	Cllr Moody	Cllr Bolton	Cllr Moyse	Cllr Bridgewater	Cllr Ratcliffe	Cllr Cheadle	Cllr Renders	Cllr Coulson	Cllr Ridgers	Cllr Crozier	Cllr Samuel	Cllr Davies	Cllr Sellis	Cllr Daniel	Cllr Southcott	Cllr Edmonds	Cllr Spettigue	Cllr Ewings	Cllr Turnbull	Cllr Heyworth	Cllr Vachon	Cllr Jory	Cllr Wood	Cllr Kemp	Cllr Yelland	Cllr Kimber	
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Interests – Declaration and Restriction on Participation:	Members are reminded of their responsibility to declare any disclosable pecuniary interest not entered in the Authority's register or local non pecuniary interest which they have in any item of business on the agenda (subject to the exception for sensitive information) and to leave the meeting prior to discussion and voting on an item in which they have a disclosable pecuniary interest.																														
Committee administrator:	Democratic.Services@swdevon.gov.uk																														

1. Apologies for Absence

2. Confirmation of Minutes

1 - 6

To approve and adopt as a correct record the Minutes of the Meeting of Council held on 27 September 2022

3. Declarations of Interest

In accordance with the Code of Conduct, Members are invited to declare any Disclosable Pecuniary Interests, Other Registerable Interests and Non-Registerable Interests including the nature and extent of such interests they may have in any items to be considered at this meeting;

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

5. The Mayor or person presiding to answer questions which people in West Devon can ask and to receive deputations or petitions under Council Procedure Rule 21

6. To consider (any) questions submitted under Council Procedure Rule 21

7. To consider (any) Motions of which notice has been duly submitted by Members in accordance with Council Procedure Rule 15

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

7 - 42

(i) Audit Committee

Meeting held on 5 July 2022

Meeting held on 6 September 2022

(ii) Overview and Scrutiny Committee

Meeting held on 26 July 2022

Meeting held on 4 October 2022

(iii) Hub Committee

Meeting held on 27 September 2022

Recommendation to agree:

HC 38/22 Medium Term Financial Strategy 2023/24 to 2025/26

That Council be **RECOMMENDED** to:

1. continue to respond to Government consultations on Business Rates Reform;
2. continue to actively lobby and engage with the Government, Devon MPs, South West Councils and other sector bodies such as the District Councils' Network and the Rural Services Network, for a realistic business rates baseline to be set for the Council for 2024 onwards, when the business rates reset is predicted to happen (NB. this is the earliest date it might happen);
3. continue to lobby in support of the Government eliminating Negative Revenue Support Grant in 2023/24 (and thereafter) and continues to lobby for Rural Services Delivery Grant allocations which adequately reflect the cost of rural service provision;
4. note the Council's strategic intention with its Council Tax setting strategy (as set out in paragraph 3.6 of the published agenda report). (NB. the actual council tax for 2023/24 will be decided by Council in February 2023); and
5. approve the use of the Revenue Grant Earmarked Reserve to fund the Council's share of the costs of a two-year fixed term post that will be responsible for driving improved customer service and operational efficiency by exploiting technology and transformation (as set out in Appendix D, section 1.9 of the presented agenda report to the Hub Committee). (The total cost for West Devon is £80,000).

Meeting held on 1 November 2022

Recommendations to agree:

HC.49/22 Key Partnership Agreements

That Council be **RECOMMENDED** to:

1. agree to extend the funding for the following key partners for a further two years as follows:
 - West Devon CVS £5,100;

- OCRA Sport £1,333;
 - Okehampton Community Transport £6,533;
 - Tavistock Community Transport £6,533;
 - Young Devon £2,500; and
 - World Heritage Site £4,000;
3. agree an increase in funding for each of the next two years' in recognition of the additional support required by Citizens Advice;
 4. note the decision taken at its last meeting held on 27 September 2022 to continue to financially contribute £8,835 to the Tamar Valley AONB Partnership.

HC.55/22 Devon Carbon Plan

That Council be **RECOMMENDED** to:

1. note the ambition and objectives set out within the Devon Carbon Plan, and
2. revise its Climate Change Strategy and Action Plan and assess the financial and resource implications required to show how it would contribute to delivering the Devon Carbon Plan.

(iv) Development Management & Licensing Committee

Meeting held on 11 October 2022

9. Scheme of Members' Allowances: Review

To follow;

10. Annual Review of Health and Safety Policy Statement

43 - 64

11. Exclusion of Public and Press

in accordance with Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting during consideration of the following item of business as the likely disclosure of exempt information as defined in paragraphs 3 and 5 of Schedule 12A to the Act is involved

12. Waste & Recycling Services Contract Update

To follow.

Agenda Item 2

At the Meeting of the **WEST DEVON BOROUGH COUNCIL** held in the **COUNCIL CHAMBER, KILWORTHY PARK, TAVISTOCK** on **TUESDAY** the **27th** day of **SEPTEMBER 2022** at **4.00pm** pursuant to Notice given and Summons duly served.

Present

Cllr C Mott – The Mayor (In the Chair)

Cllr K Ball	Cllr A Blackman
Cllr A Bridgewater	Cllr R Cheadle
Cllr P Crozier	Cllr L Daniel
Cllr C Edmonds	Cllr N Heyworth
Cllr N Jory	Cllr C Kemp
Cllr D Moyle	Cllr T Pearce
Cllr B Ratcliffe	Cllr M Renders
Cllr P Ridgers	Cllr L Samuel
Cllr T Southcott	Cllr J Spettigue
Cllr L Wood	Cllr J Yelland

Chief Executive
Deputy Chief Executive
Section 151 Officer
Monitoring Officer
Democratic Services Manager
Plymouth City Council Strategic Planning Manager (Joint Local Plan) (via Teams)
Senior Specialist – Place Making

CM 33/22 HM QUEEN ELIZABETH II

As this was the first meeting of the Council since Her Majesty Queen Elizabeth II had sadly passed away, the Mayor stated the Council's profound sorrow at the Queen's passing, offered the Council's condolences to the Royal Family and sent all good wishes to King Charles III on his accession. She then asked those in attendance, as a mark of respect, to stand and observe a minute's silence.

CM 34/22 APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllrs Bolton, Coulson, Davies, Ewings (who joined the meeting via Teams in a non-voting capacity) Leech, Kimber, Moody (who joined the meeting via Teams in a non-voting capacity), Sellis, Turnbull and Vachon

CM 35/22 CONFIRMATION OF MINUTES

The minutes of the Council meeting held on 19 July 2022 were confirmed as a true and correct record.

CM 36/22 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 37/22 BUSINESS BROUGHT FORWARD BY THE MAYOR

The Mayor informed that she had two items of business that she intended to bring forward to this Meeting.

Firstly, she provided a reminder to Members to let the lead officer know as soon as was practically possible if they were intending to attend her Civic Service on Sunday, 16 October 2022.

Secondly, the Mayor confirmed that she had now selected her chosen charity to support during her year in office and this was to be North Moor Dartmoor Rescue Group.

CM 38/22 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

In accordance with Council Procedure Rules, the Mayor advised that the Council had received notification from two separate petition organisers of their intention to formally submit their petitions to this Council Meeting.

(a) Petition from Mr John Hearn

At the invitation of the Mayor, Mr Hearn submitted a petition that called for the Council to instigate a Community Governance Review that would seek to abolish Sydenham Damerel Parish Council. Mr Hearn proceeded to address the Council and informed that an overwhelming majority of parishioners were supportive of the petition.

(b) Petition from Okehampton Town Council Clerk

The Clerk to Okehampton Town Council was then invited to formally submit a petition on behalf of the Town Council. In so doing, the Clerk advised that the petition called for a Community Governance Review to be instigated by the Borough Council to review its existing parish boundaries.

The Mayor thanked both for submitting their petitions and, in terms of next steps, advised that they would be dealt with in accordance with the Council's adopted Petition Scheme.

CM 39/22 PUBLIC QUESTIONS

The Mayor informed the Meeting that no Public Questions had been received in accordance with the Council Procedure Rules.

CM 40/22 QUESTIONS ON NOTICE

Members noted that no Questions on Notice had been received from the membership in accordance with the Council Procedure Rules.

CM 41/22 MINUTES OF COMMITTEES

a. Overview & Scrutiny Committee Meeting - 21 June 2022

It was moved by Cllr T Pearce, seconded by Cllr J Spettigue and upon being submitted to the Meeting was declared to be **CARRIED** and **“RESOLVED** that the Minutes of the 21 June 2022 meeting be received and noted.

b. Development Management & Licensing Committee Meeting held on 19 July 2022

It was moved by Cllr J Yelland, seconded by Cllr R Cheadle and upon being submitted to the Meeting was declared to be **CARRIED** and **“RESOLVED** that the Minutes of the 19 July 2022 meeting be received and noted.

In respect of the Recommendation:

DM+L 12 Hackney Carriage and Private Hire Policy – the Statutory Taxi and Private Hire Vehicles Standards

It was moved by Cllr J Yelland, seconded by Cllr R Cheadle and upon being submitted to the Meeting was declared to the **CARRIED** and **“RESOLVED** that the draft Hackney Carriage and Private Hire Policy, as amended, be adopted.

c. Regeneration & Investment Committee Meeting - 6 September 2022

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 6 September 2022 meeting be received and noted

CM 42/22 COUNCIL CONSTITUTION

Consideration was given to a report that provided details of the full revision and modernisation of the Council Constitution.

In discussion, the following points were raised:

- (a) In response to a specific query over the potential means of undertaking a ‘secret recorded vote’, the Monitoring Officer gave a commitment to look into this issue outside of the Meeting.

It was later clarified in the debate that the Single Council Proposal agenda item that was considered at the Special Council Meeting held on 31 October 2017 had been determined by a 'recorded vote' as opposed to a 'secret recorded vote' (Minute CM 36 refers);

- (b) A number of Members felt that the proposed Quorum for Full Council (eight Members) was too low and should be increased. As a result, an amendment to the recommendation was **PROPOSED** and **SECONDED** as follows:

*'That the Constitution be adopted **subject to the Quorum for Full Council Meetings being increased from eight to eleven Members.**'*

When put to the vote, this amendment was declared **CARRIED**;

- (c) Clarification was sought on references to South Hams and its Executive in parts of the draft document. In response, it was advised that these references appeared in the Guidance from the Section 151 Officer that was to underpin the Financial Procedure Rules. Whilst this guidance applied to both Councils, it was the intention that it would sit outside the adopted Constitution document and would be used as a point of reference for officers and both sets of Members;
- (d) Members wished to put on record their thanks to the Monitoring Officer for his work in re-drafting the Constitution.

It was then proposed by Cllr N Jory, seconded by Cllr C Edmonds and upon being submitted to the Meeting was declared to be **CARRIED** and **"RESOLVED** that, with immediate effect, the Council adopts its updated Constitution (as set out in Appendix A of the published agenda report) subject to the Quorum of Full Council meetings being increased from 8 to 11 Members."

