

WEST DEVON COUNCIL



West Devon
Borough
Council

Minutes of a meeting of the **West Devon Council** held on **Tuesday, 20th February, 2024** at **2.00 pm** at the **Chamber - Kilworthy Park**

Present: **Councillors:**

Chairman Cllr Daniel
Vice Chairman Cllr Sellis

Cllr Blackman	Cllr Bridgewater
Cllr Calder	Cllr Casbolt
Cllr Cunningham	Cllr Dexter
Cllr Edmonds	Cllr Elliott
Cllr Ewings	Cllr Guthrie
Cllr Johnson	Cllr Jory
Cllr Kimber	Cllr Mott
Cllr Oxborough	Cllr Renders
Cllr Saxby	Cllr Southcott
Cllr Squire	Cllr Vachon
Cllr Wakeham	Cllr West
Cllr Mann	

In attendance:

Councillors:
Cllr Leech (via Teams) Cllr Viney (via Teams)
Cllr Watts (via Teams)

Officers:

Assistant Director - Strategy
Chief Executive and Head of Paid Service
Deputy Chief Executive
Director - Governance & Assurance
Head of Democratic Services
Head of Finance
Head of Revenues & Benefits
Monitoring Officer
Section 151 Officer

61. **Moment's Reflection**
CM 61/23
Since this was the first meeting of Full Council since former West Devon Borough Councillor, Mr Dick Eberlie had sadly passed away, Members paid tribute to him and stood to observe a moment's reflection in his memory
62. **Apologies for Absence**
CM 62/23
Apologies for absence were received from Cllrs Ball, Cheadle, Leech (in attendance in a non-voting capacity via Teams), Moody, Viney (in attendance in a non-voting capacity via Teams) and Watts (in attendance in a non-voting capacity via Teams).
63. **Confirmation of Minutes**
CM 63/23
It was moved by Cllr L Daniel, seconded by Cllr M Renders and upon the motion being submitted to the Meeting was declared to be **CARRIED** and "**RESOLVED** that the Council agree the Minutes of the Meeting held on 19 December 2023 and the Special Meeting also held on 19 December 2023."
64. **Declarations of Interest**
CM 64/23
The Mayor invited Members to declare any interests in the items of business to be considered during the course of the meeting and these were declared as follows:

On behalf of the Council, Cllr C Mott declared a personal interest in agenda item 12: 'Okehampton & Sydenham Damerel Community Governance Reviews – Final Recommendations' (Minute CM 72/23 below refers) by virtue of all Members having been sent correspondence from Okehampton Hamlets Parish Council representatives and all Members remained in the meeting and took part in the debate and vote thereon; and

Cllrs C Edmonds and N Jory both declared a separate personal interest in agenda item 12: 'Okehampton & Sydenham Damerel Community Governance Reviews – Final Recommendations' (Minute CM 72/23 below refers) by virtue of having recently been co-opted as Sydenham Damerel Parish Councillors and remained in the meeting and took part in the debate but abstained from the vote on that part of the recommendation
65. **To receive communications from the Mayor or person presiding**
CM 65/23
The Mayor proceeded to inform the meeting of:

- having recently received (on behalf of the Council) thanks from a local care organisation. In addition, the Mayor had also received thanks from a local constituent regarding the prompt work of the Council in replacing a Dog Waste Bin;
- the latest Mayors' Young Persons Green Award winner to be presented with her award by the Mayor at a School Assembly on Friday, 23 February 2024;
- the Annual Mayoral Awards scheme was now open for applications. As a result, the Mayor encouraged all Members to promote the scheme within their local Wards; and
- the Energy from Waste Plant visit scheduled for 13 March 2024 at 10.00am. The Mayor hoped that as many Members as possible were able to attend the visit and promoted the benefits of attending Members car sharing.

