



West Devon
Borough
Council

West Devon Council

Title:	Summons																																													
Date:	Tuesday, 23rd July, 2019																																													
Time:	4.00 pm																																													
Venue:	Chamber - Kilworthy Park																																													
Full Members:	<p style="text-align: center;">Mayor Cllr Leech Deputy Mayor Cllr Mott</p> <p><i>Members:</i></p> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">Cllr Ball</td> <td style="width: 33%;">Cllr Moody</td> <td style="width: 33%;"></td> </tr> <tr> <td>Cllr Bolton</td> <td>Cllr Moyse</td> <td></td> </tr> <tr> <td>Cllr Bridgewater</td> <td>Cllr Musgrave</td> <td></td> </tr> <tr> <td>Cllr Cheadle</td> <td>Cllr Pearce</td> <td></td> </tr> <tr> <td>Cllr Coulson</td> <td>Cllr Ratcliffe</td> <td></td> </tr> <tr> <td>Cllr Crozier</td> <td>Cllr Renders</td> <td></td> </tr> <tr> <td>Cllr Davies</td> <td>Cllr Ridgers</td> <td></td> </tr> <tr> <td>Cllr Daniel</td> <td>Cllr Samuel</td> <td></td> </tr> <tr> <td>Cllr Edmonds</td> <td>Cllr Sellis</td> <td></td> </tr> <tr> <td>Cllr Ewings</td> <td>Cllr Southcott</td> <td></td> </tr> <tr> <td>Cllr Heyworth</td> <td>Cllr Spettigue</td> <td></td> </tr> <tr> <td>Cllr Hipsey</td> <td>Cllr Vachon</td> <td></td> </tr> <tr> <td>Cllr Jory</td> <td>Cllr Wood</td> <td></td> </tr> <tr> <td>Cllr Kemp</td> <td>Cllr Yelland</td> <td></td> </tr> <tr> <td>Cllr Kimber</td> <td></td> <td></td> </tr> </table>	Cllr Ball	Cllr Moody		Cllr Bolton	Cllr Moyse		Cllr Bridgewater	Cllr Musgrave		Cllr Cheadle	Cllr Pearce		Cllr Coulson	Cllr Ratcliffe		Cllr Crozier	Cllr Renders		Cllr Davies	Cllr Ridgers		Cllr Daniel	Cllr Samuel		Cllr Edmonds	Cllr Sellis		Cllr Ewings	Cllr Southcott		Cllr Heyworth	Cllr Spettigue		Cllr Hipsey	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:	Member.Services@swdevon.gov.uk																																													

1. Apologies for Absence

2. Declarations of Interest

Members are invited to declare any personal or disclosable pecuniary interests, including the nature and extent of such interests they may have in any items to be considered at this meeting.

If Councillors have any questions relating to predetermination, bias or interests in items on this Summons, then please contact the Monitoring Officer in advance of the meeting.

3. Confirmation of Minutes

1 - 8

To approve and adopt as a correct record the Minutes of the Meeting of Council held on 21 May 2019

4. To receive communications from the Mayor or person presiding

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

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

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

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

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

9 - 32

(i) Development Management and Licensing Committee

Meeting held on 4 June 2019

(ii) Hub Committee

Meeting held on 4 June 2019

Unstarred Minutes to agree:

HC 07 Devon Housing Assistance Policy

That Council be **RECOMMENDED** that the existing 2018-19 Homes Assistance Policy be updated with the revised 2019-2021 Devon Housing Assistance Policy.

HC 08 Community Housing Delivery – Capital Requirements

That Council be **RECOMMENDED**:

1. to approve Community Housing Development expenditure of up to £4.3 million to build out the first two Community Housing Schemes; delivering 29 residential units as set out in the presented agenda report;
2. to approve funding of up to £4.3 million from a combination of internal borrowing and external borrowing (from the Public Works Loan Board);
3. that specialist Treasury Management and legal advice be taken on the optimum way of financing the Community Housing schemes and the proposals outlined within the presented agenda report;
4. to delegate authority to the Head of Assets Practice and the Section 151 Officer to approve associated long leaseholds and disposals, in consultation with the Leader of the Council.

Hub Committee

Meeting held on 16 July 2019

(Minutes to follow)

(iii) Overview and Scrutiny Committee

Meeting held on 11 June 2019

Meeting held on 9 July 2019

Unstarred Minute to agree:

O&S 18 Overview and Scrutiny Annual Report

That Council be **RECOMMENDED** that the Overview and Scrutiny Annual Report for 2018/19 (as outlined at Appendix A of the agenda report presented to the

Committee meeting) be approved.

(iv) Audit Committee

Meeting held on 25 June 2019

10. Tavistock Hotel Action Plan Update	33 - 44
11. Commercial Investment Strategy	45 - 64
12. SLT Restructure	65 - 102
13. Climate Change Emergency Update	103 - 112
14. Outside Bodies	113 - 118

Agenda Item 3

At the Annual Meeting of the **WEST DEVON BOROUGH COUNCIL** held in the **COUNCIL CHAMBER, KILWORTHY PARK, TAVISTOCK** on **TUESDAY** the **21st** day of **MAY 2019** at **11.00am** pursuant to Notice given and Summons duly served.

Present

Cllr M Davies – The Mayor (In the Chair)

Cllr K Ball	Cllr T Bolton
Cllr A Bridgewater	Cllr A Coulson
Cllr P Crozier	Cllr L Daniel
Cllr C Edmonds	Cllr M Ewings
Cllr N Heyworth	Cllr S Hipse
Cllr N Jory	Cllr C Kemp
Cllr P Kimber	Cllr A F Leech
Cllr J B Moody	Cllr C Mott
Cllr D E Moyse	Cllr C R Musgrave
Cllr T G Pearce	Cllr B Ratcliffe
Cllr M Renders	Cllr P J Ridgers
Cllr L Samuel	Cllr D K A Sellis
Cllr T Southcott	Cllr J Spettigue
Cllr P Vachon	Cllr L Wood
Cllr J Yelland	

Chief Executive
Monitoring Officer
Senior Specialist – Democratic Services

CM 1

APPOINTMENT OF MAYOR

Cllr K Ball moved the appointment of Cllr A F Leech as Mayor for the ensuing year and Cllr T G Pearce subsequently seconded the motion.

No other nominations were received and, upon the motion being submitted to the meeting, it was declared to be **CARRIED** and “**RESOLVED** that Cllr A F Leech be appointed Mayor for the ensuing year”.

The retiring Mayor and newly elected Mayor left the Council Chamber so that Cllr A F Leech could be invested with the civic regalia. The retiring Mayor also invested Mrs Leech with the Mayoress’s Badge of Office.

Upon returning to the Council Chamber, the newly elected Mayor, Cllr A F Leech, made the Declaration of Acceptance of Office, signed the Register and addressed the Council.

Cllr A F Leech then chaired the remainder of the meeting.

Cllr T G Pearce proposed a vote of thanks to the retiring Mayor. The proposition was seconded by Cllr L Samuel.

Cllr A F Leech then invested Cllr M Davies and Mrs Davies with the Past Mayor's and his Consort's Medallions.

The retiring Mayor, Cllr M Davies proceeded to address the meeting.

CM 2 APPOINTMENT OF DEPUTY MAYOR

The Mayor called for nominations for the position of Deputy Mayor.

One nomination was received as follows:

Cllr C Mott	proposed:	Cllr T G Pearce
	seconded:	Cllr J Yelland

There being no other nominations, it was declared to be **CARRIED** and **"RESOLVED** that Cllr C Mott be appointed as Deputy Mayor for the ensuing year".

The Deputy Mayor then made the Declaration of Acceptance of Office and signed the register and the Mayor invested Cllr C Mott with the Deputy Mayor's Insignia.

Cllr C Mott then addressed the Council.

CM 3 APOLOGIES FOR ABSENCE

An apology for absence was received from Cllr R Cheadle.

CM 4 DECLARATION 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 5 CONFIRMATION OF MINUTES

It was moved by Cllr N Jory, seconded by Cllr L Samuel and upon the motion being submitted to the Meeting was declared to be **CARRIED** and **"RESOLVED** that the Council agree the Minutes of the 26 March 2019 meeting as a true record."

CM 6 URGENT BUSINESS

The Mayor advised that he had no items of urgent business for consideration at this meeting.

CM 7 ANNUAL REVIEW OF COUNCIL'S CONSTITUTION

The Council considered a report that sought to formally adopt the Council Constitution and establish the Terms of Reference of the Invest to Earn Committee.

It was moved by Cllr N Jory, seconded by Cllr C Edmonds and with no questions or debate ensuing was submitted to the Meeting and declared to be **CARRIED** and “**RESOLVED** that:

1. the Invest to Earn Committee be formally established with the Terms of Reference being adopted; and
2. the Mayor sign a copy of the Council Constitution for 2019/20.”

CM 8 PETITION – BUS STATION TOILETS, TAVISTOCK

On behalf of local residents, Cllr J B Moody presented a petition to the Mayor that called upon the Council to stop the closure of the Bus Station Toilets at Tavistock.

In receiving the petition, the Mayor advised that, in accordance with the Council’s Procedure Rules, a response would be sent to Cllr Moody in due course.

CM 9 NOTICE OF MOTION

It was moved by Cllr M Davies and seconded by Cllr D K A Sellis:

“That West Devon Borough Council recognises that we have a ‘Climate Emergency’ and that urgent steps need to be taken to address all matters within the Borough which may affect climate change.

That this Council recognises that the crisis is both global and local and that Local Government has a role to play in promoting environmentally friendly policies. To this end, it is recommended that a Working Group be established with cross-group membership to be decided by the Leader of this Council, in discussion with other political groupings. To report back within three months with initial recommendations.”

Cllr Davies introduced the motion and made reference to:-

- the significance and importance of the Climate Change agenda;
- 50% of current black bag waste in the Borough being recyclable. Cllr Davies emphasised that the Council must act to reduce this statistic;
- the need for the Council to be brave and outward facing in this respect; and
- the views of schoolchildren. During his Mayoral year, he had visited each of the Primary Schools in the Borough and, at these visits, he was questioned on numerous occasions on what steps the Council was taking to increase its recycling rates and reduce the use of plastic.

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

- (a) The seconder expressed her support for the motion and informed that Devon County Council had already approved a motion to declare a Climate Change Emergency. As a consequence, the seconder felt that the Council needed to embrace the Climate Change agenda and work in partnership with other local authorities and agencies for the benefit of the environment;
- (b) An amendment was moved and seconded to read as follows:

“That West Devon Borough Council recognises that we have a ‘Climate Change and Biodiversity Emergency’ and that urgent steps need to be taken to address all matters within the Borough which may affect climate change and habitat loss.

That this Council recognises that the crisis is both global and local and that Local Government has a role to play in promoting environmentally friendly policies. To this end, it is recommended that a Working Group be established with cross-group membership to be decided by the Leader of this Council, in discussion with other political groupings. To report back within three months with initial recommendations.”

In support of his amendment, the proposer advised that this matter had proven to be a real doorstep issue prior to the recent elections. The Member made reference to recent publications and stated that, whilst the population was estimated to have doubled in the last 100 years, the wildlife population had decreased. As a result, there had been a negative human effect on the global ecosystem and he felt it to be important for this to be incorporated into the original motion.

Since both the proposer and seconder of the original motion expressed their support for this amendment, it was therefore included in the substantive motion.

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

West Devon Borough Council recognises that we have a ‘Climate Change and Biodiversity Emergency’ and that urgent steps need to be taken to address all matters within the Borough which may affect climate change and habitat loss.

That this Council recognises that the crisis is both global and local and that Local Government has a role to play in promoting environmentally friendly policies. To this end, it is recommended that a Working Group be established with cross-group membership to be decided by the Leader of this Council, in discussion with other political groupings. To report back within three months with initial recommendations.”

CM 10 MINUTES OF COMMITTEES

a. Council Tax Setting Panel – 27 February 2019

It was moved by Cllr M Davies, seconded by Cllr L Samuel and upon being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that the Minutes of the 27 February 2019 meeting be received and noted”.

b. Overview and Scrutiny Committee – 26 March 2019 and 2 April 2019

It was moved by Cllr J Yelland, seconded by Cllr T G Pearce and upon being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that the Minutes of the 26 March 2019 and 2 April 2019 meetings be received and noted”.

c. Development Management and Licensing Committee – 26 March 2019 and 23 April 2019

It was moved by Cllr T G Pearce, seconded by Cllr D E Moyse and upon being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that the Minutes of the 26 March 2019 and 23 April 2019 meetings be received and noted”.