CM 43/22 CLIMATE EMERGENCY PLANNING STATEMENT

Consideration was given to a report that sought approval for the Plymouth and South West Devon Climate Emergency Planning Statement

In discussion, reference was made to:

- (a) the cancellation of the recent Plymouth City Full Council Meeting. Members noted that, due to the State Funeral of HM Queen Elizabeth II, the Plymouth City Council Full Council meeting had been rearranged to a later date that would result in the draft Planning Statement not being able to come into effect until 31 October 2022;

- (b) the relevance of the draft Statement to the Dartmoor National Park (DNP) area. When questioned, officers advised that the Joint Local Plan did not cover the DNP area and the Statement (once adopted) would therefore not be applicable within the National Park area;
- (c) the impact on both Listed Building planning applications and those applications located within the Area of Outstanding Natural Beauty (AONB). Officers confirmed that, once approved, the draft Statement would be part of the material planning considerations for both Listed Building applications and those located within the AONB;
- (d) widespread support for the proposals. A number of Members wished to put on record their support for the draft Statement being adopted and felt that it would have a significant impact on the planning process. Moreover, thanks were extended to the officers who had been involved in the production of the Statement.

It was then proposed by Cllr C Mott, seconded by Cllr T Pearce and upon being submitted to the Meeting was declared to be **CARRIED** and **"RESOLVED** that, subject to South Hams District and Plymouth City Councils agreeing likewise:

1. the Plymouth and South West Devon Climate Emergency Planning Statement (as set out in Appendix 1 of the presented agenda report) be formally adopted as an interim policy statement, pending completion of the next review of the Plymouth and South West Devon Joint Local Plan; and
2. the Climate Emergency Compliance Forms (as set put in Appendix 2 of the presented agenda report) be approved for inclusion in the Local Validation Lists."

CM 44/22 TAMAR VALLEY AONB - FIVE YEAR MANAGEMENT PLAN

A report was considered that sought an extension to the current Tamar Valley Management Plan so as to ensure that the next plan took account of and aligned with, new guidance from Natural England expected in 2023.

It was then proposed by Cllr L Wood, seconded by Cllr R Cheadle and upon being submitted to the Meeting was declared to be **CARRIED** and **"RESOLVED** that the Council confirms its agreement to extend the Tamar Valley AONB Management Plan (2019-2024) by up to 12 months to the end of 2025."

(The Meeting terminated at 4.45 pm)

Mayor

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Agenda Item 8

At a Meeting of the **AUDIT COMMITTEE** held in the Council Chamber, Council Offices, Kilworthy Park, Drake Road, **TAVISTOCK** on **TUESDAY** the **5th** day of **July 2022** at **2.00pm**

Present: Cllr K Ball (Chairman)
Cllr M Davies
Cllr A Bridgewater
Cllr P Ridgers
Cllr L Samuel
Cllr J Yelland

Officers in attendance: Section 151 Officer
Deputy Section 151 Officer (via Teams)
Internal Auditor
Democratic Services Officer
External Auditor
Head of Strategy and Projects (via Teams)
Mr Middlemass – Devon Audit Partnership
Internal Audit Manager

Also in attendance: Cllr C Edmonds (lead Hub Committee Member). Cllr N Jory (Leader of the Council)
Cllr P Crozier.

***AC 1 CONFIRMATION OF MINUTES**

The Minutes of the Committee Meeting held on 7 December 2021 were confirmed by the Committee as a true and correct record.

The Chairman recorded his thanks to Cllr Davies for his past Chairmanship. Thanks were also recorded for the Internal Auditor as this was his last meeting in his role.

***AC 2 GRANT THORNTON –AUDIT PLAN 2021-22**

The External Auditor presented the Audit Plan to the Committee. He highlighted the risks as being management override of controls, valuation of land and buildings and pension fund liability. IT control environment had been brought into the audit this year. There were no issues or weaknesses to report.

In response to a member questions the External Auditor gave the following replies:

- There would be a nationwide response should there be an inflationary rise in pay and pensions.
- The audit fee of £5,000 has been put in as a figure and how that is managed will be discussed towards the end of the audit. The S151 Officer stated that as part of the Redman Review Government had reimbursed the council £15,600 as a one off

grant. Some of this grant would be used to pay the increased audit fee.

It was noted that only 30% of councils completed their audit on time and West Devon was one of these.

It was then **RESOLVED** that:

The report was noted.

***AC3 GRANT THORNTON –GUIDANCE FOR REVIEWING THE ACCOUNTS**

The External Auditor answered questions on the report:

- Regarding identifying Journals, the system is becoming more automated and spot checks are carried out.

It was then **RESOLVED** that:

The Guidance for Reviewing the Accounts be noted.

***AC4 GRANT THORNTON –INFORMING THE AUDIT RISK ASSESSMENT FOR 2021-22**

The report was introduced by the External Auditor.

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

***AC5 INTERNAL AUDIT ANNUAL REPORT 2021-22**

The Lead Hub Member introduced the report. The Internal Auditor touched on areas of the report. Direction of travel was upward. Loss of resources due to staff working on business grants during the pandemic had impacted on debt recovery. A service review for revenue and benefits had taken place and with the action plan in place, improvements would be seen.

He informed members that a few cases of fraud in business grants were detected, however the diligence of the team meant no payments were made to these fraudulent claims. Two of the cases detected were linked to national fraud.

The S151 Officer stated she was responsible for the administration of the grants. The audit opinion for this was of substantial assurance. With procedures in place West Devon appeared in the top quartile for making payments. The Chairman acknowledged the teams effort of ensuring a robust system was in place.

The team making the business grants became involved in the administration of the £150 Council Tax rebates.

The S151 Officer stated that the review of discounts and reliefs had suffered due to resource issues.

It was suggested and voted on that a press release would be made on discounts and eligibility asking people to check on a change of circumstances and inform the Council of any changes.

It was then **RESOLVED** that;

1. The Audit Committee noted that overall and based on work performed during 2021/22, and that of Internal Audit's experience from previous year's audit, the Head of Internal Audit's Opinion was of "Reasonable Assurance" on the adequacy and effectiveness of the Authority's internal control framework.
2. Members noted the performance and achievements of the Internal Audit Team during 2021/22.

(The Meeting terminated at 3.23pm)

Dated this

Chairman

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At a Meeting of the **AUDIT COMMITTEE** held in the Council Chamber, Council Offices, Kilworthy Park, Drake Road, **TAVISTOCK** on **TUESDAY** the **6th** day of **September 2022** at **12.30pm**

Present: Cllr K Ball (Chairman)
Cllr M Davies
Cllr P Ridgers
Cllr L Samuel (via Teams)
Cllr J Yelland

Officers in attendance: Section 151 Officer
Deputy Section 151 Officer (via Teams)
Internal Auditor
Democratic Services Officer
Director of Place and Enterprise
External Auditor (via Teams)
Head of Strategy and Projects (via Teams)
Senior Specialists –Finance (via Teams)

Also in attendance: Cllr C Edmonds (lead Hub Committee Member). Cllr N Jory (Leader of the Council)
Cllr P Crozier.

***AC 6 CONFIRMATION OF MINUTES**

The Minutes of the Committee Meeting held on 5 July 2022 were confirmed by the Committee as a true and correct record. Concern was raised at the lack of the membership attending or giving advanced apologies. The Leader confirmed he would send a message out to all Members reminding them of their responsibilities.

***AC 7 DRAFT STATEMENT OF ACCOUNTS FOR 2021-22**

The Hub Lead Member introduced the report to Members.

The S151 Officer in reply to a Member question, stated that the car parking tariffs had gone up in March 2021, however covid was still having an impact on revenue. The income from town centre car parks had not fully recovered as expected to pre-covid levels.

The S151 Officer explained that short term borrowing had gone up due to the debt maturity profile but overall borrowing had gone down.

The Head of Strategy and Projects stated that a small amount is made on the lottery with the intention that the money is put back into the community for good causes.

The Vice-Chair asked for it to be noted that the Council was in a solid position and offered thanks to the Finance team. The Section 151 Officer responded to a question on pensions. She also reminded Members that the deficit recovery period had been kept low, to 17 years

whereas other councils had a period of 20 or 23 years. The S151 Officer stated that the Senior Leadership Team would look to close down the dormant company Servaco on 31 March 2023. A member asked about the cost of running the census and the S151 Officer confirmed that costs would be recovered from central government.

The 151 Officer was hopeful that the two year finance settlement would happen for 2023/24 and 2024/25. A proposal was recommended and a vote was taken to write to the Secretary Of State regarding the technical consultation on local government finance (including the timing of the Business rate baseline reset), to enable the Council to undertake long term strategic financial planning. The letter would include local MPs. The S151 Officer agreed to bring a report to the next Audit Committee On earmarked reserves which is taken to the Hub Committee and through the annual budget workshop. She also explained the £196,000 underspend included salary savings due to difficulty in recruiting staff and also in the recovery of housing benefit overpayments. £250,000 of recycling credits and dry recycling income was transferred into the waste reserves. The £600,000 in waste earmarked reserves at 31.3. 2022 would in part go towards work needed at the Hayedown depot and an additional vehicle for the waste fleet.

It was then **RESOLVED** that:

The Draft Statement of Accounts and the Draft Annual Governance Statement (AGS) for the financial year ended 31 March 2022 were noted.

***AC8 UPDATE ON PROGRESS ON THE 2022-23 INTERNAL AUDIT PLAN**

The Lead Hub Member introduced the report to the Committee. The External Auditor answered a question on the leisure report and stated it would be ready for the next meeting.

It was then **RESOLVED** that;

1. The Internal Audit Charter and Strategy was approved.
2. The progress made against the 2022/23 internal audit plan were noted and approved.

***AC9 STRATEGIC RISK REGISTER**

The Lead Hub Member introduced the report to the Committee. Two risks that were reviewed and removed were around the organisational commitment to change. The organisation had demonstrated commitment to change over the last few years. The other was the risk of Covid impact on services. Two risks had been added, one being the cost of living and supporting residents and the other, the Homes for Ukraine Scheme, with the added staff resource needed along with the current housing crisis.

In response to a Member question on the difficulty of recruiting new staff, the Leader stated the issue is under review and the package offered to staff was also being looked at.

It was then **RESOLVED** that;

The Committee REVIEWED the Strategic Risk Register (Appendix A) and made recommendations to Council to add the Homes for Ukraine and Cost of Living crisis risks identified to be scrutinised by the Overview and Scrutiny Committee.

***AC10**

ANNUAL TREASURY MANAGEMENT REPORT 2021/22

The Hub Lead member introduced the report to Members.

It was then **RESOLVED** that;

1. The Committee approved the actual 2021/22 prudential and treasury indicators in the report.
2. Noted the Annual Treasury Management report for 2021/22

***AC11**

INVESTMENT PROPERTY UPDATE AND MONITORING REPORT

The Lead Hub Member introduced the report to Members. The Head of Strategy and Projects responded to a Member question on opportunities in the market for more investment property. He stated that there was nothing on the market currently of interest.

It was then **RESOLVED** that;

The Committee noted the performance and risks of the investment property portfolio to date.

(The Meeting terminated at 2.20pm)

Dated this

Chairman

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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 **26** day of **JULY 2022** at **2:00 pm**.

Present: Cllr P Kimber – Chairman

Cllr C Daniel
Cllr C Kemp
Cllr T Pearce
Cllr D Sellis

Cllr N Heyworth
Cllr D Moyse
Cllr T Southcott
Cllr D Turnbull

Director of Place and Enterprise
Director of Strategic Finance (via Teams)
Head of Strategy and Projects
Senior Case Manager – Democratic Services

Also in Attendance: Cllrs N Jory, P Vachon, C Edmunds, P Crozier, B Ratcliffe, J Yelland (via Teams), T Leech (via Teams), C Mott (via Teams), L Wood (via Teams).