66. **To respond to any questions submitted by the public and to receive deputations or petitions under Council Procedure Rule 21**

CM 66/23

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

67. **To consider (any) questions submitted under Council Procedure Rules**

CM 67/23

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

68. **To consider Motion(s) of which notice has been duly submitted by Members in accordance with Council Procedure Rules**

CM 68/23

The Mayor advised that no Motions on Notice had been received from the membership in accordance with the Council Procedure Rules.

69. **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 69/23

(a) Development Management & Licensing Committee: 12 December 2023

It was moved by Cllr T Southcott, seconded by Cllr U Mann and upon being submitted to the Meeting was declared to be **CARRIED** and **"RESOLVED** that the Minutes of the meeting held 12 December 2023 be received and noted."

(b) Overview & Scrutiny Committee: 16 January 2024

It was moved by Cllr P Kimber, seconded by Cllr A Johnson and upon being submitted to the Meeting was declared to be

CARRIED and **“RESOLVED** that the Minutes of the meeting held on 16 January 2024 be received and noted.”

(c) Hub Committee – 30 January 2024

It was moved by Cllr M Ewings, seconded by Cllr M Renders and upon being submitted to the Meeting was declared to be **CARRIED** and **“RESOLVED** that the Minutes of the meeting held on 30 January 2024 be received and noted, with the exception of recommendations HC 41/23, HC 42/23, HC 45/23, HC 47/23 (part 2 and HC 48 (part 4).”

In respect of the Recommendations:

HC 41/23 The Council Plan 2024-2028

Members noted that this recommendation was to be considered at agenda item 11 (Minute 71/23 below refers).

HC 42/23 Draft Revenue and Capital Budget Proposals For 2024-25

Members noted that this recommendation was to be considered at agenda item 10 (Minute 70/23 below refers).

HC 45/23 Council Tax Discounts and Council Tax Reduction Scheme 2024/25

Members noted that this recommendation was to be considered at agenda item 13 (Minute CM 73/23 below refers).

HC 47/23 Month 7 Revenue Budget Monitoring 2023/2024

It was moved by Cllr M Ewings, seconded by Cllr M Renders and upon being submitted to the Meeting was declared to be **CARRIED** and **“RESOLVED** that the current virement limits within the Constitution be updated in line with those shown in paragraph 10 of the presented agenda report.

HC 48/23 Capital Programme Monitoring as at 31 October 2023

It was moved by Cllr M Ewings, seconded by Cllr M Renders and upon being submitted to the Meeting was declared to be **CARRIED** and **“RESOLVED** that £180,000 of the Vehicle Replacement Reserve in 2023/24 be used to finance replacement vehicles currently on order, in accordance with the waste vehicle forward plan.”

70.

**Draft Revenue and Capital Budget Proposals 2024/25
CM 70/23**

The Council was presented with a report that outlined the recommendations of the Hub Committee in respect of a series of draft revenue and capital budget proposals for 2023/24 (Minute HC 42/23 refers).

During the ensuing discussion, the following points were raised:

- (a) Whilst regrettable, Members highlighted the compound effect that necessitated the need to increase Council Tax by 2.99%.
- (b) number of Members recorded their thanks to the Section 151 Officer and her finance team for producing such a comprehensive set of budget proposals that would result in the achievement of a balanced budget.

It was then moved by Cllr M Ewings, seconded by Cllr M Renders and, in line with statutory requirements, a recorded vote was then undertaken on part (i) of the substantive motion. The voting was recorded as follows:

For the motion (25): Cllrs Blackman, Bridgewater, Calder, Casbolt, Cunningham, Daniel, Dexter, Edmonds, Elliott, Ewings, Guthrie, Johnson, Jory, Kimber, Mann, Mott, Oxborough, Renders, Saxby, Sellis, Southcott, Squire, Vachon, Wakeham and West

Against the motion (0)

Abstentions (0)

Absent (6): Cllrs Ball, Cheadle, Leech, Moody, Viney and Watts

and the vote on part (i) of the motion was therefore declared **CARRIED**.