CM 11 APPOINTMENT OF LEADER AND DEPUTY LEADER OF THE COUNCIL

a. Leader

It was moved by Cllr L Samuel, seconded by Cllr T G Pearce and upon the motion being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that Cllr N Jory be appointed Leader of the Council for the ensuing year.”

b. Deputy Leader

It was moved by Cllr N Jory, seconded by Cllr C R Musgrave and upon the motion being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that Cllr L Samuel be appointed Deputy Leader of the Council for the ensuing year.”

CM 12 REPORT OF THE FORMATION OF POLITICAL GROUPS

Members noted the schedule of officially appointed political groups as follows:

- 16 Conservative Group Members; and
- 15 West Devon Alliance Group Members.

CM 13 COMMITTEE STRUCTURE

It was moved by Cllr N Jory, seconded by Cllr T G Pearce and upon the motion being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that the Committee structure be as follows for the coming year:

Audit	7 Members;
Hub	9 Members;
Overview & Scrutiny	15 Members;
Development Management & Licensing	10 Members;
Standards	5 Members; and
Invest to Earn	3 Members.

with all of the appointments to the above Committees being politically balanced”.

CM 14 MEMBERSHIP OF COMMITTEES

A list of appointments made to the Committees by the two political groups for the ensuing year had been circulated and were duly approved. The Leaders of the two political groups were named as:

Conservative	Cllr N Jory (Deputy: Cllr L Samuel)
West Devon Alliance Group	Cllr R Cheadle (Deputy: Cllr T G Pearce)

CM 15 APPOINTMENT OF CHAIRMEN AND VICE CHAIRMEN OF COMMITTEES

The following appointments were proposed by Cllr N Jory and seconded by Cllr T G Pearce and when put to the vote were declared to be **CARRIED**:

- Audit Committee: Cllr M Davies (Chairman);
Cllr P Vachon (Vice Chairman);
- Development Management & Licensing Committee: Cllr J Yelland (Chairman);
Cllr T G Pearce (Vice-Chairman);
- Hub Committee: Cllr N Jory (Chairman);
Cllr L Samuel (Vice Chairman);
- Overview & Scrutiny Committee: Cllr M Ewings (Chairman)
Cllr P Kimber (Vice-Chairman);
- Invest to Earn Committee: Cllr C Edmonds (Chairman);
- Standards Committee: Cllr A F Leech (Chairman); and
Cllr M Davies (Vice Chairman).

APPOINTMENT OF REPRESENTATIVES TO THE LIST OF OUTSIDE BODIES FOR THE ENSUING YEAR

Members considered a report that presented the Group Leader's nominations to fill the vacancies on the list of Outside Bodies.

(i) Devon Authorities Strategic Waste Committee

Two nominations were put forward to the role of the Council's representative on the Devon Authorities Strategic Waste Committee as follows:

- o Cllr S Hipsey; and
- o Cllr C Mott.

In accordance with Council Procedure Rule 19(3), it was put to the vote and declared that Cllr C Mott be appointed as the Council's representative on the Devon Authorities Strategic Waste Committee for the ensuing year.

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

1. The Council should be represented on the list of Outside Bodies as presented to the meeting, with the exception of a review being undertaken into the merits of continuing to appoint to the following Outside Bodies:

- o Crowndale Recreational Association;
- o Tavistock College Endowment Fund Trustee;
- o Tavistock Heritage Initiatives Grant Panel;
- o Tavistock Townscape Heritage Partnership; and
- o Torridge, North, Mid and West Devon Citizens Advice Bureau;

with the results of this review being presented to the next Council meeting;

2. Appropriate representatives be appointed as this Council's appointments to those Bodies for the 2019/20 Municipal Year and that for the purposes of Members' Allowances, attendance at meetings of these Bodies be regarded as an approved duty; and

3. Members appointed to Outside Bodies provide regular feedback and consultation on issues affecting the Bodies concerned".

CM 17 APPOINTMENT OF REPRESENTATIVES TO THE LIST OF OTHER GROUPS

It was proposed by Cllr N Jory, seconded by Cllr T G Pearce and upon being submitted to the Meeting was declared to be **CARRIED** and **"RESOLVED** that the appointments as presented to the meeting be endorsed for the ensuing year".

CM 18 DARTMOOR NATIONAL PARK AUTHORITY

It was noted that the two Council representatives appointed to the Dartmoor National Park were:-

Cllr D E Moyse (Conservative); and
Cllr M Renders (West Devon Alliance Group).

(NOTE: These appointments formed part of the Political Balance Table.)

CM 19 ANNUAL REPORT

The Council was presented with its Annual Report for the 2018/19 Financial Year for adoption and publication.

In his introduction, the Leader expressed his support for the report and proceeded to thank the report author for her efforts in compiling its content.

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

1. the progress and achievements made by the Council be noted; and
2. the West Devon Annual Report (as outlined at Appendix A of the presented agenda report) be adopted and published for the 2018/19 Financial Year."

(The Meeting terminated at 12.25 pm)

Mayor

Agenda Item 9

At a Meeting of the **DEVELOPMENT MANAGEMENT & LICENSING COMMITTEE** held at the Council Chamber, Council Offices, Kilworthy Park, Drake Road, **TAVISTOCK** on **TUESDAY** the 4th day of **JUNE 2019** at **10.00am**

Present:

Cllr J Yelland – Chairman

Cllr T G Pearce – Vice Chairman

Cllr R Cheadle

Cllr S Hipsey

Cllr D E Moyse

Cllr P Crozier

Cllr C Mott

Cllr B Ratcliffe

Head of Practice Development Management (PW)

Planning Specialist (CS)

Head of Practice Environmental Health (IL)

Legal Advisor (BF)

Specialist Democratic Services (KT)

Other Members also in attendance: Cllrs N Jory, N Heywood, T Leech, T Southcott and M Ewings

***DM&L 01 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Cllrs M Renders and P Vachon.

***DM&L 02 DECLARATION OF INTEREST**

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

Cllr T G Pearce declared a personal interest in all applications by virtue of being a Member of the Devon Building Control Partnership. He remained in the meeting and took part in the debate and vote on the item.

The Solicitor granted a dispensation to enable all Members to take part in the debate and vote on application **0924/19/ADV**: Advertisement consent for 'Meadowlands Leisure Centre' centre name signs x 2 – front and back of building. Directional sign to main entrance from rear of site – Meadowlands Leisure pool, The Wharf, Tavistock, as the Council had a leasehold interest in the application.

***DM&L 03 URGENT BUSINESS**

The Chairman advised that there was one item of urgent business that was exempt, and would be taken at the end of the meeting.

***DM&L 04 CONFIRMATION OF MINUTES**

The Minutes of the Development Management and Licensing Committee Meeting held on 23 April 2019, were confirmed and signed by the Chairman as a correct record.

***DM&L 05 PLANNING, LISTED BUILDING, TREE PRESERVATION ORDER AND ENFORCEMENT REPORTS**

The Committee proceeded to consider the applications that had been prepared by the Development Management Specialists 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, and **RESOLVED** that:

(a) Application No: 0257/19/VAR Ward: Mary Tavy

Site Address: West Liddaton Farm, Liddaton, Coryton

Application for variation of condition 2 following grant of planning permission 3842/17/FUL (Part retrospective)

Case Officer Update: No further update

Speakers included: Supporter – Mr Peter Rowan; and local Ward Member – Cllr Pearce (reserved his speech for debate)

RECOMMENDATION: Conditional Approval

During discussion, and having been on a site visit, Members raised concerns over a number of the changes, but particularly were concerned at the appearance and position of the door on the southern elevation. If the application were to be approved, Members required a condition that would change the door to one of solid appearance. Concerns were also raised over the industrialisation of the building, but Members were advised that the future use of the building was not a reason for refusal of the application, although it might be a matter for investigation at a later date. Other Members with experience of bee keeping were surprised at the need for an air conditioning unit, and were disappointed that the need had not been taken into account as part of the recent original application.

COMMITTEE DECISION: Refusal

Reasons:

The insertion of an external doorway in the loft space of the southern elevation does not respect the character and appearance of the building and would cause visual harm to the area, contrary to Policy DEV20 of the Plymouth and South West Devon Joint Local Plan 2014-2034.

(b) Application No: 0924/19/ADV Ward: Tavistock North

Site Address: Meadowlands Leisure Pool, The Wharf, Tavistock

Advertisement consent for 'Meadowlands Leisure Centre' centre name signs x 2 – front and back of building. Directional sign to main entrance from rear of site

Case Officer Update: None

RECOMMENDATION: Conditional Approval

COMMITTEE DECISION: conditional Approval

Conditions:

1. Accord with plans
2. Standard advert condition – permission of site owner required
3. Standard advert condition – security
4. Standard advert condition – maintenance
5. Standard advert condition – public safety
6. Standard advert condition – tidy site after removal
7. Illuminated signage only lit when leisure centre is open

***DM&L 06 PLANNING APPEALS UPDATE**

The Committee received and noted the updated list of Planning Appeals, including Enforcement Appeals.

***DM&L 07 EXCLUSION OF PUBLIC AND PRESS**

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 paragraph 1 of Schedule 12A to the Act is involved.

***DM&L 08 URGENT BUSINESS**

As set out by the Chairman at Item 3, there was one item of urgent business to be raised, to update the Committee on a decision that had been taken using urgent powers, in respect of the revocation of a taxi driver licence. The Head of Practice Environmental Health presented a statement to Members, and responded to questions of clarity.

(The Meeting terminated at 11.15 am)

Chairman

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At a Meeting of the **HUB COMMITTEE** held at the Council Chamber, Council Offices, Kilworthy Park, Drake Road, **TAVISTOCK** on **TUESDAY** the **4th** day of **JUNE, 2019** at **2.00 pm**

Present: Cllr N Jory – Chairman
Cllr L Samuel – Vice Chairman

Cllr R Cheadle	Cllr C Edmonds
Cllr A F Leech	Cllr J B Moody
Cllr C Mott	Cllr T G Pearce
Cllr D K A Sellis	

In attendance: Chief Executive
Commissioning Manager
Commissioning Manager - Waste
Head of Environment Health Practice
S151 Officer
Community Housing Officer
Specialist Democratic Services

Other Members in attendance:

Cllrs Ball, Bolton, Coulson, Crozier, Davies, Ewings, Heywood, Hipsey, Kemp, Moyse, Musgrave, Ratcliffe, Renders, Southcott, Spettigue, Wood and Yelland.

***HC 01 DECLARATIONS OF INTEREST**

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

***HC 02 MINUTES**

The Minutes of the Hub Committee meeting held on 19 March 2019 were confirmed and signed by the Chairman as a correct record.

***HC 03 HUB COMMITTEE FORWARD PLAN**

Members were presented with the Hub Committee Forward Plan setting out items on the agenda for Hub Committee meetings for the next four months.

***HC 04 CORPORATE STRATEGY**

Members were presented with a report that reviewed the Council's progress in refining the Council's service offering under each of the Council's six corporate themes, namely: Efficient and Effective Council, communities, Enterprise, Environment, Home and Wellbeing.

The Leader introduced the report. During discussion, the Leader reinforced the importance of linking the Corporate Strategy with the Joint Local Plan and accepted that the Corporate Strategy did include overlapping areas. He asked that all Lead Members were aware of how the Joint Local Plan, a long term strategic document for the Council, impacted on their areas of responsibility.

It was then **RESOLVED** that:

1. The progress made to date on refining the Council's Corporate Strategy be acknowledged;
2. The approach as detailed in section 5.1a of the report to further embed, promote and share the Council's corporate Strategy with newly elected Members and their communities be supported; and
3. Time be set aside to review feedback from the proposed Member community engagement and establish corporate strategy targets as detailed in sections 5b and 5c of the report.

***HC 05**

MEMBER LOCALITY FUND

Members were presented with a report that outlined how a Member Locality Fund might operate, not only for the current financial year, but for the tenure of the current administration, i.e. four years.

The Lead Member for Communities introduced the report. There was a great deal of discussion on the proposal and the Commissioning Manager responded to a number of queries. Some Members were generally supportive, but were concerned that the proposal would result in the loss of the Community Project Fund. One Member proposed an alternative recommendation, which included specific reference to a review of the scheme and the continuation of the Community Project Fund. On being put to the vote the amendment was declared **CARRIED**. Members also asked that the review be timed to coincide with a review of partnership funding, but the Lead Member reminded Members that they had to deal with the proposal as set out and that partnership funding was a separate issue.

It was then **RESOLVED** that the proposed Member Locality Fund as detailed in paragraphs 4.2 and 5 of the report be approved, subject to a review in autumn of 2020 and retention of the Community Project Fund in year 2.