***O&S 12/22 APOLOGIES FOR ABSENCE**

Apologies for absence for this meeting were received from Cllrs M Ewings; J Spettigue and A Blackman.

***O&S 13/22 CONFIRMATION OF MINUTES**

The minutes of the Meeting of the Overview and Scrutiny Committee held on 21 June 2022 were confirmed by the Meeting as a true and correct record.

Cllr Pearce raised that he had not receive information from the previous meeting relating to Quiet Lanes, Lamerton Neighbourhood Plan and 24 Conservation Areas. The officer reported that this would be addressed and information circulated to members in due course.

***O&S 14/22 DECLARATIONS OF INTEREST**

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

***O&S 15/22 PUBLIC FORUM**

The Chairman confirmed that no formal requests had been received in accordance with the Overview and Scrutiny Procedure Rules.

***O&S 16/22 THIRD SECTOR PARTNERS – SOUTH WEST MUTUAL**

The Chairman introduced Mr Tony Greenham of South West Mutual who reported on the delayed progress in setting up a regional mutual bank and the different options explored in their attempts to set up a mutual bank.

Following questions from Members, Mr Greenham reported they were exploring different options on how people wish to bank which included banking via post offices/newsagents combined with a face to face pop up branches. They have support from a parliamentary group and have been championing their model, however there were competing claims on funds to promote this type of work. That it was planned for the majority of lending would be on a secure basis because farming businesses do not have very good security and therefore provides more flexibility. They were dependent on raising more funds, however if there were no further funds the business would cease.

Officers added that a report to member's back 2018 agreed to invest £50k into South West Mutual. It was noted this was more of a grant and not an investment. Mr Greenham further added if they succeed would be able to give a financial return to the council.

Member's noted the update on South West Mutual.

***O&S 17/22 COUNCIL DELIVERY AGAINST CORPORATE THEME: COMMUNITY**
The Lead Hub Member for Communities introduced a report that reviewed latest progress against the Community Corporate Theme of the adopted "Plan for West Devon" as follows:

- Action SC1.1 – on track.
- Action SC1.2 – on track.
- Action SC1.3 – The action to work with Town and Parish Councils in order to understand and tackle local issues was noted as 'amber – slightly off track'. The last Links meeting was relatively low in terms of attendance, therefore officers were reviewing how best to involve TAPs
- Action SC1.4 – on track.
- Action SC1.5 – on track.
- Action SC1.6 – on track.

Members debated the reinstatement of the Links Meetings and it was reported that two were planned in September. There was also a need to look at how to engage and promote this to the parishes. Members felt it was incumbent on them to help promote and officers to email all members by the end of the week on the meetings taking place in September. Venues for these meetings was also discussed and it was reported that Kilworthy Park was a venue available for use by parishes.

With regard to the promotion of the Seamoor Lotto, officers reported that it will be promoted in the local newspaper and on social media with a challenge to sell 1,000 tickets.

Members asked whether new events would be supported and it was reported that this was badged in the original strategy and looking at the appropriate support to fund events. Further discussion with community advisory group will take place in September.

Members asked whether there would be a review of partners for future funding and it was reported that they will continue with existing partners. This will be discussed at the September Hub Meeting.

It was then **RESOLVED** that the progress in delivering against the Plan for West Devon “Community” Thematic Delivery Plan be noted.

***O&S 19/22 TASK AND FINISH GROUP UPDATES (IF ANY)**

There were no updates.

***O&S 20/22 DRAFT O&S ANNUAL WORK PROGRAMME 2022/23**

As part of the Member Induction Programme Review on the agenda for November, Members were asked to put themselves forward to form a Task and Finish Group. Cllrs Southcott, Turnbull and Pearce were nominated.

Members highlighted the need for Active Travel to be added to the November meeting, however the officer reported that this might be too early to report on.

Council Delivery against Corporate Theme: Efficient Services should read Resources Services and for the Contact Centre Review to take place in November.

KPI Year End performance Report to the October meeting.

Members requested a representative from North Devon Biospheres to be invited to attend Committee in January, invitation to be extended to SW Water and/or River Authorities. This item to include water shortages, water pollution prevention and climate change.

***O&S 21/22 MEMBER LEARNING AND DEVELOPMENT OPPORTUNITIES ARISING FROM THIS MEETING**

There were no learning and development opportunities identified from this meeting.

(The meeting terminated at 15.17)

Chairman

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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 **4** day of **OCTOBER 2022** at **2:00 pm**.

Present: Cllr M Ewings – Chairman
Cllr P Kimber – Deputy Chairman

Cllr C Daniel	Cllr N Heyworth
Cllr C Kemp	Cllr D Moyse
Cllr T Pearce	Cllr T Southcott
Cllr D Sellis	Cllr D Turnbull

Director of Place and Enterprise
Assistant Director of Strategy and
Organisational Development
Senior Case Manager – Democratic Services

Also in Attendance: Cllrs P Crozier, N Jory, C Edmonds, R
Cheadle, T Leech (via Teams) and C Mott (via Teams).

***O&S 22/22 APOLOGIES FOR ABSENCE**

Apologies for absence for this meeting were received from Cllrs L Daniels;
Cllr Coulson and Cllr Moody

***O&S 23/22 CONFIRMATION OF MINUTES**

The minutes of the Meeting of the Overview and Scrutiny Committee held on 27 July 2022 were confirmed by the Meeting as a true and correct record subject to clarification to minute O&S 16/22 - Third Sector Partners – South West Mutual. *‘that it was planned for the majority of lending would be on a secure basis because farming businesses do not have very good security and therefore provides more flexibility’*. On reviewing the webcast, the minute related to tenant farmers that required a loan and were therefore unable to secure a loan from a high street bank because they could not offer security against the loan.

***O&S 24/22 DECLARATIONS OF INTEREST**

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

***O&S 25/22 PUBLIC FORUM**

The Chairman confirmed that no formal requests had been received in accordance with the Overview and Scrutiny Procedure Rules.

***O&S 26/22 Council Delivery against Corporate Theme: Inclusive Services**

The Lead Hub Member for Delivering Inclusive and Accessible Services introduced a report that reviewed latest progress against the Listening and Accessible Council Theme as follows:

- Action 1A 1.1 – Customer Charter had been drafted and was scheduled to be presented to the Hub Committee meeting on 1 November. The Contact Centre Review had been completed and implemented. Following a question from a Member, it was reported that the opening of reception would be reported to the Hub for further consideration. A further question was asked on the engagement of residents to the My Place Survey, the Director of Place and Enterprise reported that this information would be circulated to Members outside of this meeting. The Chair requested all Members to complete the survey.
- Action 1A 1.2 – On track. Members raised concerns when residents called the Council and then had to wait in a long queue. It was reported that improvements had been made with the system now telling residents how long they would have to wait and a ring back service was now offered. Members reported that this was not the case and examples were cited where customers were not being offered the ring back service until third in the queue having waited 45 minutes on the line. The Lead Member reported that this would be investigated. Members then debated how this service could be improved such as providing Frequently Asked Questions on the Council website and looking at best practice from other organisations. The Lead Member responded that improvements were being made that included: reviewing the different services that received high volumes of calls, as well as providing additional training and support to staff. It was also raised whether the previously dedicated telephone line for Members still existed. In reply, a commitment was given to investigate the matter outside of this meeting.
- Action 1A 1.3 – On track.
- Action 1A 1.4 – On track.
- Action 1A 1.5 – Member Induction Programme to be drawn up by the end of the Calendar Year.

It was then **RESOLVED** that progress in delivering against A Plan for West Devon ‘Listening and Accessible Council’ Thematic Delivery Plan be noted.

***O&S 27/22 KPI YEAR END PERFORMANCE REPORT**

The Director of Place and Enterprise apologised to Members on the report provided and felt that it would be useful for the report to include a narrative to accompany the data to enable Members to have a more informed debate and make recommendations.

It was then **RESOLVED** that the KPI Year End Performance Report be deferred to the November Committee meeting.

***O&S 28/22 TASK AND FINISH GROUP UPDATES (IF ANY)**

The Chair reported that the first meeting of the Member Induction Programme Review Task and Finish Group was scheduled to be held on 18 October 2022.

***O&S 29/22 DRAFT O&S ANNUAL WORK PROGRAMME 2022/23**

The draft proposal for the work programme was reviewed. The following amendments to the work programme were agreed as follows:

- KPI Year End Performance Report (November)
- Community Safety Partnership Meeting (February)
- Council Delivery against Corporate Theme: Community Wellbeing and Economy (February)
- Council Delivery against Corporate Theme: Homes (March)
- April meeting to be cancelled.

Members raised that they were not receiving invites to Hub Advisory Group meetings. The Assistant Director of Strategy and Organisational Development reported that there were clearly some issues, however calendar invites were being sent out to Members and the meeting dates included in the Members Bulletin. As an extension to the point, the Chair reminded Members to send their apologies if they could not attend the meetings as far in advance as was practically possible.

It was then **RESOLVED** that the Hub Advisory Group Meeting dates and times be included in the Members Bulletin and reminders to the meeting sent to Group Members.

***O&S 30/22 MEMBER LEARNING AND DEVELOPMENT OPPORTUNITIES ARISING FROM THIS MEETING**

There were no learning and development opportunities identified from this meeting.

Members raised the effectiveness of the Link Committee Meetings and the ability for Members to put forward items for discussion and to encourage their local towns and parishes to be represented were specifically highlighted. Some Members felt that an update from the Police at these meetings would also be useful. A further suggestion that was put forward was to alternate the meetings between face to face and virtual and to source dates that did not clash with other meeting dates.

It was **RESOLVED** that the Director of Place and Enterprise will liaise with the Community Safety Partnership to explore ways to engage the Police to attend future Link Committee meetings.

(The meeting terminated at 14.55)

Chairman

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At a Meeting of the **HUB COMMITTEE** held in the **Council Chamber, Kilworthy Park, Tavistock** on **TUESDAY** the **27th** day of **SEPTEMBER 2022** at **12.00 noon**

Present: Cllr N Jory – Chairman
Cllr C Edmonds – Vice Chairman

Cllr R Cheadle Cllr P Crozier
Cllr A Leech Cllr C Mott
Cllr B Ratcliffe

In attendance: Chief Executive
Section 151 Officer
Director – Place and Enterprise
Monitoring Officer
Democratic Services Manager
Deputy Section 151 Officer
Head of Strategy, Corporate Projects and Partnerships
Head of Housing
Private Sector Housing Officer

Other Members also in attendance in a non-voting capacity:

Cllrs Southcott (via Teams) Wood (via Teams) and
Yelland

***HC 31/22 HM QUEEN ELIZABETH II**

Since this was the first formal Member meeting since Her Majesty Queen Elizabeth II had sadly passed away, Members proceeded, as a mark of respect, to stand and observe a moment's reflection in her memory

***HC 32/22 APOLOGIES**

Apologies for this meeting were received from Cllrs Vachon and Wood (who had joined the meeting via Teams in a non-voting capacity)

***HC 33/22 DECLARATIONS OF INTEREST**

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

***HC 34/22 MINUTES**

The Minutes of the Hub Committee meeting held on 14 July 2022 were confirmed as a correct record.

***HC 35/22 PUBLIC QUESTION TIME**

It was noted that no Public Questions had been received in accordance with the Hub Committee Procedure Rules.