In line with statutory requirements, a recorded vote was then undertaken on parts (ii) to (viii) of the motion. The voting was recorded as follows:

For the motion (25): Cllrs Blackman, Bridgewater, Calder, Casbolt, Cunningham, Daniel, Dexter, Edmonds, Elliott, Ewings, Guthrie, Johnson, Jory, Kimber, Mann, Mott, Oxborough, Renders, Saxby, Sellis, Southcott, Squire, Vachon, Wakeham and West

Against the motion (0).

Abstentions (0).

Absent (6): Cllrs Ball, Cheadle, Leech, Moody, Viney and Watts

and it was therefore declared **CARRIED** and "**RESOLVED** that:

- i) Council Tax for 2024/25 be increased by 2.99% (increasing a Band D council tax for 24/25 from £254.00 to £261.59 – an increase of £7.59 per year or under 15 pence per week). (NB. this equated to a Council Tax requirement of £5,627,384);
- ii) the financial pressures of £1,605,500 (as shown in Appendix A of the presented agenda report) be approved;

- iii) the savings/additional income of £(705,000) (as shown in Appendix A of the presented agenda report) be approved;
- iv) the net contributions to/(from) Earmarked Reserves of £(139,680) (as shown in Appendix D of the presented agenda report) be approved, to include the proposed use of £309,180 of New Homes Bonus funding to fund the 2024/25 Revenue Budget (as set out in section 3.4 of the presented agenda report) and £70,000 from the Business Rates Retention Earmarked Reserve (as set out in 3.3 of the presented report);
- v) the Council set its total net expenditure for 2024/25 (as shown in Appendix B of the presented agenda report) as £9,488,495;
- vi) the proposed Capital Programme Proposals for 2024/25 of £16,819,137 and the proposed financing of the Capital Programme (as set out in Appendix E of the presented agenda report) be approved;
- vii) the Reserves Strategy (as set out in Appendix H of the presented agenda report) be approved such that Unearmarked Reserves should continue to have a minimum level of £900,000 (as set out in the Medium Term Financial Strategy in September 2023), but an operating level of a minimum of £1.25million; and
- viii) in line with the requirements of Part 2 of the Local Government Act 2003, the level of reserves as set out within the presented agenda report and the assessment of their adequacy, and the robustness of budget estimates be noted."

71.

Council Plan and Year One Annual Delivery Plan

CM 71/23

Council considered a report that sought approval for the Council Plan 2024-28 and the Year 1 Delivery Plan

During debate, the following points were raised:

- (a) As evolving Plans, officers confirmed that there would be the possibility for future iterations to specifically demonstrate where the Plan contributed to the twelve levelling up principles that were set out in the Levelling Up and Regeneration Bill;
- (b) When questioned, officers advised that the Council was in the process of reviewing and updating its corporate approach to its equality, diversity and inclusion duties;
- (c) Members highlighted their aspirations in relation to obtaining locally generated energy sources that would be for the benefit of local residents;

- (d) The Council set out its thanks to the Assistant Director Strategy for his tireless efforts in producing such comprehensive Plans that were reflective of the views of the membership.

It was then proposed by Cllr M Ewings, seconded by Cllr M Renders and upon being submitted to the Meeting was declared to be **CARRIED** and **"RESOLVED** that:

1. the Council Plan 2024-2028 and Year 1 Delivery Plan (2024/25) as set out respectively in Appendix A and Appendix B of the presented agenda report be approved
2. funding for the 2024-25 delivery plan, as set out in section 4.2 of the agenda report, be approved; and
3. the funding for the 2024- 25 Delivery Plan (as set out in section 5.4 of the agenda report, be approved.

72.

Community Governance Reviews - Final Recommendations CM 72/23

Members considered a report that provided the final recommendations of the People and Communities Hub Advisory Group regarding the two Community Governance Reviews that had now reached the conclusion of the year-long Review process.