***HC 06**

WASTE COLLECTION FREQUENCY TRIAL

Members were presented with a report that recommended that the current recycling service was improved in October 2019 to include plastic pots, tubs, trays and printer cartridges, cardboard drinks containers and foil. It further recommended that these improvements were followed by a three weekly residual collection trial starting in November 2019 with a report being submitted to the Hub Committee in June 2020, detailing the results of the trial and future recommendations for the service.

The Lead Member for Environment introduced the report and, with the Commissioning Manager Waste, responded to questions. Members were supportive of the proposal, particularly the improvements to the recycling scheme which should help to reduce the amount of waste for disposal. In response to questions, the Commissioning Manager Waste confirmed that the Council would be learning lessons from other Devon authorities which had already commenced a three weekly residual waste collection project.

It was then **RESOLVED** that:

1. The addition of plastic pots, tubs, trays and printer cartridges, cardboard drinks containers and foil to the kerbside recycling collections with effect from October 2019 be approved, and that the cost of the collection containers is met through the Strategic Waste Earmarked Reserve;
2. The establishment of a trial of three weekly residual (black sack) collections to around 1,000 households in the Borough starting in November 2019 be approved and that the costs are met through the Strategic Earmarked Reserve; and
3. The results of the trial will inform an outcome report to the Hub Committee that will include an officer appraisal over whether or not the committee should recommend to Council that a three weekly refuse collection should be implemented for all households in the Borough from March/April 2021.

HC 07 DEVON HOUSING ASSISTANCE POLICY

Members were presented with a report that sought to update the current Housing Assistance Policy with more flexible assistance packages that would be available to a greater number of vulnerable residents.

The Lead Member for Health and Wellbeing introduced the report.

It was then **RESOLVED** that Council be **RECOMMENDED** that the existing 2018-19 Homes Assistance Policy be updated with the revised 2019-2021 Devon Housing Assistance Policy.

HC 08 COMMUNITY HOUSING DELIVERY – CAPITAL REQUIREMENTS

Members were presented with a report that set out proposals to fund construction of the first two community housing projects as outlined in the business case in exempt Appendix 1 and that the Head of Assets, in consultation with the Head of Paid Service, the s151 Officer and the Lead Member for Homes be given delegated authority to approve expenditure in accordance with the business cases.

The Lead Member for Homes introduced the report. The Community Housing Officer and s151 Officer responded to a number of questions including the following:

- Treasury Management advice would be sought on the exact structure of borrowing that would include fixed and variable lending
- Contractors would be vetted and a company employed to project manage the process
- The site at Lamerton may still come forward, work was ongoing with the Parish Council and Neighbourhood Plan groups on the site and to look at substitute sites, but an alternative site may need further funding from Homes England
- The projects needed sites to accommodate at least 12 houses to be viable, were usually exception sites that deliver 60% affordable housing and the schemes were driven by the needs of the community
- Grant funding from Homes England had started the projects. The sale of properties from the specific projects proposed would provide the funding to roll over onto new projects.

Finally, a Member asked if the developers of the projects would be required to use the Devon Building Control Partnership for Building Regulations approval. The schemes proposed were of high quality, and to use the Partnership would enable the schemes to be put forward for their annual awards, thereby generating well deserved recognition of the projects.

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

1. To approve community housing development expenditure of up to £4.3m to build out the first two community housing schemes delivering 29 residential units as set out in the report;
2. To approve funding of up to £4.3m from a combination of internal borrowing and external borrowing (from the Public Works Loan Board);
3. That specialist treasury management and legal advice is taken on the optimum way of financing the community housing schemes and the proposals within the report; and
4. To delegate authority to Head of Assets Practice and s151 Officer to approve associated long leaseholds and disposals in consultation with the Leader of Council.

*** HC 09 LEAD MEMBER UPDATE**

Cllr Leech presented a comprehensive update to Members on the work and achievements of services within Environmental Health and Housing over the last 12 months. He agreed to circulate the update to all Members.

(The meeting terminated at 4.00 pm)

Chairman

(NOTE: THESE DECISIONS, WITH THE EXCEPTION OF HC 07 and HC08 WHICH ARE RECOMMENDATIONS TO FULL COUNCIL ON 23 JULY 2019, WILL BECOME EFFECTIVE FROM WEDNESDAY 12 JUNE, 2019 UNLESS CALLED IN, IN ACCORDANCE WITH SCRUTINY PROCEDURE RULE 18).

At a Meeting of the **OVERVIEW & SCRUTINY COMMITTEE** held at the Council Chamber, Council Offices, Kilworthy Park, Drake Road, **TAVISTOCK** on **TUESDAY** the **11th** day of **JUNE 2019** at **2.00 pm**.

Present: Cllr M Ewings – Chairman
Cllr P Kimber – Vice-Chairman

Cllr K Ball	Cllr T Bolton
Cllr A Coulson	Cllr L Daniel
Cllr N Heyworth	Cllr K Kemp
Cllr D Moyse	Cllr C R Musgrave
Cllr B Ratcliffe	Cllr T Southcott
Cllr J Spettigue	Cllr L Wood

Chief Executive
Group Manager – Support Services and Customer First
Senior Specialist – Democratic Services
Commissioning Manager
COP Lead – Environmental Health
Senior Specialist – Environmental Health

Also in Attendance: Cllrs R Cheadle, P Crozier, C Edmonds, N Jory, A F Leech, J B Moody, C Mott, T G Pearce, M Renders, L Samuel and J Yelland

- *O&S 1 APOLOGIES FOR ABSENCE**
Apologies for absence for this meeting were received from Cllr P J Ridgers.
- *O&S 2 CONFIRMATION OF MINUTES**
The minutes of the Meeting of the Overview and Scrutiny Committee held on 26 March 2019 were confirmed and signed by the Chairman as a true and correct record.
- *O&S 3 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 was none made.
- *O&S 4 PUBLIC FORUM**
There were no issues raised during the Public Forum session at this meeting.

***O&S 5 HUB COMMITTEE FORWARD PLAN**

During consideration of the most recently published Hub Committee Forward Plan, the Committee made reference to:-

- (a) the Coastal Concordat agenda item. In response to some questions, the Committee felt that it would be helpful to receive a formal update at its next meeting on the Coastal Concordat;
- (b) the Community Housing Capital Financing agenda item. Members requested that they receive further information specifically in respect of Design Principles and Building Standards at the next Panel meeting on 9 July 2019.

O&S 6 CUSTOMER SATISFACTION ACTION PLAN PROGRESS

The lead Hub Committee Member for Customer First presented a report that detailed the progress that had been made since April 2019 on improving customer satisfaction levels. The report also included recommended next steps to continue to improve the customer experience by further honing the Council website to pre-empt customer needs and manage expectations.

In discussion, reference was made to:-

- (a) the 2019 Customer Satisfaction Survey. The Committee asked that the full results of the 2019 Survey be presented to its meeting on 19 November 2019;
- (b) call volumes. Whilst some emphasis was given to waste and recycling, officers confirmed that there was a month on month reduction in telephone calls being received by the Council across all of its service areas;
- (c) obtaining customer feedback. The overriding view of the Committee was that customer feedback was more important than locally generated performance measures in making improvements in customer satisfaction levels. In terms of feedback already gleaned, there were common themes around officers not keeping customers sufficiently informed and the need for the Council to develop a 'get it right first time' culture;
- (d) receiving quarterly updates. Whilst Members were supportive of the suggestion that they receive quarterly progress updates in the future, officers did assure the Committee that this could be revisited again should it be felt necessary to increase the frequency of reporting.

It was then:

RECOMMENDED

That the Hub Committee be **RECOMMENDED** to:

1. note and comment on the progress made to date in improving customer satisfaction (as detailed in section 3 of the agenda report presented to the Committee); and
2. endorse the next steps (as outlined in section 5 of the agenda report presented to the Committee).

***O&S 7 FOOD SAFETY SERVICE PLAN**

The Committee considered a report that provided Members with the opportunity to agree and comment upon the Food Safety Service Plan 2019/20.

In discussion, the following points were raised:-

- (a) Members paid tribute to the team's performance in maintaining a 100% food safety inspection rate in each of the last two years. In so doing, the Committee was also informed that very few local authorities achieved this level of performance;
- (b) With regard to the emphasis being placed on public health, whilst Devon County Council (DCC) had primary responsibility, officers confirmed that the Borough Council was committed to working closely with DCC to make progress in this area.

It was then:

RESOLVED

That the Committee:

1. has had the opportunity to agree and comment upon the Food Safety Service Plan 2019/20; and
2. acknowledges the excellent performance of the Food Safety Team that is demonstrated by the achievement whereby 100% of food safety inspections had been carried out in 2018/19.

***O&S 8 ANNUAL WORK PROGRAMME 2019/20**

The Committee considered its first draft version of its Work Programme for the 2019/20 Municipal Year. In discussion, it was agreed that:

- After the first Joint Local Plan update had been presented to the Committee meeting on 9 July 2019, then consideration of this matter on a quarterly basis would be sufficient;
- It would be timely for the Member Development Steering Group to review the effectiveness of the 2019 Member Induction Programme, with the Group findings then being presented to the Committee at its meeting on 19 November 2019;
- In advance of the 'Peer Challenge Action Plan – Progress Update' agenda item being considered at the Committee meeting on 9 July 2019, it was requested that a copy of the Peer Review Concluding Report and Action Plan should be circulated to all Members;
- Such was the significance of the issue, that the Committee requested that officers produce an update report on the 'A386 Transport Corridor / Tavistock Rail' for consideration at its next meeting on 9 July 2019. Members felt that, depending on the outcome of the debate on this agenda item, it may then be appropriate to invite Devon County Council representatives to attend a future Committee meeting.

(The meeting terminated at 3.30 pm)

Chairman

At a Meeting of the **OVERVIEW & SCRUTINY COMMITTEE** held at the Council Chamber, Council Offices, Kilworthy Park, Drake Road, **TAVISTOCK** on **TUESDAY** the **9th** day of **JULY 2019** at **2.00 pm**.

Present: Cllr P Kimber – Chairman

Cllr A Coulson	Cllr L Daniel
Cllr C Kemp	Cllr D Moyse
Cllr C R Musgrave	Cllr P J Ridgers
Cllr J Spettigue	Cllr L Wood

Chief Executive
Group Manager – Support Services and Customer First
Senior Specialist – Democratic Services
Head of Place Making Practice
Senior Case Manager – Community Housing
Section 151 Officer
Support Services Specialist Manager
Projects Specialist

Also in Attendance: Cllrs R Cheadle, C Edmonds, M Renders, L Samuel and J Yelland

- *O&S 9 APOLOGIES FOR ABSENCE**
Apologies for absence for this meeting were received from Cllrs K Ball, T Bolton, M V L Ewings, N Heyworth, B Ratcliffe and T Southcott.
- *O&S 10 CONFIRMATION OF MINUTES**
The minutes of the Meetings of the Overview and Scrutiny Committee held on 2 April 2019 and 11 June 2019 were confirmed and signed by the Chairman as a true and correct record.
- *O&S 11 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 was none made.
- *O&S 12 PUBLIC FORUM**
There were no issues raised during the Public Forum session at this meeting.
- *O&S 13 HUB COMMITTEE FORWARD PLAN**

During consideration of the most recently published Hub Committee Forward Plan, formal requests had been made for updates on the following future agenda items:-

(a) Coastal Concordat – Explanation

The Head of Place Making Practice advised that the Coastal Concordat was an agreement between the Department for Environment, Food and Rural Affairs (DEFRA); the Marine Management Organisation; the Environment Agency; Natural England; and the Council.

Once signed by all agencies, the agreement would provide a framework within which the separate processes for the consenting of coastal developments in the Borough could be better co-ordinated.

The Committee was also informed that the delay on the Hub Committee Forward Plan for consideration of this agenda item was attributed to DEFRA guidance still being awaited.

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

- (i) In response to some very specific issues, it was agreed that lead officers would meet with a Committee Member outside of this meeting;
- (ii) The close linkages with the work of the Tamar Estuary Consultative Forum were acknowledged;
- (iii) Once the DEFRA guidance had been published (and prior to the Hub Committee formally considering the matter), the Committee requested that all Members be in receipt of a Briefing Note and a map that highlighted the affected area within the Borough.

(b) Community Housing – Presentation on Progress Made to Date

The Senior Case Manager – Community Housing conducted a presentation that provided Members with:

- a short history of the Community Housing initiative;
- details on what the Council was doing at present to support the initiative;
- information on the current direction of travel; and
- the Design Principles and Building Standards.