***HC 36/22 HUB COMMITTEE FORWARD PLAN**

Members were presented with the latest version of the Hub Committee Forward Plan that set out items on the agenda for Hub Committee meetings for the next four months and duly noted its content.

In so doing, a Member made the point that the Homes for Ukraine Scheme agenda item (Minute *HC 39/22 below refers) had been incorrectly labelled on the Forward Plan as being within the 'Leisure, Health and Wellbeing' portfolio area when in fact it fell within the 'Housing' portfolio area.

***HC 37/22 2021/22 REVENUE AND CAPITAL OUTTURN**

Members were presented with a report that provided the draft Revenue and Capital Outturn position for 2021/22 and which also provided a schedule of the Reserve balances at 31 March 2022

In discussion, lead officers were thanked for the production of a comprehensive report and the reliance on achieving savings and income generation to reach the outturn position was recognised.

It was then **RESOLVED** that the draft Revenue and Capital outturn figures for the 2021/22 financial year, including the overall Revenue outturn position of an underspend of £196,000 for 2021/22 (2.7% of the total Budget £7.302 million), be noted.

HC 38/22 MEDIUM TERM FINANCIAL STRATEGY 2023/24 TO 2025/26

Consideration was given to a report that presented the Council's Medium Term Financial Strategy from 2023/24 to 2025/26.

In discussion, Members were of the view that the recommendations constituted a sensible set of proposals for the three-year period from 2023/24 to 2025/26.

It was then **RESOLVED** that:

1. Council be **RECOMMENDED**:

- i. to continue to respond to Government consultations on Business Rates Reform;
- ii: to continue to actively lobby and engage with the Government, Devon MPs, South West Councils and other sector bodies such as the District Councils' Network and the Rural Services Network, for a realistic business rates baseline to be set for the Council for 2024 onwards, when the business rates reset is predicted to happen (NB. this is the earliest date it might happen);
- iii: to continue to lobby in support of the Government eliminating Negative Revenue Support Grant in 2023/24 (and thereafter) and continues to lobby for Rural Services Delivery Grant allocations which adequately reflect the cost of rural service provision;
- iv: to note the Council's strategic intention with its Council Tax setting strategy (as set out in paragraph 3.6 of the published agenda report). (NB. the actual council tax for 2023/24 will be decided by Council in February 2023);
- v: to approve the use of the Revenue Grant Earmarked Reserve to fund the Council's share of the costs of a two-year fixed term post that will be responsible for driving improved customer service and operational efficiency by exploiting technology and transformation (as set out in Appendix D, section 2.9 of the presented agenda report). (The total cost for West Devon is £80,000); and

2. the forecast budget gap for 2023/24 of £269,296 (3% of the projected Net Budget of £8.72million) and the position for future years be noted

***HC 39/22 HOMES FOR UKRAINE SCHEME UPDATE**

Members were presented with a report that provided an overview of how the Council was responding to the needs of people escaping the War in Ukraine and its role in not only delivering the Homes for Ukraine scheme but wider support to other Ukrainian people settling in the Borough area.

In discussion, the following points were raised:-

- (a) A Member queried whether or not any further guidance from the Government had been received regarding an increased 'thank you' payment rate being available for host families. In response, it was thought that further information would be available in the coming week. Members wished to put on record their thanks to the host families within West Devon who had welcomed and offered help to those fleeing the War in Ukraine;
- (b) It was confirmed that positive feedback had been received from Ukrainian families about the service that they had received from representatives of the Council; the Council for Voluntary Service; and Citizens Advice
- (c) Officers stated that the shortage of suitable available local accommodation presented some challenges and the issue of longer-term resettlement required detailed consideration;
- (d) When questioned, officers informed that the end of the initial six-month placement period was fast approaching and some arrangements were either breaking down or would not be renewed. As a result, the Council was working on a case by case basis to help resolve each arrangement.

It was then **RESOLVED** that:

1. the progress that the Council has made under the Homes for Ukraine scheme be noted
2. the Leader be instructed to write to the Minister for Refugees seeking clarity of the future of the Homes for Ukraine scheme and to request a more permanent solution; and
3. the significant contribution that our voluntary and community sector had already played in welcoming Ukrainian guests to the area be noted

***HC 40/22 HOUSING CRISIS - ENERGY EFFICIENCY IN HOMES**

The Hub Committee was presented with a report that provided an update on the Schemes that the Council was able to promote, enable and administer to assist householders and landlords with improving energy efficiency, improving the thermal comfort of homes and reducing energy usage.

In the ensuing debate:

- (a) it was stressed that the Council was working with a range of local Community Energy Groups and organisations to help ensure that the households most in need were made aware of the Grants available. However, it was noted that this was an ongoing challenge to reach the most hard-to-reach households;
- (b) it was suggested that the number of Schemes and associated contractors were causing some residents to be confused and unsure but a partnership of Local Authorities was operating a Code of Practice amongst the contractors to help inform residents of an 'approved' accredited list. Once completed, it was agreed that the accredited list would be circulated to all Members;
- (c) it was essential that the Contractors were providing good advice to local residents, particularly concerning home insulation. In response, it was confirmed that the new technical accreditation that was required of contractors should ensure that the best advice was given.

It was then **RESOLVED** that the content of the presented report and the progress to date on the schemes be noted and that the continuation of the council's energy efficiency work be supported.

***HC 41/22 COST OF LIVING CRISIS**

Members were presented with a report that considered the support that the Council had already put in place and proposed further steps to be taken to ensure our residents were supported over the coming months.

In debate, concern was expressed for local residents and it was stressed that community leadership from Members was essential in order to help ensure that those who were most in need were identified.

It was also confirmed that the Council was doing all it could to ensure that the help available was clearly signposted for those who needed it and that, as part of this, Members would be key conduits within the community.

Members also considered the merits of re-establishing the Community Clustering arrangements that had been successful during the recent COVID pandemic. In conclusion, the majority of Members felt that it should be further explored and an initial meeting should be arranged in order to gauge the views, appetite and potential benefits amongst local community groups.

It was then **RESOLVED** that

1. Cllr Leech be appointed as the Council's lead Member to respond to the cost of living crisis;
2. the Council be requested to mobilise its resources and work with partners to ensure a responsive, co-ordinated approach to the cost of living challenges faced by residents; and

3. the Leader of Council lobby Central Government to substantially increase the funding provided to address the cost of living crisis and to support the Local Government Association in its call for a solution to address the cost of living crisis to reduce the need for emergency support.

(The meeting terminated at 1.10pm)

Chairman

(NOTE: THESE DECISIONS WILL BECOME EFFECTIVE FROM THURSDAY 6 OCTOBER 2022, WITH THE EXCEPTION OF MINUTE HC 38/22 PART 1 (i-v) WHICH IS A RECOMMENDATION TO THE COUNCIL MEETING TO BE HELD ON 22 NOVEMBER 2022 UNLESS CALLED IN, IN ACCORDANCE WITH SCRUTINY PROCEDURE RULE 18)

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At a Meeting of the **HUB COMMITTEE** held in the **Council Chamber, Kilworthy Park, Tavistock** on **TUESDAY** the **1stth** day of **NOVEMBER 2022** at **2.00 pm**

Present: Cllr N Jory – Chairman
Cllr C Edmonds – Vice Chairman

Cllr R Cheadle	Cllr P Crozier
Cllr A Leech	Cllr C Mott
Cllr P Vachon	Cllr L Wood

In attendance: Chief Executive
Deputy Chief Executive
Section 151 Officer
Director – Place and Enterprise
Director of Strategy and Governance (via Teams)
Monitoring Officer
Democratic Services Manager
Head of Environmental Health
Head of Strategy, Corporate Projects and Partnerships
Head of Assets
Head of Housing
Deputy Section 151 Officer
Senior Specialist – Place Making
Head of Revenues and Benefits
Senior Specialist – Climate Change

Other Members also in attendance in a non-voting capacity:

Cllrs Daniel, (Via Teams), Ewings (via Teams)
Southcott (via Teams), Sellis (via Teams), Pearce and
Yelland (via Teams)

***HC 42/22 MOMENT'S REFLECTION**

Since this was the first formal Member meeting since former Mayor and West Devon Borough Councillor, Robin Musgrave, had sadly passed away, the Leader paid tribute to him and his dedicated service to the Council.

During his terms of office, Robin had proven to be a competent and hardworking colleague, who had served his constituents well and was a much valued, respected and appreciated Member of the Council and the thoughts of the Council were with Robin's family.

Members then proceeded, as a mark of respect, to observe a moment's reflection in his memory.

***HC 43/22 APOLOGIES**

Apologies for this meeting were received from Cllr Ratcliffe.

***HC 44/22 DECLARATIONS OF INTEREST**

Members were invited to declare any interests in the items of business to be discussed and the following were made:

Cllr A F Leech declared a personal interest in Item 8: 'Key Partnership Agreements' (Minute *HC 49/22 below refers) by virtue of being a Trustee and the Chairman of the Okehampton Community Transport Group. He remained in the meeting and took part in the debate and vote thereon;

***HC 45/22 MINUTES**

The Minutes of the Hub Committee meeting held on 27 September 2022 were confirmed as a correct record.

***HC 46/22 PUBLIC QUESTION TIME**

It was noted that no Public Questions had been received in accordance with the Hub Committee Procedure Rules.

***HC 47/22 HUB COMMITTEE FORWARD PLAN**

Members were presented with the latest version of the Hub Committee Forward Plan that set out items on the agenda for Hub Committee meetings for the next four months and duly noted its content.

***HC 48/22 COST OF LIVING RESPONSE PLAN**

Members considered a report that set out the Council's draft plan to respond to the Cost of Living crisis.

In discussion, the following points were raised:

- a) When questioned, officers confirmed that the Council for Voluntary Service (CVS) was involved in the administration of the £25,000 Grant Funding for Community Groups;
- b) Assurances were given to the meeting that the ideas and conclusions that were generated by the Community Forum could be woven into the evolving Cost-of-Living Response Plan. In emphasising the importance of listening to our local communities, all Members were reminded of their Community Leadership roles in this regard;
- c) It was noted that Members were already receiving feedback from their residents that the single most important action that the Borough Council could undertake was to continue to distribute grant funding as quickly as was practically possible.

It was then **RESOLVED** that:

1. the Committee has considered and endorsed the contents of the Cost-of-Living Response Plan (as set out in Appendix 1 of the presented agenda report);
2. minor amendments to the Cost-of-Living Response Plan be delegated to the lead officer (the Head of Environmental Health), in consultation with the lead Hub Committee Member; and

3. officers be instructed to take immediate steps to progress support payments to families in receipt of Council Tax reduction (as set out in section 2.12 of the presented agenda report).

HC 49/22 KEY PARTNERSHIP AGREEMENTS

Members were presented with a report that provided an update on the Partnerships that were currently receiving funding from the Council and were asked to consider the merits of extending funding for a further two years.

Notwithstanding the fact that a decision had already been taken in regard to the continuation of funding support for the Tamar Valley Area of Outstanding Natural Beauty (AONB) Partnership, it was felt pertinent to include this matter in the resolution. As a result, it was **PROPOSED** and **SECONDED** and when put to the vote declared **CARRIED** that:

'The Council notes the decision taken at its last meeting held on 27 September 2022 to continue to financially contribute £8,835 to the Tamar Valley AONB Partnership.'

