

WEST DEVON COUNCIL



West Devon
Borough
Council

Minutes of a meeting of the **West Devon Council** held on **Tuesday, 27th September, 2022** at **4.00 pm** at the **Chamber - Kilworthy Park**

Present: **Councillors:**

Chairman Cllr Mott
Vice Chairman Cllr Pearce

Cllr Ball	Cllr Blackman
Cllr Bridgewater	Cllr Cheadle
Cllr Crozier	Cllr Daniel
Cllr Edmonds	Cllr Heyworth
Cllr Jory	Cllr Kemp
Cllr Moyse	Cllr Ratcliffe
Cllr Renders	Cllr Ridgers
Cllr Samuel	Cllr Southcott
Cllr Spettigue	Cllr Wood
Cllr Yelland	

In attendance:

Councillors:
Cllr Ewings (via Teams)
Cllr Moody (via Teams)

Officers:
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

33. **HM Queen Elizabeth II**

CM 33/22

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.

34. **Apologies for Absence**

CM 34/22

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

35. **Confirmation of Minutes**

CM 35/22

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

36. **Declarations of Interest**

CM 36/22

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.

37. **Business brought forward by or with the consent of the Mayor**

CM 37/22

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.

38. **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**

CM 38/22

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.

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

CM 39/22

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

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

CM 40/22

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

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

CM 41/22

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

42.

Council Constitution

CM 42/22

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."

43. **Climate Emergency Planning Statement**

CM 43/22

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."

44.

Tamar Valley AONB - Five Year Management Plan

CM 44/22

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 concluded at 4.45 pm

Signed by:

Chairman