In debate, particular reference was made to:-

- (i) the £250,000 award from Central Government. Such was the cost of delivering Community Housing schemes, that Members noted that the £250,000 award would only enable the Council to focus on the development of relatively small scale sites;

- (ii) the availability of willing landowners. It was acknowledged that the availability of willing landowners to offer up potential sites was often a barrier to this initiative;
- (iii) local housing need. Officers stated that the top priority that underpinned the Community Housing agenda was local housing need;
- (iv) design and build standards. A number of Members felt that greater pressure should be exerted on to large housing developers to ensure that housing was built to the highest possible sustainability standards;
- (v) establishing a housing company. Members acknowledged that they would need to make a decision in the upcoming months regarding whether or not the Council should establish a housing company to manage properties developed through this initiative. Some Members also made the point that a significant advantage of the Council taking on the management role would be to ensure that a greater level of control was retained over the allocation of these properties;
- (vi) bringing development sites forward. In addition to the Community Housing agenda, officers also reminded the Committee that there were other means of bringing development forward that included the adoption of a local Neighbourhood Plan and Community Land Trusts.

***O&S 14 A386 TRANSPORT CORRIDOR / TAVISTOCK RAIL UPDATE**

The lead Hub Committee Member for Prosperity presented a report that provided an update on the A386 Transport Corridor / Tavistock Rail issue.

In the ensuing discussion, reference was made to:-

- (a) an addition to part 1 of the recommendation was **PROPOSED** and **SECONDED** to read as follows:

“That it be noted that the Council will continue to work with partner organisations to lobby for funds to reinstate the railway from ***Tavistock to Bere Alston.***”

When put to the vote, this addition was felt to add clarity to the recommendation and was therefore declared **CARRIED**;

- (b) regular updates being presented to the Committee. There was unanimous support expressed for the proposal for regular updates to be presented to the Committee and the need for the Council to be more

proactive and vigorous in its lobbying on this issue was emphasised. In addition, Members were supportive of the suggestion that a Devon County Council led presentation be scheduled for consideration at the next Committee meeting on 3 September 2019;

- (c) the likely trend for increased rail use in the future was acknowledged;
- (d) the Okehampton to Exeter rail route. A local Ward Member informed that she was hopeful that a start date for the route would be released soon;
- (e) the economic regeneration aspect to this subject matter. The lead Hub Committee Member for Enterprise advised that the Enterprise Working Group (formerly known as the Economy Working Group) would also be taking an increased interest in this matter.

It was then:

RESOLVED

That it be noted that the Council will:

1. continue to work with partner organisations to lobby for funds to reinstate the railway from Tavistock to Bere Alston;
2. pursue with partner organisations, as a priority, an alternative major public transport scheme between Tavistock and Plymouth;
3. continue to work with partner organisations and other stakeholders to deliver smaller scale interventions to improve safety and reduce congestion on the A386 and in Tavistock Town; and
4. continue to engage with the community with respect to highway and transport matters.

***O&S 15 FINANCIAL STABILITY REVIEW GROUP – OVERVIEW OF PROGRESS MADE TO DATE: PRESENTATION**

The Section 151 Officer conducted a presentation to Members that outlined the history behind the establishment of the Financial Stability Review Group (FSRG) and the progress that had been made to date.

As part of the presentation, reference was made to:-

- the FSRG being set up in November 2017 in direct response to the 'One Council' vote;
- the objectives of the FSRG being to:

- examine all aspects of the Council's finances in order to ensure that the Borough Council had a sustainable and secure future and was able to continue to deliver services to residents;
- re-examine all Council expenditure to ensure that best practice was employed and value for money achieved; and
- promote and support the implementation of new ideas, especially in the area of income generation.
- the seven principles of the FSRG being that:
 - statutory services should be protected and, if possible, improved;
 - current staffing levels should be maintained;
 - the views and opinions of staff members at all levels would be sought;
 - no line of expenditure was to be considered sacrosanct or protected;
 - in order to ensure a sustainable future, it be recognised that the Council would have to accept higher levels of risk than had previously been the case;
 - the importance of shared services in saving costs be recognised; and
 - leadership from both Members and senior officers would be vital.
- the items previously considered by the FSRG included:
 - the Council's Pensions Strategy;
 - the Waste Procurement process;
 - the Council's Accommodation Strategy;
 - car parking charges;
 - Commercial Property;
 - Business Rates Pilot; and
 - New Homes Bonus;
- the first meeting in the 2019/20 Municipal Year of the FSRG to be held in September 2019.

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

- (a) The Committee was advised that the Council had now established an Invest to Earn Committee with formal decision-making powers and the close relationship with the work of the FSRG was noted;
- (b) Members commented that the work of the FSRG had ensured that the annual budget setting process was now a far more smoother exercise;
- (c) The Section 151 Officer advised that the Council continued to lobby Central Government with regard to the extent of the cuts that had been imposed on local authorities. Furthermore, at the recent Local Government Association Annual Conference, delegates had been very vocal to the Central Government Ministers in attendance that Councils could not continue to absorb such cuts to their core funding;
- (d) In respect of the upcoming Member Budget Setting Workshops, officers confirmed that the projections would reflect what they considered to be the worst case scenario.

***O&S 16 PEER CHALLENGE PROGRESS UPDATE**

Members were presented with a report that provided an update on the progress that had been made to date on the delivery of the Peer Challenge Action Plan.

In discussion, Members welcomed the intention for closer working relations to be reinstated with South Hams District Council Members.

It was then:

RESOLVED

That the Committee:

1. agree the progress to date on delivery of the Peer Challenge Action Plan; and
2. welcome the intention for closer working relations to be reinstated with South Hams District Council Members.

***O&S 17 WASTE PROCUREMENT CLOSEDOWN REPORT**

The Committee considered a report that presented the closedown report for the recent Waste Procurement project.

In discussion, Members were of the view that the Waste Procurement project had been an exemplar piece of work.

It was then:

RESOLVED

That the Frontline Services Waste Procurement Project Closedown Report be endorsed.

O&S 18 OVERVIEW AND SCRUTINY ANNUAL REPORT

A report was considered that presented the Overview and Scrutiny Annual Report for 2018/19.

With no questions or issues being raised, it was then:

RECOMMENDED

That the Council be **RECOMMENDED** that the Annual Report for 2018/19 (as outlined at Appendix A of the presented agenda report) be approved.

***O&S 19 TASK AND FINISH GROUP UPDATES**

Members noted that there were no active Task and Finish Groups at this present time.

***O&S 20 ANNUAL WORK PROGRAMME 2019/20**

The Committee considered the latest version of its Work Programme for the 2019/20 Municipal Year. In discussion, it was highlighted that:

- Devon County Council representatives would be invited to attend the next Committee meeting on 3 September 2019 (Minute *O&S 14 above refers); and
- The next three monthly update on the Peer Review Action Plan should be scheduled for consideration by the Committee at its meeting on 8 October 2019.

***O&S 21 MEMBER LEARNING AND DEVELOPMENT OPPORTUNITIES ARISING FROM THE MEETING**

The Committee was reminded of the request for all Members to be in receipt of a Briefing Note and a map that highlighted the affected area of the Coastal Concordat within the Borough (Minute *O&S 13(a) above refers).

(The meeting terminated at 3.50 pm)

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 **25th** day of **June 2019** at **2.00pm**

Present:

- Cllr M Davies (Chairman)
- Cllr P Vachon (Vice Chair)
- Cllr A Bridgewater
- Cllr P Crozier
- Cllr S Hipsey
- Cllr Mark Renders
- Cllr J Yelland

Officers in attendance:

- Section 151 Officer
- Internal Auditor Manager
- External Auditor
- Head of Finance Practice
- Senior Case Manager –Democratic Services
- Monitoring Officer

Also in attendance: Cllr C Edmonds (lead Hub Committee Member)

*** AC 1 CONFIRMATION OF MINUTES**

The Minutes of the Committee Meeting held on 12 March 2019 were confirmed and signed by the Chairman as a correct record.

*** AC 2 GRANT THORNTON AUDIT PROGRESS REPORT**

The External Auditor took members through the report.

It was then **RESOLVED** that:

The report be noted

*** AC 3 GRANT THORNTON AUDIT PLAN**

The External Auditor took Members through the External Audit Plan. He highlighted to the committee the significant risks and the mitigations in place. The S151 Officer responded to a member question around risk of pressure in the early closedown stating measures are taken to ensure the timetable is met.

It was then **RESOLVED** that:

The report was noted

*** AC 4**

GRANT THORNTON EXTERNAL AUDIT FEE LETTER

The External Auditor presented the external audit letter to the Committee.

It was then **RESOLVED** that:

The content of the letter be noted

AC 5

DRAFT STATEMENT OF ACCOUNTS 2018/19 AND DRAFT ANNUAL GOVERNANCE STATEMENT 2018/19

The Lead Member for Performance & Resources introduced the report to the committee. It was confirmed that the limit of the Council's exposure on the SW Mutual Bank was for the £49,995 purchase of shares. There was one question around Serveco and the S151 Officer confirmed that there would be a recommendation from officers to close the dormant company.

A member highlighted that the link within the Accounts to the Members' allowances note needed updating.

Regarding the Pensions note to the Accounts (Page 129 of the agenda), a Member noted that the share in Overseas equities had increased from 37% (in March 2018) to 43% in March 2019 and the share in UK equities had fallen from 22% (in March 2018) to 17% in March 2019. The S151 Officer confirmed that the Pensions Fund was administered by Devon County Council and the Pensions Committee of DCC set the Strategy for Investment.

A member asked for confirmation that the £89,000 underspend for the 2018/19 financial year went into the Unearmarked Reserves. The S151 Officer confirmed this was correct and that Unearmarked Reserves at 31.3.2019 stood at £1.286 million. A further question was asked by the Member if the Council could also consider setting an Upper Limit for Unearmarked Reserves as well as a Minimum Limit. The S151 Officer confirmed that this could be incorporated as a recommendation within the Medium Term Financial Strategy (MTFS) which Members would consider in September 2019.

In response to a question, the Head of Finance Practice confirmed that de-minimis was a 'minimum' level, with items below that value not considered.

With regards to the CCLA Investment, it was confirmed that a yearly evaluation on the CCLA Property Fund would take place and this followed a discussion around IFRS9 and to elect to present in other comprehensive income, changes in fair values of all equity investments including the CLLA investment

The Lead Officer for Performance and Resources thanked the finance team for all their hard work. The Chair seconded the vote of thanks.

It was then **RESOLVED** that:

1. The Draft Statement of Accounts and the Draft Annual Governance Statement (AGS) for the financial year ended 31 March 2019 were noted.
2. The Committee elected to present in other comprehensive income changes in fair value of all equity instruments including The CCLA investment in accordance with IFRS 9 – Financial Instruments with effect from 1 April 2018
3. It was noted that delegated authority had been exercised by the Section 151 Officer to transfer £30,000 of additional planning income received in 2018/19 to the Joint Local Plan Earmarked Reserve.

***AC 6 ANNUAL REPORT OF THE STATUTORY OFFICER PANEL 2018/19**

The Lead Member for Performance & Resources introduced the report to the committee. The Monitoring Officer gave feedback on the Peer Review and Induction Scheme.

It was then **RESOLVED** that:

The Annual Report of the Statutory Officers' Panel be noted

***AC 7 INTERNAL AUDIT REPORT 2018/19**

The Lead Member for Performance & Resources introduced the report to the committee. A discussion took place as to tree inspections and the level of training given for such inspections. Good progress was being made on S106 agreements with a shared S106 Officer post now being in place.

It was then **RESOLVED** that:

1. The Audit Committee noted that overall and based on work performed during 2018/19, and that of our experience from previous year's audit, the Head of Internal Audit's Opinion is of "Substantial Assurance" on the adequacy and effectiveness of the Authority's internal control network.
2. Members noted the satisfactory performance and achievements of the Internal Audit Team during 2018/19

*** AC 8 PROPOSED COMMITTEE WORKPLAN FOR THE 2019/20 FINANCIAL YEAR**

The Workplan was introduced by the S151 Officer.

(The Meeting terminated at 3.10 pm)

Dated this

Chairman

Report to: **COUNCIL**

Date: **23 July 2019**

Title: **Internal Audit report – Tavistock Hotel Proposal**

Portfolio Area: **Resources & Performance – Cllr Edmonds**

Wards Affected: **All**

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

Date next steps can be taken: Immediately following this meeting

Author: **Mrs C Bowen** Role: **Monitoring Officer**
Mrs L Buckle **S151 Officer**

Contact: **Email catherine.bowen@swdevon.gov.uk**
Email lisa.buckle@swdevon.gov.uk

Recommendation:

That Council approves the contents of the Internal Audit report (Tavistock Hotel) Action Plan (as attached at Appendix A).