It was then **RESOLVED** that:

1. the positive contribution of our key funded partners in supporting our ambitions (as set out in our Corporate Strategy, A Plan for West Devon) be noted;
2. Council be **RECOMMENDED** to **AGREE** to extend the funding for the following key partners for a further two years as follows:
 - West Devon CVS £5,100
 - OCRA Sport £1,333
 - Okehampton Community Transport £ 6,533
 - Tavistock Community Transport £6,533
 - Young Devon £2,500
 - World Heritage Site £4,000
3. Council be **RECOMMENDED** to **AGREE** an increase in funding for each of the next two years' in recognition of the additional support required by Citizens Advice;
4. Council be **RECOMMENDED** to **NOTE** the decision taken at its last meeting held on 27 September 2022 to continue to financially contribute £8,835 to the Tamar Valley AONB Partnership.

***HC 50/22 PROPOSED CHANGES TO THE COUNCIL TAX REDUCTION SCHEME FOR 2023/24**

Members were presented with a report that set out the annual requirement for Councils to revisit their existing council tax support scheme and decide whether to replace or revisit their scheme, the requirements for changing the scheme and the associated time constraints.

It was then **RESOLVED**:

1. That the proposed public consultation on a Council Tax Reduction Scheme for 2023/24 (as detailed in section 3 of the presented agenda report) be approved; and
2. That the results of the public consultation be presented to the Hub Committee prior to a Council Tax Reduction Scheme for 2023/24 being considered for approval by the Council.

***HC 51/22 COVID-19 ADDITIONAL RELIEF FUND (CARF)**

The Hub Committee was presented with a report that provided an update on the Council's Covid-19 Additional Relief Fund (CARF) following the closure of the Scheme on 30 September 2022. The report acknowledged that the Council had delegated the approval of the CARF Policy and its administration to the Members of the Council's Rate Relief Panel.

In discussion, the Committee wished to record its thanks to the team who were responsible for administering the Fund.

It was then **RESOLVED** that the content of the presented agenda report be noted.

***HC 52/22 A PLAN FOR WEST DEVON – QUARTER 2 INTEGRATED PERFORMANCE MANAGEMENT REPORT**

Members were presented with a report that set out an overview of the progress made against year 2 of the Delivery Plan that underpinned 'A Plan for West Devon'.

In discussion, the following points were raised:

- a) A Member queried whether or not the work being undertaken on the Cost of Living Crisis could be factored into the performance of the Council as it contributed across numerous themes of 'A Plan for West Devon'. In reply, it was confirmed that the quarterly performance reports evolved and the work aligned to the Cost of Living Crisis would be reflected in future iterations of the report presented to the Hub Committee;
- b) In respect of the latest position on the installation of Electric Vehicle Charging Points, officers committed to providing a response to Members outside of this Committee Meeting.

It was then **RESOLVED** that:

- 1 the Quarter 2 Integrated Performance Management Report (as set out at Appendix A of the presented agenda report) had been considered; and
2. a meeting of the relevant Hub Advisory Group be held before the end of the Calendar Year in order to inform the Year 3 Delivery Plans for the Strategy and that the updated Plans be considered by the Hub Committee at its meeting to be held on 31 January 2023.

***HC 53/22 MONTH 5 REVENUE BUDGET MONITORING 2022/2023**

A report was considered that enabled Members to monitor income and expenditure variations against the approved Budget for 2022/23 and that also provided a forecast for the year end position.

In the ensuing discussion, reference was made to the increased inflation costs of the Waste Contract. It was confirmed that the inflation cost assumptions provided for at the time the forecast was made was at a rate of 3% but the actual inflation rates were over 12%, largely due to fuel inflation.

It was then **RESOLVED** that the forecast income and expenditure variations for the 2022/23 financial year and the overall projected deficit of £70,000 (0.9% of the total Budget £7.770 million) be noted

***HC 54/22 CAPITAL BUDGET MONITORING 2022/2023**

Members considered a report that advised of the progress made on individual schemes within the approved Capital Programme, including an assessment of their financial position.

In discussion, the importance of Section 106 monies being spent before their expiry date was recognised.

It was then **RESOLVED** that the content of the presented agenda report be endorsed.

HC 55/22 DEVON CARBON PLAN

Members were presented with a report which provided details of the Devon Carbon Plan and also provided an update on the progress made against the Council's Climate Change Strategy and Action Plan.

In discussion, reference was made to:

- a) the importance of the views of West Devon residents being adequately represented. A Member queried whether or not the views of the residents of West Devon had been adequately represented on the Devon Carbon Assembly and further questioned how the Council would deliver its revised Action Plan and, in doing so, how it would ensure that the views of West Devon residents would be correctly represented. In response, it was confirmed that the Hub Advisory Group would look very carefully at what was contained within the Plan and that consultation with relevant Community Groups would also take place, ensuring that the Plan would meet the needs of the residents and communities of West Devon;
- b) the urban focus of the Plan. In expressing concerns, some Members felt that the Plan was too 'urban centric' and it would therefore need to be interpreted in order to be relevant and suitable to meet the needs of the largely rural West Devon Borough area;

c) the agricultural community. Some Members were of the view that the agricultural community needed to be considered more fully as part of the Council's declared Climate Change and Biodiversity Emergency. Specifically regarding the Devon Carbon Plan, whilst it was accepted that the National Farmers Union had been a consultee, there was still the view expressed that other industries (such as the aviation industry) were not being treated as harshly as the agricultural industry. Furthermore, the sustainability benefits of locally produced food and non-intensively farmed meat and dairy products were not adequately reflected in the Devon Carbon Plan. As a consequence, these Members did not feel minded to be able to '*endorse the ambitions and objectives set out within the Devon Carbon Plan*' and an amendment was **PROPOSED** and **SECONDED** whereby the ambitions and objectives set out within the Devon Carbon Plan be '*noted*'. When put to the vote, this amendment was declared **CARRIED**;

d) the financial and resource implications upon the Climate Change Strategy and Action Plan. In recognition of the need to be aware of the financial and resource implications, a further amendment was **PROPOSED** and **SECONDED** as follows:

2. That Council be **RECOMMENDED** to revise its Climate Change Strategy and Action Plan *and assess the financial and resource implications required* to show how it would contribute to delivering the Devon Carbon Plan.

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

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

1. note the ambition and objectives set out within the Devon Carbon Plan, and
2. revise its Climate Change Strategy and Action Plan and assess the financial and resource implications required to show how it would contribute to delivering the Devon Carbon Plan.

***HC 56/22 HOUSING CRISIS UPDATE**

The Hub Committee was presented with a report that provided an update on the progress of three specific projects, namely the Springhill Temporary Accommodation Redevelopment Project; the proposed Brentor Affordable Housing Scheme and the Okehampton (Wonnacotts) Proposed Development site.

In the ensuing discussion, the following points were raised:

a) Members requested further detail on the nature of the 'at-risk' spend concerning the Springhill project and raised concerns that the Contract to redevelop the site had still to be let. Members also commented that the site currently appeared unsightly and requested that action be taken to improve its appearance;

- b) Concerns were aired over the proposed closure of the Brentor Affordable Housing Scheme and the associated Housing Needs Survey. Having recently declared a 'Housing Crisis', some Members felt that the recommendation to simply cease work on the Scheme did not sit comfortably.

At this point, the local Ward Member was invited to address the meeting and he proceeded to set out a number of concerns over the recommendation to cease work. In particular, the Member questioned the methodology behind the Housing Needs Survey and the lack of any contact with the landowner. Given the extent of these concerns, the Committee sought reassurance that the Survey had been properly conducted and that the results were accurate. In response, it was confirmed that the Survey had been undertaken in line with normal procedures, but that in response to several specific queries raised, officers would request a copy of all responses received by the independent organisation that had conducted the Survey on its behalf and would analyse the results to ensure that account had been taken of all information received.

It was then further requested that the Council consult with Brentor Parish Council to fully explore the Housing need within the Parish, gathering definitive information on current requirements and this information be brought to the next meeting of the Hub Committee for further consideration.

Finally, officers also gave a personal commitment that they would make contact with the landowner.

In light of the nature of the debate on the scheme, an alternative recommendation was **PROPOSED** and **SECONDED** as follows:

- 2. That the decision to cease work on a directly delivered affordable led housing scheme at Brentor be deferred for further consideration at the next Hub Committee Meeting to be held on 13 December 2022.*

When put to the vote, this recommendation was declared **CARRIED**;

- c) With regard to the Okehampton Proposed Development, a Member queried why there had been such a delay in moving the project forward. In response it was confirmed that issues around partnership funding had caused initial delays and then the Covid Pandemic demanded changing priorities. However, it was confirmed that resources had now been put in place which would mean that the project should now be progressed.

It was then **RESOLVED** that:

1. the progress of the Springhill Temporary Accommodation Scheme, Tavistock and the possible further at-risk spend of £60k to enter a Pre-Construction Services Contract, to be spent from the Project Capital Expenditure approval of £1,200,000, as detailed within the October 2020 Hub Report, be noted;
2. the decision to cease work on a directly delivered affordable led housing scheme at Brentor be deferred for further consideration at the next Hub Committee Meeting to be held on 13 December 2022.

3. the progress of the Okehampton (Wonnacotts) Housing Scheme and support the actions taken by officers to progress the plan to bring forward the development of the site, be noted.

***HC 57/22 EXCLUSION OF PUBLIC AND PRESS**

It was then **RESOLVED** that in accordance with Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting during consideration of the following item of business as the likely disclosure of exempt information as defined in paragraphs 3 and 5 of Schedule 12A to the Act is involved.

***HC 58/22 WASTE AND RECYCLING SERVICES CONTRACT - UPDATE**

The Hub Committee considered an Exempt report that provided an update on the Council's Waste and Recycling Services Contract.

It was then **RESOLVED** that the Committee note the update and that a further report will be presented to the next Full Council meeting to be held on 22 November 2022.

(The meeting terminated at 4.35 pm)

Chairman

(NOTE: THESE DECISIONS WILL BECOME EFFECTIVE FROM THURSDAY 10 NOVEMBER 2022, WITH THE EXCEPTION OF MINUTES HC 49/22 PARTS 2, 3 AND 4 and HC 55 WHICH ARE RECOMMENDATIONS TO THE COUNCIL MEETING TO BE HELD ON 22 NOVEMBER 2022 UNLESS CALLED IN, IN ACCORDANCE WITH SCRUTINY PROCEDURE RULES).

Minutes of a meeting of the **WEST DEVON DEVELOPMENT MANAGEMENT & LICENSING COMMITTEE** held on **TUESDAY** the **8th** day of **November 2022** at **10.00am** in the **COUNCIL CHAMBER, KILWORTHY PARK**

Present: Cllr J Yelland – Chairman
Cllr T Pearce – Vice Chairman

Cllr N Heyworth	Cllr B Ratcliffe
Cllr T Leech	Cllr M Renders
Cllr C Mott	Cllr T Southcott
Cllr D Moyses	Cllr J Spettigue

Head of Development Management (JH)
Planning Officer (NG)
Monitoring Officer (DF)
Democratic Services Officer (KH)

***DM&L.21 APOLOGIES FOR ABSENCE**

No apologies were received

***DM&L.22 DECLARATION OF INTEREST**

Members and officers were invited to declare any interests in the items of business to be considered during the course of this meeting. Cllr Yelland declared an interest in application 2844/22/FUL as she was related to the applicant and left the room when this item was discussed and voted on. In the interest of transparency she stated that she had received correspondence from both a supporter and an objector in regard to application 2603/22/FUL and had been forwarded to the Planning Officer in line with the Code of Conduct.