During the ensuing discussion, particular reference was made to:-

- (a) the longstanding challenges that had been experienced in Sydenham Damerel with regard to residents being reluctant to put themselves forward to serve on the parish council. As a result, the local Ward Member echoed the views of the Advisory Group in respect of hoping that a transition to a 'Parish Meeting' form of governance could be implemented as soon as was practically possible;
- (b) the role of Okehampton local Ward Members. Such was the nature of the issue, that a local Ward Member commented that, given the contrasting views of the town and parish council, it was not possible to please both councils. As a consequence, it would be a matter for all local Ward Members to demonstrate community leadership and mediate and support both councils through the transitional period;
- (c) the overriding view of the Advisory Group that an amalgamation of what constituted a rural and an urban council into one new council would not be appropriate.

It was then proposed by Cllr A Bridgewater, seconded by Cllr M Ewings upon being submitted to the Meeting was declared to be **CARRIED** and **"RESOLVED** that;

1. the submissions received on the Community Governance Reviews for the published draft proposals for Okehampton and Sydenham Damerel be noted;
2. the final recommendations in relation to these Reviews be approved as follows:

For Okehampton

1. That the existing parish boundaries of Okehampton Town Council and Okehampton Hamlets Parish Council be amended in line with Appendix B of the presented agenda report; and
2. That the Council strongly encourages the Town and Parish Council to work more closely together for the benefit of their local communities.

For Sydenham Damerel

That the Parish Council be abolished and replaced by a 'Parish Meeting' form of governance; and

3. the Monitoring Officer be granted delegated authority, in consultation with the lead Hub Committee Member for Communities and the Leader of Council, to execute the Reorganisation Orders in accordance with the Local Government and Public Involvement in Health Act 2007.

73. Council Tax Discounts and Council Tax Reduction Scheme 2024/25

CM 73/23

Consideration was given to a report that sought approval for the Council Tax Reduction Scheme for 2024/25.

The report also set out the current council tax discounts and premiums and reaffirmed the Council's intention to levy a 100% premium on Second Homes as allowed by the Levelling-Up and Regeneration Act 2024.

In the ensuing discussion, the following points were raised:

- (a) Some Members stated their opinion that homes should be for living in as opposed to profiteering from. As a consequence, these Members welcomed the measures that were set out in the presented agenda report;
- (b) A Member also welcomed the proposals relating to the Minimum Income Floor and commented that the current central benefits system was letting down a number of local residents;

- (c) When questioned, officers confirmed that, at present, there was no statutory definition in relation to the term 'substantially unfurnished property'.

It was then proposed by Cllr M Ewings, seconded by Cllr M Renders and upon being submitted to the Meeting was declared to be **CARRIED** and "**RESOLVED** that:

1. the contents of the report be noted;
2. a local Council Tax Reduction Scheme for 2024/25 be approved as follows:
 - Make no changes to the bands of the current banded scheme.
 - Removes the Minimum Income Floor (MIF) for self employed Claimants.
 - Disregards 100% of the of the 'Limited Capability for Work' element of Universal Credit;
3. the following Council Tax discounts be adopted with effect from 1 April 2024, :
 - (a) The discount for unoccupied and substantially unfurnished properties is 100% for a maximum period of 1 month.
 - (b) The discount for unoccupied and substantially unfurnished properties for 1 month to 1 year is zero.
 - (c) The discount for properties which require major repair work to render them habitable is 50% for a maximum period of 12 months.
 - (d) The discount for unoccupied furnished properties (second homes) is zero.
 - (e) An empty homes premium of an additional 100% is levied on properties that have remained unoccupied and unfurnished for at least one year, but less than five years.
 - (f) An empty homes premium of an additional 200% is levied on properties that have remained unoccupied and unfurnished for at least five years, but less than ten years.
 - (g) An empty homes premium of additional 300% is levied on properties that have remained unoccupied and unfurnished for at least ten years; and
4. with effect from 1 April 2025, a Second Homes Premium of 100%, be adopted."

The Meeting concluded at 3.10 pm

Signed by:

Chairman