1. Executive summary

- 1.1 Council on 26th March 2019 considered a report that provided Members with the conclusions of the Devon Audit Partnership (DAP) review into the recent Tavistock Hotel Proposal (Council Minute CM66). The report had also previously been considered by the Overview and Scrutiny Committee (Minute O&S 108 refers) and the Hub Committee (Minute HC91).
- 1.2 The Devon Audit Partnership (DAP) was asked by the Chief Executive of West Devon Borough Council, to undertake a review on the basis of what lessons could be learnt following the rejection by Members to approve the funding for a proposal to develop the Abbey Rise Car Park site in Tavistock.

- 1.3 Appendix A of this report sets out the ten recommendations from the Internal Audit report (Tavistock Hotel Proposal) with the action recommended for each Recommendation together with a suggested timescale.
- 1.4 A version of this report is also to be considered by the Hub Committee at its meeting on 16 July 2019 and the views of the Hub Committee will be outlined in the published minutes arising from that meeting.

2. Background

- 2.1 Following the rejection by Members to approve the funding for a proposal to develop the Abbey Rise Car Park site in Tavistock, the Devon Audit Partnership (DAP) was asked by the Chief Executive of West Devon Borough Council, to undertake a review on the basis of what lessons could be learnt.
- 2.2 An audit brief was agreed with the following objectives:
 - An assessment of the effectiveness of the Commercial Property Strategy, using the information and evidence that was considered as part of the business case for the Tavistock Hotel proposal and its robustness (in relation to the decision to proceed to the Hub Committee to recommend to Council for the funding to be set aside for the project as part of the Capital Programme Proposals for 2019-20) – to include outline consideration of car parking, the economy, the design and the planning considerations;
 - To detail the timetable of events for reports and meetings on the decision, prior to the Hub Committee recommendation on 29th January 2019;
 - To determine the level of consultation which had taken place and with whom, including other local authorities, business organisations, consultants and voluntary/specialist organisations;
 - An assessment of whether due process and the correct governance procedures were followed and adhered to as part of the decision making process;
 - What were the factors that led to a number of recommendations from the Hub Committee on 29th January 2019 being overturned at Full Council on 12th February 2019– not just by a majority of Councillors but by a unanimous vote;
 - A high level review of the information and content on social media.
- 2.3 On 26th March 2019 at a meeting of the Full Council, a report was considered that provided Members with the conclusions of DAP's review into the recent Tavistock Hotel Proposal (Council Minute CM66). The report had also previously been considered by the Overview and Scrutiny Committee (Minute O&S 108 refers) and the Hub Committee (Minute HC91 refers). The link to the report is shown below.

<https://mg.swdevon.gov.uk/ieListDocuments.aspx?CIId=271&MIId=1326&Ver=4>

2.4 A review of relevant documentation was undertaken, including Council and Committee agendas, reports and minutes, the Commercial Property Strategy, acquisition and development proposal papers, meeting notes and a selection of email communication between Members and Members and officers. As well as the documentation above, reference was made to the Scrutiny Proposal Form dated 18th February 2019 (requesting the setting up of a Task & Finish Group to review the procedures for proposing development funded by the Council) and the Council's Constitution.

2.5 The relevant minute of the Council meeting is shown below:

Council Minute CM66

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

1. the conclusions and ten recommendations contained in the Internal Audit Report (March 2019) be accepted;
2. officers of the Council, in consultation with lead Hub Committee Member, be asked to prepare an Action Plan and commence implementation of the recommendations forthwith and to submit the Plan, together with progress made to date at the Council meeting on 23 July 2019; and
3. a meeting be requested (early in the 2019/20 Municipal Year) of the Political Structures Working Group to consider in particular the use of unstarred minutes and the relationship between the Hub Committee and the Council, with a report being presented back to the Council meeting on 23 July 2019."

3. Outcomes/outputs

3.1 The Action Plan in Appendix A sets out the outcomes and outputs required to address the ten recommendations within the Internal Audit Report together with progress on actions already commenced and appropriate timescales.

4. Options available and consideration of risk

4.1 Appendix A of this report sets out the ten recommendations from the Internal Audit report (Tavistock Hotel Proposal) with the action recommended for each Recommendation and a description of the timescale involved. The Action Plan will be recommended to Council for adoption.

4.2 Council has already accepted the conclusions and ten recommendations contained in the Internal Audit Report (March 2019) – Minute Reference CM66. The Hub Committee can recommend changes to the content of the Action Plan set out in Appendix A.

5. Proposed Way Forward

5.1 It is recommended that the Action Plan set out in Appendix A for the ten recommendations from the Internal Audit report (Tavistock Hotel Proposal) is adopted.

6. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance		The Action Plan in Appendix A sets out legal and governance issues which need to be addressed, with any consequential amendments to the Constitution. There are also items within the Action Plan that need to be referred to and considered by the Political Structures Working Group.
Financial implications to include reference to value for money		There are no direct financial implications of any of the ten recommendations or actions set out in the Action Plan in Appendix A. The recommendations adopted will ensure the Council has arrangements in place to secure economy, efficiency and effectiveness in its use of resources. The Council's Annual Governance Statement for 2018-19 refers to the ten recommendations from the Internal Audit report on the Tavistock Hotel Proposal.
Risk		There are no direct risk implications from the Council adopting the Action Plan and agreement to the Action Plan in Appendix A will mitigate the risks of similar issues arising with any proposed development on Council owned land in the future.
Supporting Corporate Strategy		The Internal Audit report (Tavistock Hotel) Action Plan supports the Corporate Strategy Themes of Council, Enterprise and Communities.
Comprehensive Impact Assessment Implications		
Equality and Diversity		None
Safeguarding		None

Community Safety, Crime and Disorder		None
Health, Safety and Wellbeing		None
Other implications		None

Supporting Information

Appendices:

Appendix A – Internal Audit Report – Tavistock Hotel Action Plan

Background Papers:

Hub Committee 19th March 2019 – Internal Audit Review of the Commercial Property process

Overview and Scrutiny Committee 26th March 2019 – Devon Audit Partnership report – Tavistock Hotel Proposal

Council 26th March 2019 – Internal Audit report – Tavistock Hotel proposal

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Internal Audit Report – Tavistock Hotel Proposal - Action Plan

Recommendation	Details	Action	Timescale
1. Commercial Property Strategy	<p>The Council should consider having separate strategies for acquisitions and commercial development on Council owned land. In addition, consideration should be given as to whether the strategy should make a clear differentiation between acquisitions and development opportunities that are “In Borough” and “Out of Borough”.</p> <p>If the current Strategy remains, then a review of its current wording should be carried out to ensure that where reference is made to acquisitions, that the implications on commercial development and the process to be followed are considered and clearly set out where they differ from acquisitions (e.g. consultation with ward Members).</p>	<p>A revised Commercial Investment Strategy will be presented to the Hub Committee in July 2019. This will replace the Commercial Acquisition Strategy adopted by the Council in September 2018, and separate out the decision-making functions;</p> <ul style="list-style-type: none"> • commercial development on Council-owned land must be referred to the Hub Committee (in line with other decisions on Council acquisitions / disposals / leases not otherwise delegated to the Head of Assets Practice) • Commercial acquisitions are now the responsibility of the Invest to Earn Committee – see recommendation 6 below. <p>The Commercial Investment Strategy will divide the Strategy into Commercial Development on Council land and Commercial Acquisitions.</p>	A revised and updated Commercial Investment Strategy will be presented to the Hub Committee in July 2019.
2. Scheme of Delegation	The Head of Legal or other appropriate officer should identify and maintain a record of those schemes of delegation that are not referred to in the Council’s Constitution and have this “signposted” in the overall Scheme of Delegation within the Constitution so that they are more visible.	The Monitoring Officer has now established a system (effective from May 2019) whereby Democratic Services record decisions from the Hub Committee and Council, which delegates specific matters to officers. The record sets out the date of the decision, the Member body that made the decision, the minute reference, to whom the delegated authority has been given (and any consultees) and whether it is a time bound/project related or ongoing (in which case the Constitution will be amended accordingly). This will be published alongside the Constitution.	Completed

Recommendation	Details	Action	Timescale
3. Due Diligence Process	The Council should consider formally documenting the due diligence process that is followed by officers and external advisors and experts when taking forward a proposal to develop an asset on Council owned land. This would have similarities to the due diligence process that is used for an acquisition, but with extra due diligence checks such as consultation with ward Members. The process should outline the steps that need to be taken, the risks and issues that need to be considered, the documentation/evidence that should be completed and held and the approvals that should be sought before an application is submitted to the Local Planning Authority.	The Due Diligence Process will be set out within the revised and updated Commercial Investment Strategy presented to the Hub Committee in July 2019.	A revised and updated Commercial Investment Strategy will be presented to the Hub Committee in July 2019.
4. Access to Information	Consideration should be given to providing hyperlinks to Committee reports as part of the Full Council agenda.	This will be implemented from the July 2019 Council.	From July 2019 Council meeting
5. Unstarred Minutes	The current practice and process of “unstarred” minutes should be examined by the Political Structures Group. A possible solution could be the adoption of a process whereby, once Hub Committee minutes are published, a ‘Panel’ (to include the Chief Executive, S151 Officer and Monitoring Officer), in consultation with the Leader (as Chair of the Hub Committee) and the Mayor (as Chair of Council), decide whether any of the	This recommendation will be considered by the Political Structures Working Group at its first meeting. Part 3 of the Council Resolution requested that the Political Structures Working Group ‘ <i>consider in particular the use of unstarred minutes and the relationship between the Hub Committee and the Council, with a report being presented back to the Council meeting on 23 July 2019.</i> ’	December 2019

Recommendation	Details	Action	Timescale
	<p>Unstarred Minutes are deemed so significant that they then warrant being a standalone agenda item at the next Council meeting.</p>	<p>In light of the number of newly elected Members (almost 50%) and newly appointed Hub Committee Members (again almost 50%), officers are of the view that, to report to the Council meeting on 23 July 2019, is too early and the new Council needs to be given the opportunity to familiarise itself with the relationship between the Hub Committee and the Council before any evidence based recommendations can be made. As a result, the Monitoring Officer considers that the Hub Committee should be given the opportunity to meet on at least three separate occasions (i.e. June, July and September) before the Working Group undertakes a full review, with a report then being presented back to the Council meeting on 10 December 2019.</p>	
6. Role of Invest to Earn Group	<p>The Council should consider the following:</p> <p>a) A review of the Invest to Earn Group's Terms of Reference to ensure that they are fit for purpose when dealing with commercial development proposals, especially those within the Borough, as well as commercial acquisitions.</p> <p>b) Establishing the Group as a formal Committee listed within the Council's Constitution which is open to the public where possible, with formal agendas, papers and minutes taken. It is noted that much of the content of these papers</p>	<p>With regards to recommendations 6(a) to 6(c);</p> <p>A formal Invest to Earn Committee has been established at the May Annual Meeting and Members have been appointed to that Committee and its Terms of Reference agreed. The details can be seen in part 3(b) of the delegation scheme in the Council's Constitution. The Invest to Earn Committee is responsible for commercial acquisitions and the terms of reference include ensuring that Ward Members are briefed on proposals relevant to their ward. As a Committee, it will receive a formal agenda and reports; minutes will record the decisions made along with the supporting reasons.</p>	Completed

Recommendation	Details	Action	Timescale
	<p>would be Exempt Part II papers where the public are not able to attend for reasons of commercial confidentiality.</p> <p>c) The introduction of a formal record showing the results of evaluation of either each Member of the Group or the Group as a whole, that provides commentary that outlines the reasoning behind the decision reached.</p> <p>d) The provision of training from commercial acquisition and development experts to Members of the Invest to Earn Group and the wider Council membership, to enable the Group to challenge investment business cases and make informed decisions on future investment proposals brought forward.</p>	<p>The Minutes will include a formal record of the results of evaluation and reasoning.</p> <p>(d) The Head of Assets Practice and the S151 Officer will organise specific training for Members of the Invest to Earn Committee.</p> <p>In addition the S151 Officer will organise treasury management training for all Members.</p>	<p>From July 2019</p> <p>September 2019</p> <p>October 2019</p>
7. Briefing of Local Ward Members	<p>The Council should ensure that it complies with the Commercial Property Strategy where it states that local ward Members will be briefed before a final decision to proceed with a development or acquisition is made.</p> <p>It should be made clear how local ward Members are to be briefed and how they can share their views with the Invest to Earn Group.</p>	<p>The Invest To Earn Committee terms of reference specifically refer of the requirement to brief Members on potential acquisitions. The Constitution also states more broadly that Members will be made aware of issues affecting their ward. There has been an awareness raising with officers following the appointment of the new Council, to emphasise the importance of early dialogue with ward Members. However, a structured approach will be also be set out in the revised Commercial Investment Strategy and due diligence details.</p>	Partly completed, with revised Strategy in July 2019
8. Members' Responsibility to Stay Informed	<p>The Council should consider ways of assisting Members to stay informed where reliance is placed on Committee</p>	<p>Awareness has been raised during many of the Member Induction sessions on how to access</p>	Completed but with ongoing checks