As the applicant of application 2603/22/FUL was West Devon Borough Council the Monitoring Officer granted the Committee Members a dispensation so as to allow them to look at this application.

***DM&L.23 URGENT BUSINESS**

There was no urgent business brought forward to this meeting.

***DM&L.24 CONFIRMATION OF MINUTES**

The minutes from the Licensing Sub-Committee from 23 August had a typo and a word was missed from one of the objectors' statements. The amended version was signed as a true copy.

***DM&L.25 PLANNING, LISTED BUILDING, TREE PRESERVATION ORDER AND ENFORCEMENT REPORTS**

The Committee proceeded to consider the report that had been prepared by the relevant Development Management Specialists on each of the following Applications and considered also the comments of the Town and Parish Councils together with other representations received, which were listed within the presented agenda report and summarised below:

(a) Application No: 2844/22/FUL

**Ward: Okehampton
South**

Site Address: 2, Crediton Road, Okehampton

Development: Alterations to roof structure & associated works

Recommendation: Conditional Approval

Conditions:

1. Standard time limit
2. Adhere to plans
3. Adhere to ecology Report
4. Installation of bat and bird box on completion of development
5. Details of fibre cement slates to be submitted and agreed in writing with LPA
6. Details of proposed Upvc windows to be submitted and agreed in writing by LPA

The Planning Officer took members through the report and stated That the key issues were:

- Visual impact on the setting of the conservation area (site within CA buffer-zone)
- The site is not Listed nor within the setting of a Listed Building
- Neighbour Amenity
- Design & Materials
- Environmental Hazards
- Ecology

Since the publishing of the officer's report the agent had submitted details of the colour and type of roofing tile and these were acceptable and in keeping with the conservation area, therefore condition 5 in the report was no longer required. In debate Members commented on the positives of bringing the building back into use.

Committee Decision: Conditional Approval

Conditions:

1. Standard time limit
2. Adherence to plans
3. Adherence to Ecology Report
4. Installation of bat and bird box on completion of development
5. Details of proposed Upvc windows to be submitted and agreed in writing by LPA

(b) Application No: 2603/22/FUL

Ward: Tavistock North

Site Address: West Devon Borough Council

Development: Erection of 3 flagpoles 8 meters high to replace

Single 8 meter high flagpole

Recommendation: Conditional Approval

Conditions:

1. Time
2. Accordance with plans
3. Carbon reduction implementations

Speakers

Objector: Hilary Moule

Supporter: Chris Brooks

The Planning Officer made a correction to the report stating that reference was made to a Neighbourhood Plan for Tavistock when in fact there was no adopted Neighbourhood Plan. There were also additional representation received. The new points raised were summarised as follows:

- Concerns remain that this represents a waste of taxpayers money.
- The proposal is not considered to meet aims regarding carbon reduction (particularly the use of fibreglass).
- Loss of the foliage mentioned by officers and residents that screens the proposal has died back over the past 6 months however the site is still described as not visible from the road or nearest houses.
- A number of Councillors were contacted about concerns and did not respond.
- The report concludes the impact on residents would not be significant but this is refuted by the objector who believes the noise impact from apparatus associated with the flagpole will be 'considerable' for the nearest residents.

During questions the Planning Officer stated the cost of the flagpoles was not a material planning reason.

The objector stated she lived 20 meters from the proposed site for the flagpoles. She noted the wildlife report was missing from the officers report. There are two species of owl and bats in the vicinity and this could have an effect on them.

She stated the amenity loss would be significant to her with noise and disturbance.

She mention there was two flagpoles in town and a redundant one on the corner of Quant Park and asked why more were needed. The existing flagpole is currently buffered by trees, however the site of the proposed ones has no significant trees. The production of fibreglass is toxic and environmentally unfriendly. The 12 representations to oppose the application sited the abuse of taxpayers money. No Officer or Councillor had questioned the finances used to prepare this let along the implementation.

The supporter explained the community and civic role of the council. The Union flag is important to have flying outside the council offices. He stated that when the flag was lowered to show solidarity with Ukraine the authority received strong representation asking why the Union flag was not flying. He explained to Members the strict rules of flying flags and that if two flags were to be flown together you would be showing supremacy to the flag on the top. Having three flagpoles would mean the council could represent its communities and make statements where appropriate. There were constraints as where to site the flagpoles. A rubber weight would be used at the top of the flagpole to stop the noise from the halyard. The existing flagpole would be removed.

A Member asked why it was not brought before the Hub Committee, in the past Members are normally consulted. The Monitoring Officer said it was right for the Member to raise the question but it was a matter to be dealt with elsewhere and outside of the Development Management Committee. The supporter explained the choice of fibreglass poles was due to them being lighter and more slender than a wooden flagpole, giving an easier installation. He explained the constraints on site meant the proposed position was the best compromise.

The Head of Development Management confirmed there was a report completed on the trees and the impact of the development and in the report no concerns were raised on the impact on wildlife.

In debate Members raised concerns over sound pollution. The Head of Development Management confirmed noise was a planning consideration under DEV1 of the Joint Local Plan. The Monitoring Officer explained to Members that whilst noise nuisance was a matter of planning judgement there had to be evidence to back it up.

The cost of ongoing maintenance of three flagpoles was raised. A Member raised concerns of the siting of the flagpoles. The position of the proposed flagpoles on the end of the turning bay of the car park where commercial vehicles turn was less than one meter from the kerbstone where vehicles can turn. The Member felt this was a major health and safety concern should a vehicle hit one of the flagpoles and it was to shatter with the possibility of pedestrians walking along the footpath behind being hit by fibreglass.

Committee Decision: Refusal

The proposal will have harmful effects and an unacceptable impact on the amenity of local residents by reason of noise disturbance and pollution arising from the apparatus associated with the flying of flags from the proposed flagpoles contrary to Policies DEV1 and DEV 2 (1) of the Joint Local Plan.

The Head of Development Management, relayed to Members that application 1355/19/FUL, 10 Ford Street, Tavistock was upheld and consent was granted for 6 flats but costs were refused. The inspector had deemed the Committee had acted in a correct way.

The S106 on Application 0723/21/FUL for 44 residential dwellings and outline planning for commercial land at Plymouth Road, Tavistock had been delayed due to the landowner having passed away.

***DM&L.27 UPDATE ON UNDETERMINED MAJOR APPLICATIONS**

The Monitoring Officer explained to Members that once the S106 is signed in regard to Application 3652/20/FUL land at Plymouth Road, Tavistock, there would be a briefing to Members of the DM&L Committee and Ward Members. The Head of Development Management informed Members that there was a meeting with the applicant that day in regard to application 4004/21/FUL Former Hazeldon Preparatory School, Tavistock. The application would still be recommended for refusal.

(The Meeting terminated at 11.45 am)

Chairman

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Report to: **Full Council**
Date: **22 November 2022**
Title: **Annual Review of Health and Safety Policy Statement**
Portfolio Area: **Leader**
Wards Affected: **All**

Urgent Decision: **N** Approval and clearance obtained: **Y**

Date next steps can be taken:
(*e.g. referral on of recommendation or implementation of substantive decision*)

Author: **Ian Luscombe** Role: **Head of Environmental Health and Licensing**

Contact: **01822 813713 Ian.Luscombe@swdevon.gov.uk**

RECOMMENDATION:

That Council RESOLVES to adopt the Health and Safety Policy Statement and that it is signed by the Head of Paid Service and the Leader of the Council.

1. Executive summary

- 1.1 The Council is required to prepare a written health and safety policy statement by the Health and Safety at Work etc Act 1974. The policy should be agreed and signed off by the Head of Paid Service and the Leader of the Council.
- 1.2 The Joint South Hams District Council and West Devon Borough Council Health and Safety policy documents the Council's position regarding its intentions, organisation and arrangements for ensuring the health, safety and welfare at work of their employees, and the health and safety of any other person working in, visiting the Councils, or who may be affected by their activities

- 1.3 The policy is required to be reviewed annually and where appropriate, revised to reflect any significant change within the Organisation.
- 1.4 There are no significant changes to the Policy this year. The only changes are to the naming of some job roles and some commentary to reflect the Waste Service coming back in house in South Hams.

2. Background

- 2.1 The Council is required to have a written health and safety policy under the Health and Safety at Work etc Act 1974. The Policy is an important document to set the responsibility for the health and safety of staff in the Council's employment and those persons effected by its activities. The Policy covers the entire range of Council Services.
- 2.2 The Policy is supplemented by a number of Safety Codes dealing with specific issues relevant to particular Service Groups and/or activities, e.g., Work at Height, Working Alone, Incident Reporting, etc. These Codes will have the same status as the Policy
- 2.3 The Policy adopts a sensible approach to managing risk which reflects best practice and is based on integrated management principles enabling the Council to achieve a correct balance in managing health and safety as part of an overall risk management
- 2.4 The Policy should be reviewed annually and revised to include any significant changes

3. Outcomes/outputs

- 3.1 The Council is required to have a Health and Safety Policy agreed by senior management and members, signed off by the Head of Paid Service and the Leader of the Council

4. Options available and consideration of risk

- 4.1 There is a statutory requirement to agree and implement the Council's Health and Safety Policy. Failure to do so would risk prosecution by the Health and Safety Executive and put employee's health and safety at unacceptable risk.

5. Proposed Way Forward

- 5.1 The Council should agree the revised Health and Safety Policy and continue to review it on an annual basis and/or when significant changes occur.

6. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance	Y	Health and Safety at Work etc Act 1974 The Policy conforms to the 2013 HSE guidance in order to ensure that the Council is legally compliant. Accordingly, the Policy needs to be formally adopted by the Council.
Financial	Y	Achieving legal compliance requires the Council's officers to actively engage in carrying out health and safety responsibilities intrinsic to their job role. The cost will be officer time which is accounted for within existing budgets. Achieving best practice will require an ongoing commitment to continuously improve the health and safety management system which will add to the cost of officer time.
Risk		The potential cost of not achieving legal compliance includes: i HSE enforcement costs ii legal and court cost iii compensation costs iv loss of credibility.
Consultation and Engagement Strategy		This policy is reviewed with the staff union on an annual basis. There is no requirement to consult with the public.
Comprehensive Impact Assessment Implications		
Equality and Diversity		The Policy applies to all members of staff and has considerations of the effect of Council activities on non-employees. Effective management of health and safety should ensure that equality and human rights are not infringed.
Safeguarding		Indirect impact derived from suitable and sufficient risk assessment of activities associated with vulnerable groups
Community Safety, Crime and Disorder		No direct impact

Health, Safety and Wellbeing		As above, direct impact on wellbeing derived from suitable and sufficient assessment of risk of work activities, e.g., lone working
Other implications		None

Supporting Information

Appendices:

A – South Hams District and West Devon Borough Council’s Health and Safety Statement

Background Papers:

None

HEALTH AND SAFETY STATEMENT AND POLICY

Revisions

Version 1	September 2015
Version 2	November 2016
Version 3	July 2017
Version 4	October 2018
Version 5	November 2019
Version 6	November 2020
Version 7	November 2021
Version 8	November 2022

Health and Safety Statement

South Hams District Council and West Devon Borough Council are fully committed to ensuring a high standard of health and safety. The Councils recognise their statutory duties protect the health, safety and welfare of staff and others connected to our work activities. We recognise the potential strategic, operational and financial risks associated with failures in health and safety and the importance of maintaining a well-resourced internal health and safety service.