Recommendation	Details	Action	Timescale
	<p>agendas and reports as the method of delivery of that information.</p> <p>The Council should consider the provision of “refresher” training to existing Members following the forthcoming elections in May, including the use of the iPads for accessing Committee papers.</p>	<p>information and there has been extensive training with Members on the new SurfaceGo devices.</p> <p>Member Services (Democratic Services) and the Monitoring Officer will make regular checks to ensure that Members continue to have access to all of the information that they require.</p>	
9. Informal Council	As part of the on-going review of the Council’s Constitution, the conclusions of this report should be taken into consideration as part of future review discussions, namely in connection with the running of Informal Council.	<p>The Political Structures Working Group will consider this issue and make any necessary recommendations.</p> <p>Please see the comments in Recommendation 5 above as they apply equally to this recommendation.</p>	December 2019
10. Use of Social Media	The Council should undertake a review of its use of Social Media by both officers and Members, including all relevant policies and procedures that currently exist. This could be carried out in conjunction with the intended review by Internal Audit that is included in the 2019/20 Audit Plan.	<p>The Induction Programme included a thorough session on Communications and Social Media. As part of the Member Development Programme there will be sessions on Standards which will include the use of social media.</p> <p>The Council does have a Policy in place for both employees and Members in the use of social media which was updated in 2017. Given the increase in the use of Social Media, particularly by Members, over the past couple of years, the Head of Communications COP will develop a more in-depth policy with specific examples of good / bad practice to help Members in the use of Social Media. This will be reviewed by September 2019 and circulated to all Members.</p>	September 2019

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Report to: **Council**
Date: **23 July 2019**
Title: **Commercial Investment Strategy Update**
Portfolio Area: **Enterprise**
Wards Affected: **All**
Urgent Decision: **N** Approval and clearance obtained: **Y**

Date next steps can be taken: **Immediately following this meeting**

Author: **Chris Brook** Role: **Head Of Assets Practice**

Contact: **Email: Chris.Brook@swdevon.gov.uk**

Recommendation:

That the HUB Committee RECOMMENDS to Council that the Commercial Investment Strategy in Appendix A be approved.

1. Executive summary

- 1.1. Recently the Authority has prioritised tackling Climate Change by moving a motion to declare a Climate Change Emergency and targeting proactive measures to meet these challenges.
- 1.2. Opportunities exist for West Devon Borough Council to invest, off market, in "shovel ready" renewable energy generation assets (large-scale solar) which will deliver multiple benefits of
 - attractive investor return
 - directly linked to tackling climate change targets and the authority's low carbon agenda
 - providing a "hedge" against forward energy price rises
 - the opportunity to generate enhanced financial returns in the future from "bolt on" energy storage
- 1.3. The pursuit of such opportunities will require the Authority to amend its investment strategy to include the renewable energy sector.
- 1.4. Additionally, following the "Internal Audit Report – Tavistock Hotel Proposal" the strategy in Appendix A has been further amended to take account of the recommendations specific to "in

area developments on Council owned land". Members are referred to the separate report on the Hub Committee agenda called 'Internal Audit Report – Tavistock Hotel Proposal'

- 1.5. The Commercial Investment Strategy in Appendix A updates and replaces the Commercial Property Strategy previously adopted by Council in September 2018.
- 1.6. A version of this report is also to be considered by the Hub Committee at its meeting on 16 July 2019 and the views of the Hub Committee will be outlined in the published minutes arising from that meeting.

2. Background

- 2.1. In September 2018, West Devon Borough Council (the Council) adopted a commercial investment strategy. This strategy has four core aims;
 - 2.1.1. To support regeneration and the economic activity of the Borough, the LEP area and the South West Peninsula (in that priority order)
 - 2.1.2. To enhance economic benefit & create business rates growth
 - 2.1.3. To assist with the financial sustainability of the Council as an ancillary benefit
 - 2.1.4. To help the Council continue to deliver and/or improve frontline services in line with the Council's adopted strategy & objectives.
- 2.2. This strategy is devised and adopted specifically to promote Enterprise in the Borough, a core theme of the Council. Much progress has been made delivering against this strategy and this report aims to keep the strategy as relevant and multi-objective as possible, to align it with the Council's Climate Change agenda.
- 2.3. In June 2019 UK Government implemented, by statutory instrument, an amendment to the Climate Change Act 2008 committing to net zero emissions by 2050. This legislative change will bring into effect comprehensive recommendations contained in a report published in May 2019 by the UK Committee on Climate Change, "Net Zero, the UK's Contribution to Stop Global Warming".
- 2.4. The Intergovernmental Panel on Climate Change (IPCC) and UK Committee on Climate Change reports are clear that the generation of renewable energy will need to play a significant part in reaching that target of net zero by 2050. "Net Zero The UK's Contribution to Stopping Climate Change" sets out that not only will the UK's electricity need to go from 50% low carbon sources, to 100%, but due to electrification in other sectors (such as cars), there will be a doubling in the overall electricity requirement.
- 2.5. In this context, that means the quadrupling of low carbon energy including (but not limited to) solar power, hydropower and windpower.

- 2.6. As an organisation the Council consume energy from the national grid, through a supplier the same way as anyone else. Our current approach to our electricity procurement does not give priority to low carbon sourced power ("Green Electricity"). Furthermore, for us as an organisation to have a meaningful impact on our Scope 2 emissions¹ (indirect emissions from things we can directly control) we need to draw our electricity from entirely new low carbon sources (i.e. "additionality"), rather than simply sharing in existing low carbon energy generation currently available.
- 2.7. It is feasible for low carbon electricity to be generated outside of area, but be bought and consumed in area, to the direct benefit of our Borough such that the generation source (units of power generated) is tracked and linked to consumption. This can be done through a sleeving arrangement with an energy supplier who will track and report energy generation and consumption through the Renewable Energy Guarantees of Origin (REGO) scheme administered by Ofgem. Consequently, beyond a perception of local investment being a good thing, it makes no difference whether an investment in a renewable energy generation facility is within the Borough of West Devon or another part of the UK.
- 2.8. Beyond the Authority's electricity consumption, there would be an opportunity for us to supply "partner organisations" (such as our Leisure Centres) with green power through a White Label supply arrangement.
- 2.9. Aligning our Commercial Investment Strategy with our Climate Change declaration would allow us to deliver both an attractive investment return as well as directly linking such an investment to delivering on climate change targets. The proposed amendment to the adopted strategy in Appendix A provides for this.
- 2.10. Following the "Internal Audit Report – Tavistock Hotel Proposal" the Commercial Investment Strategy in Appendix A has been further amended to take account of the recommendations to separate out and clarify the governance arrangements for commercial acquisitions and developments on Council owned land. Appendix A is in a "tracked changes" version so that the changes can be viewed and understood, a "clean" version is also available at Appendix B.
- 2.11. There is a separate report on the Hub Committee agenda called 'Internal Audit Report – Tavistock Hotel Proposal' which includes a proposed action plan on the ten recommendations made in the Internal Audit report.

¹ Scope 1 emissions are direct emissions from owned or controlled sources. **Scope 2** emissions are indirect emissions from the generation of purchased energy. Scope 3 emissions are all indirect emissions (not included in scope 2) that occur in the value chain of the reporting company, including both upstream and downstream emissions.

3. Prospective Investment Opportunities

- 3.1 The large scale solar market was “kick started” in the UK through renewable energy subsidies (Renewable Obligation Certificates). The sector attracted strong pension fund grade investors due to these investments being low risk with predictable income-streams and operational costs.
- 3.2 In April 2016 Government removed subsidies, recognising over-support of the sector. This has led to a significant slowdown in solar development activity. Additionally capacity in the grid network is constrained, limiting opportunities to develop new solar facilities where there is an economic grid connection.
- 3.3 The cost of solar panels has significantly reduced which, alongside projected energy cost increases, has meant that it is economically attractive to develop unsubsidised large scale solar. An investment case is particularly attractive to Local Authority Investors, who have access to a low cost and long term borrowing facility through the Public Works Loan Board.
- 3.4 The range of benefits that such investments can bring are:
 - a. An attractive base case investment return starting at ~5.5% per annum and rising steadily to over 10% over the life of a project
 - b. An opportunity to procure electricity used by the Authority from the facility which can provide a “hedge” against forward energy price increases.
 - c. A major contribution towards meeting West Devon’s carbon reduction strategy.
 - d. Innovation in energy storage technology, integrated with smart grid management, providing an opportunity to bolt on battery storage to enhance the base case economic return at a future time.
 - e. Links to West Devon’s potential rollout of electric vehicle charge points.
 - f. A “liquid” investment asset

4. Specific Options available and consideration of risk

- 4.1 Subject to the Commercial Investment Strategy in Appendix A, West Devon will be able to take advantage of existing off market opportunities in the sector which do not exist within the Borough.
- 4.2 This presents a direct opportunity to realise the benefits set out in Section 3.
- 4.3 The risks associated with investment in Solar PV are well understood as the technology is proven. The panels themselves are warranted for 30 years (the investment life) to not drop below 80% of their original capacity over that time frame. Evidence from the oldest PV panels shows that further

degradation is broadly linear, so the panels do actually continue to have a value after 30 years.

- 4.4 The inverter technology used to scale up the power for transmission into the grid has a shorter life expectancy and as a rough rule of thumb, last half as long as panels. A replacement programme and associated cost is built into any business case to mitigate that risk.
- 4.5 Land management and rent are also agreed by contract at the time of investment so are able to be costed accurately into the business case. The "plant operation" is also outsourced and costed.
- 4.6 The remaining and most significant risk of any shovel ready² PV investment is therefore the forward energy price by which the investor realises a return.
- 4.7 Forward energy price modelling exists and would be evaluated as part of any proposed investment. Whilst modelling is never a perfect science, there are overarching global factors that all point towards future price rises such as; demand increase, a move away from "cheap and dirty" sources, instability in oil rich areas of the world, the high cost of nuclear energy in the medium term.
- 4.8 In spite of this, it is imperative that any business case uses a conservative energy unit price as part of the initial assessment, so as not to provide any unrealistic bias or expectation.
- 4.9 Any PV investment would be supported by thorough technical and legal due diligence to appropriately interrogate and quantify the risks as part of the decision making process.
- 4.10 It should be noted that where other types of renewable energy investments come forward, the risks and benefits will be considered on a case by case basis utilising the existing scheme of delegation.
- 4.11 The amendments to the Commercial Investment Strategy in line with the recommendations from the Internal Audit report on the Tavistock Hotel, will ensure that there are clearer processes and procedures in making decisions on both commercial acquisitions and developments on Council owned land.

5. Proposed Way Forward

- 5.1 That the HUB Committee recommend to Council the proposed revised strategy set out in Appendix A.

² Shovel ready – A construction ready project with all approvals in place including planning approval.

6. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance		<p>Previous advice on the relevant powers and appropriate vehicles for delivering these proposals has been sought from external specialist advisers and legal counsel. Legal counsel opinion has been obtained which sets out the various powers available to the Council, which supports the Council's investment strategy. Further legal advice will be sought on proposed renewable energy investments.</p> <p>The recommendations in the Internal Audit report set out legal and governance issues about acquisitions and developments which are addressed by the amendments in the attached Commercial Investment Strategy.</p>
Financial implications to include reference to value for money		Borrowing decisions will be taken prudently in line with the Council's treasury management strategy and capital strategy and by officers within that function. The Council must confirm that the borrowing required is available and is proportional to the Council's financial situation.
Risk		The risks associated with this project are set out in section 4.1 of this report.
Supporting Corporate Strategy		Enterprise & Environment
Comprehensive Impact Assessment Implications		
Equality and Diversity		N/A.
Safeguarding		N/A
Community Safety, Crime and Disorder		N/A
Health, Safety and Wellbeing		N/A
Other implications		Positive alignment with meeting UK renewables targets and biodiversity associated with PV sites.