This year the Council have taken the waste collection services back in house in South Hams. This has required a significant investment of time and expertise to ensure a safe, efficient operation has been put in place.

To demonstrate our commitment to health and safety we annually update the health and safety policy statement and have developed a health and safety improvement programme to continue the cycle of continuous improvement by reviewing and updating the health and safety procedures related to the work that we do. This statement, and the associated management systems detail how South Hams District Council and West Devon Borough Council will manage our health and safety responsibilities and deal with any incidents that may occur.

It will be the responsibility of the Councils' Senior Leadership team (SLT) to monitor the implementation of this policy and the councils' overall risk management performance. This will be achieved through the use of regular reporting commissioned by SLT and annual audits.

The Risk Management Group will be responsible for ensuring the work programme is delivered. They will champion health and safety compliance within the Heads of Service business areas.

The organisations have identified that technical expertise for health and safety will be provided by the Environmental Health team. They provide advice and support to the organisation as necessary.

We expect all staff to take reasonable steps to be aware of the policy, risk assessments, and the controls identified. To support the Heads of Practice in assessing risks, implementing controls, and to actively engage in any training, exercises or workshops will arranged to test the organisation's effectiveness.

Members are required to make themselves aware of the health and safety arrangements that are likely to affect them.

The Councils are committed to ensuring that the internal health and safety service is adequately resourced to enable the full implementation of this policy. This commitment includes the provision of sufficient financial resources, management and employee time, training and advisory support. The Councils have appointed a competent person to provide competent health and safety advice to the Councils.

This Health and Safety arrangements will be reviewed at least annually or more frequently where there have been significant changes to the Councils or factors affecting the Councils' activities.

Signed: _____

Date: _____

Andy Bates, Chief Executive

1. Statement of Intent

- 1.1 This is a statement of policy by South Hams District Council and West Devon Borough Council (the Councils) about their intentions, organisation and arrangements for ensuring the health, safety and welfare at work of their employees (including Elected Members), and the health and safety of any other person working in, visiting the Councils, or who may be affected by their activities.
- 1.2 It is the intention of the Councils to do all that is reasonably practicable to provide safe and healthy working conditions for its employees and to enlist their support in achieving this. The Councils also recognise their responsibilities to ensure the health and safety of elected members, members of the public, visitors and contractors when on their premises and others who may be affected by their activities.

2. Policy

- 2.1 It is the policy of the Councils as employers that they will comply so far as is reasonably practicable, with the requirements of the Health and Safety at Work etc. Act 1974 and all other relevant statutory provisions.
- 2.2 This policy is supported by Codes of Practice that apply throughout the Councils and will have the same status as this policy. The Codes of Practice will reflect:
- minimum legal requirements
 - best practice.
- 2.3 The Councils will do all that is reasonably practicable to prevent personal injury and illness, loss and damage to premises, plant and equipment by:
- Appropriate assessment and management of risk for all activities and seeking to eliminate hazards and/or reduce risks;
 - ensuring appropriate competence of all employees in health and safety by the provision of information, instruction, training, supervision, management support and performance appraisal;
 - ensuring close co-operation and participation of management and staff through normal working relationships and consultation with employees.
- 2.4 The Councils will pursue the above aims by the implementation of the objectives at **Appendix A**.
- 2.5 The remainder of this document contains the following sections:
- Organisation and responsibilities
 - Arrangements for implementation

- Objectives.

3. Policy Review

- 3.1 This policy will be reviewed annually, in consultation with the unions, by the Internal Health and Safety Service who will advise the Senior Leadership Team (SLT) on possible amendments
- 3.2 The Codes of Practice will be reviewed by the Internal Health and Safety Service as and when legislation changes, best practice dictates or when otherwise necessary.

4. Organisation and responsibilities

- 4.1 This part of the policy describes the organisational arrangements within the Councils for ensuring health and safety at work. Health and Safety issues are line management responsibilities alongside and of equal importance to responsibilities for the provision of services and the management of resources.

4.2 Head of Paid Service

- 4.2.1 The **Head of Paid Service** has overall responsibility to ensure, so far as is reasonably practicable, the health, safety and welfare at work of all the Councils' employees and members, to ensure, so far as is reasonably practicable, the health and safety of others who work in and visit the Councils or may be affected by the Councils' activities.

- 4.2.2 The **Head of Paid Service** will include Health and Safety in his/her annual report to Council.

4.3 Directors

- 4.3.1 Directors are responsible for the implementation of this policy in the areas over which they have control. Oversight of the function sits with the **Director of Strategy and Governance**

4.3.2 Head of Environmental Health and Licensing

The **Head of Environmental Health and Licensing** will be responsible for providing an internal health and safety service to the Councils which will be the competent assistance as required by the Management of Health and Safety at Work Regulations 1999. To avoid confusion this should be a named officer.

4.4 Heads of Service

Heads of Service are responsible for ensuring the implementation, coordination and monitoring of this policy and associated Codes of Practice,

and the overall health and safety management of the staff within their control. In particular, they must:

- carry out risk assessments and ensure that safe working conditions are maintained;
- ensure that staff within their control are trained and instructed in safe methods and comply with them;
- ensure that all accidents, incidents and near misses are reported and investigated and steps taken wherever possible to prevent a recurrence.

4.5 Heads of Service may nominate officers with Day-to-Day Responsibility for Health and Safety in their respective services/departments and inform their staff and the Internal Health and Safety Service accordingly but this will not remove the Head of Services's responsibilities.

4.6 **Employees**

Employees shall:

- take reasonable care for the health and safety of themselves and of other persons who may be affected by their acts or omissions;
- co-operate with their manager in the implementation of this policy;
- follow safe working practices at all times;
- report accidents, incidents and near misses to their line manager;
- report unsafe working conditions and hazards to their line manager or other appropriate person.

4.7 **Key staff with additional health and safety responsibilities**

In addition to their responsibilities as managers the following Heads of Services will also have the responsibilities shown at **Appendix B**:

- Head of Environmental Health and Licensing
- Head of Maritime
- Head of Human Resources
- Members of the Internal Health & Safety group

4.8 **Members of the Internal Health & Safety group**

- Membership of the Internal Health and Safety Group will consist of Heads of Practice and Managers and other relevant persons
- The group will be a forum for discussion for Internal Health and Safety matters and responsible for developing and progressing health and safety awareness throughout the Councils.
- The group will identify and implement work programmes relating to internal health and safety, including a programme of auditing and review, and any other tasks arising to achieve compliance with regulatory requirements or best practice.

- A member of SLT will be in attendance. This will enable key decisions to be made or effectively escalated to SLT.
- This group will also be a point of contact for Union Representatives and Staff Forums.

4.9 Head of Environmental Health and Licensing (Internal Health and Safety)

The Head of Environmental Health and Licensing is responsible for the Internal Health and Safety service. The Internal Health and Safety service provides the competent advice to the Councils on matters relating to health, safety and welfare at work across the Councils. Their objectives include:

- providing specialist support and guidance to the Councils on the effective management of health and safety;
- to help promote and maintain a high standard of total health (physical and mental) for all persons working in the Councils;
- the safeguarding of all staff from health and safety hazards arising from their work or the environment by means of accident prevention, environmental control and prevention of injury and illness;
- to receive all Incident/Near Miss reports, maintain an Incident/Near Miss database and publish performance statistics.

5. Arrangements for implementation

5.1 This part of the policy describes the general arrangements for the implementation and monitoring of health and safety at work.

5.2 Strategic aims, objectives and three-year action plan

The aims, objectives and three-year safety plan set out the Councils' commitment to provide a healthy and safe environment for all those who work in and visit the Councils. The plan reflects best practice and is based on the principles of loss control and quality management.

This approach is designed to:

- a. address the health and safety implications of the various activities of the organisations;
- b. identify the hazards and assess the level of risk;
- c. apply the following general principles of prevention in the order shown:
 - avoiding risks;
 - evaluating the risks which cannot be avoided;
 - combating the risks at source;
 - adapting the work to the individual, especially as regards the design of workplaces, the choice of work equipment and the choice of working and production methods, with a view, in particular, to alleviating

monotonous work and work at a predetermined work-rate and to reducing their effect on health;

- adapting to technical progress;
- replacing the dangerous by the non-dangerous or the less dangerous;
- developing a coherent overall prevention policy which covers technology, organisation of work, working conditions, social relationships and the influence of factors relating to the working environment;
- giving collective protective measures priority over individual protective measures; and
- giving appropriate training and instructions to employees.

5.3 Codes of Practice

5.3.1 Where a need is identified, through legislation, risk assessments, best practice, health and safety auditing, the proceedings of committees or other means, a Code of Practice will be established to set the standard of implementation and operation for the identified topic. These Codes of Practice will be reviewed as and when legislation changes or practice dictates.

5.3.2 The Codes of Practice shall have the same status as the main policy document and will outline how to implement the requirements of the main policy in specific risk areas.

5.4 Training

5.4.1 The Internal Health and Safety Service in conjunction with the training partnership and workplace managers and supervisors, will provide guidance on Health and Safety Training and general training needs, and identifying those key workers who should attend. The Internal Health and Safety Team will administer health and safety training across the organisations and develop a training competency matrix, which will establish key training for all staff.

5.4.2 Each Service will ensure that good working arrangements for health and safety training exist. This training will include attendance at corporate induction training and appropriate special to job induction training.

5.4.3 Each Service will ensure that health and safety is included as an integral part of their annual business plan.

5.4.4 Records of safety training provided will be maintained on Team Spirit and may also be maintained by service managers.

5.4.5 The identification of health and safety training needs is to be part of the annual appraisal process. Managers are responsible for identifying the training needs of individuals. The Internal Health and Safety Team needs in conjunction with Human Resources will be responsible for an analysis of the corporate training.

5.5 Risk assessment

5.5.1 Each manager/supervisor shall make a suitable and sufficient assessment of:

- the risks to the health and safety of his employees to which they are exposed whilst they are at work; and
- the risks to the health and safety of others who may be affected by their activities,

for the purpose of identifying the measures necessary to ensure a safe and healthy place of work.

5.5.2 In addition to the general risk assessment set out at paragraph 5.5.1 there may also be a need for a specific risk assessment and the need for that should be identified and if possible carried out at the same time. These specific assessments are shown in the appropriate Code of Practice on Assessment of Risk but include:

- manual handling ((including the lifting, putting down, pushing, pulling, carrying or moving of a load);
- display screen equipment (computing and word processing);
- hazardous substances etc;
- young people
- pregnancies.

5.5.3 Risk assessments will be reviewed:

- Periodically as recorded on the risk assessment;
- when an accident, incident or near miss occurs;
- when purchasing new equipment;
- changing work practices etc; or moving into a new work area.

5.5.4 Managers/supervisors are to monitor work activities to ensure that risk assessments and control measures are still suitable and sufficient and take appropriate action to review when necessary.

5.5.5 Where a need for a generic risk assessment is identified (e.g. work in offices, activities of a similar nature taking place in more than one service) the internal health and safety service will be responsible for carrying out the assessment and monitoring as required by paragraph 5.5.4

5.6 Health and safety standards, audit and inspection

5.6.1 A set of health and safety standards has been designed and each Service will make their own arrangements for reviewing their level of achievement annually which will be reported in their service plan. The standards are shown at **Appendix C.**

5.6.2 The Internal Health and Safety Team will develop a programme of audits and a standardised form to identify whether the management of risk has been carried out in each service area. The programme should be designed to reflect the needs of the Councils and the individual Service and will take into account the particular kinds of hazard or health and safety issues encountered. The timing of health and safety audits will appear in the annual safety plan and will be proportionate to the level and scope of the hazards and risks present.

5.6.3 The combination of the review of safety standards and the audit process is designed to ensure that we can demonstrate our level of health and safety management. The results will be analysed, considered, prioritised and shaped into an action programme.

5.7 Occupational health

5.7.1 Occupational health is concerned with work-related problems and health and safety in the workplace. An occupational health service for staff is provided under arrangements made by Human Resources. Further details may be obtained from the Human Resources Office.

5.8 Incidents

5.8.1 Any incident or injury occurring whilst at work or on the Council's premises, however trivial it may appear at the time, must be reported to the Internal Health and Safety Service on the prescribed form.

5.8.2 Any report of an incident caused by defective fixtures and fittings, furniture, equipment etc. should make the cause clear so that steps can be taken to rectify the fault and avoid a recurrence.

5.9 First Aid Arrangements and Medical facilities

5.9.1 Details of first aid arrangements and medical facilities for the Councils are given in the appropriate Code of Practice and on the Health and Safety pages of the Intranet.

5.10 Eye tests for display screen equipment users

5.10.1 Members of staff or elected members who are users of display screen equipment (computers etc) are eligible for the refund of the cost of an eye test. If it is confirmed by the optician that they require spectacles specifically for display screen equipment use, a further refund may be provided for the cost of a basic pair of spectacles. Further details are available from the Internal Health and Safety Service and on the Health and Safety pages of the Intranet.

5.11 Smoking and vaping

5.11.1 Smoking or vaping is not permitted in any of the Councils' premises. The text of the policy is set out in the appropriate Code of Practice and on the Health and Safety pages of the Intranet. This also extends to the use of E-Cigarettes.

5.12 Emergency Procedures

5.12.1 Fire

Details of the procedure in the case of fire are provided at each of the Councils' premises. Fire Safety training is also covered on the Induction Courses which is mandatory for all staff, in the health and safety training prospectus and periodically as a refresher.

5.12.2 Emergency procedures for staff with disabilities

On joining the Councils, any member of staff or elected member who has a disability that might impede their evacuation or the evacuation of anyone else should bring this to the attention of their manager. A personal evacuation plan will be drawn up by the responsible manager, in conjunction with the Internal Health & Safety Service, and this should be brought to the attention of colleagues working in the same locality. Staff who develop a disability during their employment in the Councils should also consult their manager.

5.12.3 Threats Against the Councils

On receipt of a threat against the Councils including those by letter or suspect package suspicious letter or parcel, staff should:

- make no attempt to open it;
- place the package carefully on the nearest firm surface; and
- telephone Follaton House Building Management (extension 1227) and Kilworthy Park Facilities (extension 3611/3609)

A more detailed risk assessment is available to staff working in the post room.

5.13 Security

Responsibility for security within the Councils' premises rests with the manager of each site. Staff are however expected to exercise all reasonable vigilance and, in particular, are responsible for any visitors they may bring into the Councils' premises.

5.14 Arrangements for Names badges and access cards and for Access Control

Where there is a need to provide staff and elected members with name badges and access cards or for access control the Facilities service will make the necessary arrangements.

5.15 Consultation With Employees

5.15.1 Consultation with employees on health and safety matters is essential and a statutory requirement.

5.15.2 Suitable arrangements are to be put in place for staff consultation and Terms of Reference agreed as appropriate.

.....
Andy Bates
Chief Executive

.....
Judy Pearce
Leader of the Council

.....
Neil Jory
Leader of the Council

South Hams District Council
Follaton House
Totnes
TQ9 5NE

West Devon Borough Council
Kilworthy Park
Tavistock
PL19 0BZ

Date November 2022

Appendices

Appendix A Aims and Objectives

Appendix B Key Staff With Additional Health and Safety Responsibilities

Appendix C Standards Linked To Health and Safety Objectives

Aims and Objectives**Aims**

- To ensure that a robust safety management system is in place;
- To provide and maintain a work environment that is safe and without risk to health for all employees, contractors and others who may be affected by the activities of the council;
- To avoid all accidents and to ensure that no one suffers ill health as a result of working at South Hams District Council or West Devon Borough Council or by the activities of the Councils;
- To plan and manage activities so that hazards are assessed and risks eliminated or controlled in so far as is reasonably practicable by appropriate prevention and protection measures

Objectives

- Fully integrate health and safety into the management and decision-making processes within the Councils.
- Ensure appropriate systems are developed and maintained for the effective communication of health, safety and welfare matters throughout the Councils.
- Comply with all relevant Statutes, Regulations and Codes of Practice. The minimum standards that will be adopted by the Councils will be those required by law, although the Councils will always seek to exceed these where there is a demonstrable benefit.
- Devote appropriate resources in the form of finance, equipment, personnel and time to ensure the maintenance of health, safety and welfare standards.
- Provide necessary information, instruction and training to employees and others, including temporary staff, to ensure their competence with respect to health, safety and welfare.
- Ensure appropriate liaison with all necessary persons to ensure an appropriate standard of health, safety and welfare. The Councils will also ensure that adequate arrangements are also in place for ensuring the health and safety of non- employees who may be affected by the Councils' activities.
- Ensure that all employees are aware of their responsibilities to take reasonable care of themselves and others who could be affected by their acts or omissions and to co-operate with management in achieving the standards required.
- Ensure that managers are aware of their specific duties and responsibilities to comply with the letter and spirit of the Councils' policy and that the management of health, safety and welfare is an integral part of their function and their performance will be monitored along with their other duties.
- Carry out appropriate investigation of accidents, incidents and 'near-misses' and necessary action taken to reduce the likelihood of a recurrence.
- Establish procedures to ensure that safe equipment and plant are provided for employees and non-employees.
- Establish procedures for the appointing and monitoring of the competency of contractors.

Key Staff with Additional Health and Safety Responsibilities

1. Head of Environmental Health and Licensing, in addition to his enforcement responsibilities in the commercial sector, will:
 - a. to be appointed as the Councils statutory appointed competent person under the Health and Safety at Work etc Act 1974
 - b. Provide a health and safety advisory service to the Councils by means of the Internal Health and Safety Service;
 - c. Advise the Internal Health and Safety Service on matters of Environmental Health and Licensing, relating to activities carried out by the Councils;
 - d. When necessary, monitor the atmosphere and assess noise levels in certain areas of work;
2. Head of Maritime will ensure that:
 - a. The Dartmouth Lower Ferry operates in accordance with the South Hams District Council's approved Domestic Safety Management Code as required by the Merchant Shipping (Domestic Passenger Ships) (Safety Management Code) Regulations 2001) and that reviews of the Code take place when necessary and at not less than 3 yearly intervals.
 - b. The Salcombe Harbour Safety Management System as required by the Department for Transport Port Marine Safety Code is produced and reviewed at the prescribed intervals.
3. Head of Human Resources will have responsibility for:
 - a. Advising elected Members and Officers on the personnel implications of the Councils' Health and Safety Policy;
 - b. Consultations and negotiations with representatives of the staff on those aspects of the Health and Safety policy which affect the staff and their conditions of employment;
 - c. In conjunction with the Internal Health and Safety Service provide suitable induction and other training for staff in health and safety matters, including the administration of the training programme and the organisation of training courses within the Councils;
 - d. Ensure that an appropriate paragraph concerning risk management and health and safety is included in each job description.
4. Internal Health & Safety group will have responsibility for:
 - a. identifying and implement work programmes relating to internal health and safety, including a programme of auditing and review, and any

other tasks arising to achieve compliance with regulatory requirements or best practice.

- b. the administration of health and safety training across the organisations and develop a training competency matrix.

Standards linked to Health and Safety Objectives

Performance levels			
1	2	3	4
Communication and Consultation - <i>Management will ensure that appropriate systems are developed and maintained for the effective communication of health, safety and welfare matters throughout the Councils. The Councils will liaise and work with all necessary persons to ensure an appropriate standard of health, safety and welfare. The Councils will also ensure that adequate arrangements are also in place for ensuring the health and safety of those who are not their employees</i>			
Health & safety is not discussed and changes are made without consulting with staff or managers	Health & Safety is a standard item on managers meetings, for all staff during first week induction and following any incident. Changes which may affect H&S are openly discussed with managers	Health & Safety is a standard item on managers and team meetings, for all staff during first week induction and following any incident and as part of risk assessment. Changes which may affect H&S are openly discussed with managers and staff	Health & Safety is a standard item on managers and team meetings for all staff during first week induction and following any incident and as part of risk assessment. Any matters arising are followed up to a conclusion. Changes which may affect H&S are openly discussed with managers and staff and comments or arguments welcomed
Contractors - <i>The Councils will ensure that procedures are established for appointing and monitoring the competency of contractors.</i>			
Contractors are selected without considering any health and safety implications	Contractors are selected after checking their health and safety management and systems	Contractors are selected after checking their health and safety management and systems and agreeing method statements and working processes. The Council's Internal Health and Safety Service is involved.	Contractors are not used OR Contractors are selected after checking their health and safety management and systems and agreeing method statements and working processes. The Council's Internal Health and Safety Service is involved. Contractors are actively monitored during the contract works and a record is maintained.
Monitoring of health and safety including risk assessments and working practices			
No monitoring of health and safety takes place	When problems are brought to the attention of managers the matter is looked into	Regular checks of some aspects of health and safety are made	A programme of checks on health and safety is produced and followed
Planning including the effects of service changes and requirements on health and safety			

There is no consideration of health and safety in my planning	Health and safety is included in my Service Plan but not to any great extent	Health and safety is included in my Service Plan and general planning for my service. Key hazards are identified together with targets for removing or mitigating the risks	Health and safety is a feature of all planning in the service. My service plan identifies key hazards and shows targets for removing or mitigating the risks. Progress is actively monitored.
Risk assessment - <i>The Councils' approach to health, safety and welfare is based on the identification, management and control of risks. There are distinct benefits to be gained from providing a safe and healthy working environment, and appropriate levels of resources will be allocated to promoting, developing and maintaining the standards of health, safety and welfare within the Councils.</i>			
No risk assessments have been carried out	Risk assessments have been carried out for all activities	Risk assessments have been carried out for all activities, control measures put in place and communicated to those affected. Review of assessments is carried out	Risk assessments have been carried out for all activities, control measures put in place and have been communicated to those affected and training has been provided. Monitoring and reviewing of assessments is carried out and recorded.
Training - <i>The Councils will provide the necessary information, instruction and training to employees and others, including temporary staff, to ensure their competence with respect to health, safety and welfare.</i>			
Training is not provided.	Health and safety training needs are identified during the annual appraisal process but not monitored	Health and safety training needs are identified during the annual appraisal process, and when they arise during the year	Health and safety training needs are identified during the annual appraisal process, and when they arise during the year and monitoring carried out to ensure that training takes place

South Hams District Council and West Devon Borough Council aim to ensure equality of opportunity in the delivery of their policies, services and employment practices. South Hams District Council and West Devon Borough Council will challenge discrimination, and encourages other organisations within South Hams and West Devon to act in accordance with Equality legislation.

This Policy is available in large print or Braille upon request.

If you require any help completing associated paperwork please contact the Internal Health and Safety Service extension 1475.