Supporting Information

Appendices:

Appendix A – Commercial Investment Strategy (Tracked Changes)

Appendix B – Commercial Investment Strategy (clean version with changes accepted)

Background Papers:

None

Appendix A – WDBC Commercial Investment Strategy (tracked changes shown)

This strategy replaces the Council's Commercial Property Acquisition Strategy which was approved in September 2018. This Strategy covers both commercial development on Council-owned land and commercial acquisitions. The tracked changes show the differences/changes from the Strategy approved in September 2018.

Overall Objectives:

The Council's Commercial Investment Strategy has multiple objectives as stated below:

- To support regeneration and the economic activity of the Borough, the LEP area and the South West Peninsula (in that priority order)
- To enhance economic benefit & create business rates growth
- To assist with the financial sustainability of the Council as an ancillary benefit
- To help the Council continue to deliver and/or improve frontline services in line with the Council's adopted strategy & objectives.

Desired Outcomes:

The following outcomes are desired by the application of this strategy. Each acquisition or development opportunity will be assessed on its fit with meeting the objectives stated above and should deliver one or more of the following outcomes (benefits):

- ✓ Job creation or safeguarding
- ✓ Health & Wellbeing
- ✓ Town centre regeneration
- ✓ Tourism / Increased footfall
- ✓ Business rate growth
- ✓ Improved asset utilisation
- ✓ A minimum Net yield of 1%
- ✓ Climate Change Mitigation

This Strategy will be achieved by developments on Council owned land and commercial acquisitions ~~and developments~~ within the South West Peninsula. This will include the focussed acquisition of existing commercial property assets including renewable energy investments and the development on Council owned land of new properties which are to be let to third parties.

Risk

- The risks of acquiring property may be mitigated through the acquisition of assets with secure, long income streams, although this risk will be weighed up against the social and economic benefits of acquisitions to support commerce and trade in the Borough and the wider South West Peninsula
- Acquisitions are to be made in a careful and controlled manner, with specific analysis of risk criteria carried out in the 'due diligence' stage prior to the completion of each purchase
- The portfolio will be relatively risk-averse, targeting tenants of strong financial standing and minimum unexpired lease terms of four years at the date of acquisition. However, these criteria will be considered on a case by case basis and can be outweighed in order to meet the strategy objectives

Location:

- Wherever opportunities arise within the peninsula, in order to acquire good properties which deliver the Council's multiple objectives stated above and are deemed an acceptable risk. Where renewable energy investments are considered, subject to further legal advice, a UK wide geographic search will apply. This shall be the least preferable option, but is included as this

[Strategy recognises that due to the national grid, geography is not a barrier to investment in renewable energy directly for the Borough.](#)

Tenant mix:

- Where possible, a mix of tenants will be sought to create a balanced portfolio
- The final decision over the appropriateness of any tenant would be reviewed at the time of acquisition
- WDBC owns a significant number of commercial units already within the Borough, mainly smaller units and tenants with relatively low credit ratings. This reflects the historic policy of supporting small start-ups which has proved successful and continues to be. Newer acquisitions are likely to be for larger units which may have single tenant occupancy.

Lease length:

- A minimum 4 years unexpired (mean unexpired term for multi-let properties) is preferable, however this is flexible if it helps achieve the strategy objectives
- For multi-let properties, a mix of lease expiry dates are preferred, thereby limiting void risk (unless the property is purchased with a view to re-development)
- Properties would preferably be let to sound tenants on leases with a preference for 'Full Repairing and Insuring' leases for single occupiers and through internal repair obligations and a service charge for multi-let properties. There may be overriding economic reasons to move away from this position and these will be considered on a case by case basis.

For all of the above:

The final decision over the definition of "good", "secure", "strong", "long", "careful", "controlled", "acceptable", "balanced" and "risk-averse" will be agreed between the property acquisition advisers (including legal due diligence) and the Officers ~~individuals~~ delegated with the responsibility to conclude the acquisition of the properties. This discretion will be based on both the risk to the capital value of the asset and its fit with the Strategy objectives.

Yield:

- The Council will only acquire properties where the running cost does not require Council subsidy. Per acquisition, a minimum net yield (an ancillary benefit) of 1.0% is to be sought, after acquisition, management, maintenance, capital repayment and funding costs. However, the Council may opt to accept a net yield return of less than 1% if the benefits of job creation or safeguarding, tourism, town centre regeneration, business rate growth or effective asset utilisation are deemed more important than a purely financial return.

Value & Cost:

- Acquisitions and development initiatives will be funded using predominantly borrowing or any other unallocated or available Council reserve or capital receipt.
- ~~• The Hub Committee and Full Council will consider the borrowing limit for the Strategy as part of the Medium Term Financial Strategy in September 2018. It is envisaged in December 2018, the Council will need to approve a revised Treasury Management Strategy which would increase the borrowing limits of the Council (depending on the recommendations from the various bodies), to facilitate implementation of this strategy. As part of this report, the Council will also include the new proportionality indicators to address the Government guidance issued in February 2018.~~
- Larger lot sizes are favoured - smaller size properties have disproportionately higher management costs and expose the Council to greater property void risks, but the economic and trade benefits of buying smaller units may outweigh this.

- Acquisition costs are forecast not to exceed 7% (Stamp Duty Land Tax (SDLT) / Legal / Agents / Due Diligence). These costs are to be contained within the overall strategy budget

Funding:

- This is to be secured on a case by case basis on the most commercially advantageous terms available predominantly through borrowing or any other unallocated or available Council reserve or capital receipt
- [The Council will review from time to time the appropriate borrowing limits for commercial acquisitions and development on Council owned land.](#)
- The term will not exceed the expected remaining life of the property, but as a rule, the Council wishes to secure borrowing over a maximum 50 year term. Capital repayments will seek to repay a minimum of 50% of the capital value of any acquired property.

Tax Implications:

- Due to the Council holding the asset, it is not anticipated that there will be any corporation tax or income tax implications from this strategy
- Some properties may be VAT elected, meaning VAT must be charged to tenants. This will be dealt with on a case by case basis and will be covered by the due diligence connected with that acquisition. The Council is able to charge and recover VAT
- Capital Gains Tax would not apply to assets sold from Council ownership. This position may change if a company were to be used to hold the acquired asset.

Exit Strategy:

- The Council is not looking to actively trade commercial property within the first 5 years of ownership of any acquired property, however this is flexible if required to meet this strategy's objectives
- If it is determined that the most prudent action is to sell an individual asset, this will be considered on a case by case basis and will be [decided by the Council's Head of Paid Service and Section 151 Officer acted upon](#) in consultation with the 'Invest to Earn' Committee Chairman and the Leader of the Council, [S151 officer and Head of Paid Service](#)
- It is proposed that all properties will be held as Council Assets. This may change if the Council were to set-up a trading company and it was found to be commercially advantageous for such a vehicle to hold the asset
- It is important to note that there would be early repayment charges if borrowing used to acquire [or develop](#) a commercial property ~~was~~ ~~ere to be~~ repaid before the end of the loan term. However, Public Works Loan Board (PWLB) lending is not secured against property, so would not inhibit the asset being traded during the loan period. An alternative asset could be purchased (& held) with any sale receipt.

Governance Arrangements:

[Commercial Acquisitions & Developments](#)

Acquisitions ~~and developments~~ must conform to the adopted ~~C~~commercial [Investment property Strategy](#). Any deviation from the agreed ~~S~~strategy will require Council approval.

[The Invest to Earn Committee will consider and evaluate \(in accordance with this Strategy\) proposals for commercial acquisition of assets on a case by case basis, and will make any necessary recommendations to the Head of Paid Service and Section 151 Officer who will make a decision in consultation with the Leader of the Council and Chairman of the Invest to Earn Committee](#)

Specialists will be commissioned to act on behalf of the Council to source suitable properties and manage the acquisition due diligence process.

~~Delegated authority to be given to the Head of Paid Service, in consultation with the S151 officer, Leader of the Council and Chair of the 'Invest to Earn' (or their deputy). Each receive one vote to proceed with purchase. In the event of a split decision, the S151 officer has the casting vote.~~

The Council will consider proportionality on a case by case basis for each acquisition as part of the decision making process, with information provided to the Invest to Earn [Committee](#) Members, the s151 officer, the Head of Paid Service and the Leader of the Council.

Before a final decision ~~is made~~ to proceed with a ~~commercial development or~~ acquisition ~~is made, if applicable~~, local ward members will be briefed and be able to share their views with the Invest to Earn ~~Group~~ [Committee](#).

~~The 'Invest to Earn' [Group Committee](#) will determine its chair and will receive details of potential purchases from the Assets CoP. They will vote on whether to bring a potential purchase decision to the Head of Paid Service.~~

~~The same governance arrangements will be used to approve capital expenditure relating to any development projects and the subsequent granting of leases in excess of 15 years as recommended by the Assets CoP Lead, on a project by project basis.~~

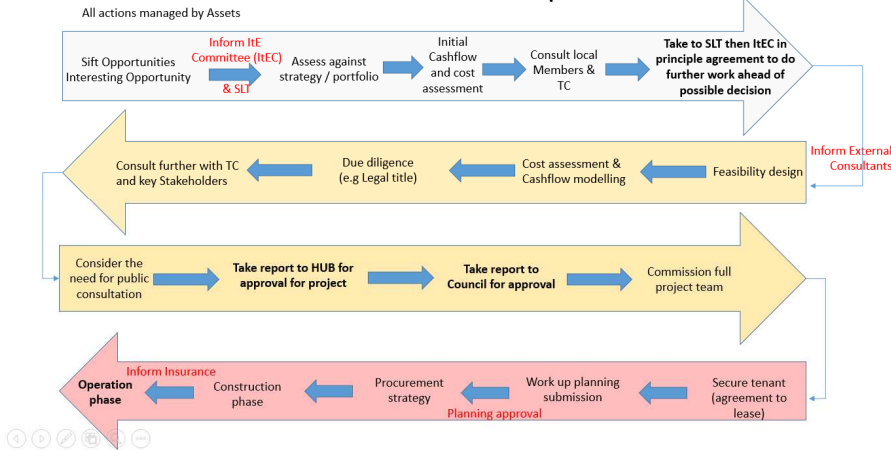
In area developments on Council owned land

~~In area de~~ Development proposals on Council owned land must conform to the objectives of this Strategy. Unlike commercial acquisitions however, they shall not benefit from the same scheme of delegation. Instead, approvals must be sought through the HUB committee and Full Council process. Decisions on in area development shall consider, as appropriate, the views of the local members and key stakeholders (Town Council / Parish Council) as one of many aspects of any projects brought forward.

The flow chart below sets out the approvals process as well as the main steps for in area development.

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Flow chart of Commercial Development



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Running / Review

If the management of the acquired **or developed** assets cannot be managed in-house by existing resources, it will be outsourced to property professionals. The cost of this management is to be deducted before calculating the net yield.

~~The Invest to Earn Group will receive regular reporting to confirm portfolio composition and performance. Regular reports will be made ing to the appropriate body on portfolio composition and performance (Invest to Earn Committee, Hub Committee and/or the Audit Committee) as required.~~

Disposal

Once acquired, decisions relating to the ownership of any acquired properties will be dealt with in-line with the Council's ~~constituted~~ scheme of ~~De~~legation.

Disposal will be considered if the portfolio breaches the approved ~~S~~strategy. Decisions to be made in consultation with the ~~4~~Invest to Earn ~~Committee Chairman / Group Chair~~, Leader of the Council, S151 officer and Head of Paid Service.

Resources:

The work to filter, appraise and recommend investment and development opportunities will be undertaken within the Assets ~~Head of Practice (HoP) €P~~. This will be supplemented by specific consultant advice as required and associated costs built into the business case for each project. The Assets ~~€~~HoP has strong relationships with a number of local and national consultants who will be required to support the projects. Examples of this include (but are not limited to): CCD Properties (development specialists), Arcadis (building technical due diligence), Womble Bond Dickinson (legal due diligence) and Savills (commercial property investment advice).

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Risk assessment and due diligence

The Authority assesses the risk of loss before entering into and whilst holding property investments/property opportunities by carrying out appropriate due diligence checks and implementing mitigation measures in managing risk:

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- The tenants need to be of good financial standing (this is assessed using Dun & Bradstreet credit rating reports and annual accounts). The number of tenants e.g. sole tenant or multi tenanted will be assessed.
- The property condition such as date of construction and any imminent or significant refurbishment or modernisation requirements (forecast capital expenditure).
- How the property investment meets the Council's multiple objectives as set out in the Council's strategy e.g. economic regeneration, business growth.
- The lease must meet certain standards, such as being in a commercial popular location and have a number of years left on the lease providing a certain and contractually secure rental income stream into the future. Any break clauses will be assessed along with the number of unexpired years, bank guarantees and rent reviews.
- The location will be either within West Devon Borough Council's -boundary, the LEP area or the South West Peninsula (in that priority order), as set out in the Commercial Investment Strategy (apart from renewable energy investment which may have a wider geographic spread). The population of the catchment area, the economic vibrancy and known or anticipated market demand as well as proximity to travel infrastructure and other similar properties will be assessed.
- Rental income paid by the tenant must exceed the cost of repaying the borrowed money from the Public Works Loan Board (which is itself funded by the Government). The surplus is then an ancillary benefit which supports the Council's budget position and enables the Council to continue to provide services for local people.
- The gross and net yield are assessed against the Council's criteria.
- The prevailing interest rates for borrowing at the time.
- Debt proportionality considerations.
- The life and condition of the property is assessed by a valuer and the borrowing is taken out over the life of the asset. The amount of management and maintenance charges are assessed as well as the ease of in-house management. 10% of all rental income (or an amount as deemed prudent) is put into a Maintenance and Management Reserve to cover any longer-term maintenance issues.
- The potential for property growth in terms of both revenue and capital growth will be assessed.
- The risks are determined by the property sector e.g. office, retail, industrial, associated with specific properties and the mix of sectors within the Council's portfolio.
- Details of acquisition costs e.g. stamp duty land tax, legal costs
- The documented exit strategy for a purchase/new build.
- The legal and technical due diligence checks will also identify any specific problems such as anomalies in the title deed, restrictive use classes, indemnities, local competition, construction or refurbishment requirements.

- The Council engages the use of external advisors to assist in undertaking elements of the due diligence checks such as technical, legal, accounting, property and taxation advice.
- The Council undertakes sensitivity analysis of the interest repayments on its borrowing requirements as a percentage of its available reserves to ensure there is sufficient coverage in the event that rental income is below that forecasted. This ensures that the Council has the available reserves to enable service delivery to be maintained in the short to medium term, whilst alternative solutions are implemented.

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Appendix B – WDBC Commercial Investment Strategy (copy with tracked changes accepted)

This strategy replaces the Council’s Commercial Property Acquisition Strategy which was approved September 2018. This Strategy covers both commercial development on Council-owned land and commercial acquisitions.

Overall Objectives:

The Council’s Commercial Investment Strategy has multiple objectives as stated below:

- To support regeneration and the economic activity of the Borough, the LEP area and the South West Peninsula (in that priority order)
- To enhance economic benefit & create business rates growth
- To assist with the financial sustainability of the Council as an ancillary benefit
- To help the Council continue to deliver and/or improve frontline services in line with the Council’s adopted strategy & objectives.

Desired Outcomes:

The following outcomes are desired by the application of this strategy. Each acquisition or development opportunity will be assessed on its fit with meeting the objectives stated above and should deliver one or more of the following outcomes (benefits):

- ✓ Job creation or safeguarding
- ✓ Health & Wellbeing
- ✓ Town centre regeneration
- ✓ Tourism / Increased footfall
- ✓ Business rate growth
- ✓ Improved asset utilisation
- ✓ A minimum Net yield of 1%
- ✓ Climate Change Mitigation

This Strategy will be achieved by developments on Council owned land and commercial acquisitions within the South West Peninsula. This will include the focussed acquisition of existing commercial property assets including renewable energy investments and the development on Council owned land of new properties which are to be let to third parties.

Risk

- The risks of acquiring property may be mitigated through the acquisition of assets with secure, long income streams, although this risk will be weighed up against the social and economic benefits of acquisitions to support commerce and trade in the Borough and the wider South West Peninsula
- Acquisitions are to be made in a careful and controlled manner, with specific analysis of risk criteria carried out in the ‘due diligence’ stage prior to the completion of each purchase
- The portfolio will be relatively risk-averse, targeting tenants of strong financial standing and minimum unexpired lease terms of four years at the date of acquisition. However, these criteria will be considered on a case by case basis and can be outweighed in order to meet the strategy objectives

Location:

- Wherever opportunities arise within the peninsula, in order to acquire good properties which deliver the Council’s multiple objectives stated above and are deemed an acceptable risk. Where renewable energy investments are considered, subject to further legal advice, a UK wide geographic search will apply. This shall be the least preferable option, but is included as this

Strategy recognises that due to the national grid, geography is not a barrier to investment in renewable energy directly for the Borough.

Tenant mix:

- Where possible, a mix of tenants will be sought to create a balanced portfolio
- The final decision over the appropriateness of any tenant would be reviewed at the time of acquisition
- WDBC owns a significant number of commercial units already within the Borough, mainly smaller units and tenants with relatively low credit ratings. This reflects the historic policy of supporting small start-ups which has proved successful and continues to be. Newer acquisitions are likely to be for larger units which may have single tenant occupancy.

Lease length:

- A minimum 4 years unexpired (mean unexpired term for multi-let properties) is preferable, however this is flexible if it helps achieve the strategy objectives
- For multi-let properties, a mix of lease expiry dates are preferred, thereby limiting void risk (unless the property is purchased with a view to re-development)
- Properties would preferably be let to sound tenants on leases with a preference for 'Full Repairing and Insuring' leases for single occupiers and through internal repair obligations and a service charge for multi-let properties. There may be overriding economic reasons to move away from this position and these will be considered on a case by case basis.

For all of the above:

The final decision over the definition of "good", "secure", "strong", "long", "careful", "controlled", "acceptable", "balanced" and "risk-averse" will be agreed between the property acquisition advisers (including legal due diligence) and the Officers delegated with the responsibility to conclude the acquisition of the properties. This discretion will be based on both the risk to the capital value of the asset and its fit with the Strategy objectives.

Yield:

- The Council will only acquire properties where the running cost does not require Council subsidy. Per acquisition, a minimum net yield (an ancillary benefit) of 1.0% is to be sought, after acquisition, management, maintenance, capital repayment and funding costs. However, the Council may opt to accept a net yield return of less than 1% if the benefits of job creation or safeguarding, tourism, town centre regeneration, business rate growth or effective asset utilisation are deemed more important than a purely financial return.

Value & Cost:

- Acquisitions and development initiatives will be funded using predominantly borrowing or any other unallocated or available Council reserve or capital receipt.
- Larger lot sizes are favoured - smaller size properties have disproportionately higher management costs and expose the Council to greater property void risks, but the economic and trade benefits of buying smaller units may outweigh this.
- Acquisition costs are forecast not to exceed 7% (Stamp Duty Land Tax (SDLT) / Legal / Agents / Due Diligence). These costs are to be contained within the overall strategy budget

Funding:

- This is to be secured on a case by case basis on the most commercially advantageous terms available predominantly through borrowing or any other unallocated or available Council reserve or capital receipt

- The Council will review from time to time the appropriate borrowing limits for commercial acquisitions and development on Council owned land.
- The term will not exceed the expected remaining life of the property, but as a rule, the Council wishes to secure borrowing over a maximum 50 year term. Capital repayments will seek to repay a minimum of 50% of the capital value of any acquired property.

Tax Implications:

- Due to the Council holding the asset, it is not anticipated that there will be any corporation tax or income tax implications from this strategy
- Some properties may be VAT elected, meaning VAT must be charged to tenants. This will be dealt with on a case by case basis and will be covered by the due diligence connected with that acquisition. The Council is able to charge and recover VAT
- Capital Gains Tax would not apply to assets sold from Council ownership. This position may change if a company were to be used to hold the acquired asset.

Exit Strategy:

- The Council is not looking to actively trade commercial property within the first 5 years of ownership of any acquired property, however this is flexible if required to meet this strategy's objectives
- If it is determined that the most prudent action is to sell an individual asset, this will be considered on a case by case basis and will be decided by the Council's Head of Paid Service and Section 151 Officer in consultation with the Invest to Earn Committee Chairman and the Leader of the Council.
- It is proposed that all properties will be held as Council Assets. This may change if the Council were to set-up a trading company and it was found to be commercially advantageous for such a vehicle to hold the asset
- It is important to note that there would be early repayment charges if borrowing used to acquire or develop a commercial property was repaid before the end of the loan term. However, Public Works Loan Board (PWLB) lending is not secured against property, so would not inhibit the asset being traded during the loan period. An alternative asset could be purchased (& held) with any sale receipt.

Governance Arrangements:

Commercial Acquisitions

Acquisitions must conform to the adopted Commercial Investment Strategy. Any deviation from the agreed Strategy will require Council approval.

The Invest To Earn Committee will consider and evaluate (in accordance with this Strategy) proposals for commercial acquisition of assets on a case by case basis, and will make any necessary recommendations to the Head of Paid Service and Section 151 Officer who will make a decision in consultation with the Leader of the Council and Chairman of the Invest to Earn Committee

Specialists will be commissioned to act on behalf of the Council to source suitable properties and manage the acquisition due diligence process.

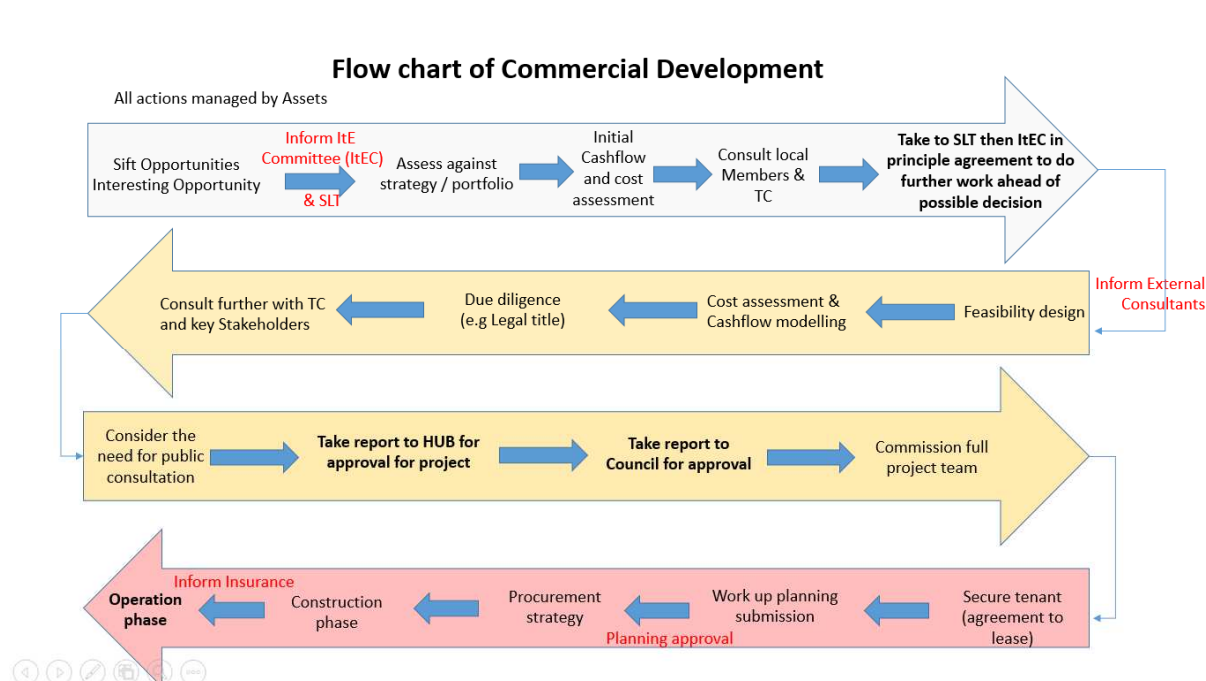
The Council will consider proportionality on a case by case basis for each acquisition as part of the decision making process, with information provided to the Invest to Earn Committee Members, the s151 officer, the Head of Paid Service and the Leader of the Council.

Before a final decision is made to proceed with a commercial acquisition local ward members will be briefed and be able to share their views with the Invest to Earn Committee.

In area developments on Council owned land

Development proposals on Council owned land must conform to the objectives of this Strategy. Unlike commercial acquisitions however, they shall not benefit from the same scheme of delegation. Instead, approvals must be sought through the HUB committee and Full Council process. Decisions on in area development shall consider, as appropriate, the views of the local members and key stakeholders (Town Council / Parish Council) as one of many aspects of any projects brought forward.

The flow chart below sets out the approvals process as well as the main steps for in area development.



Running / Review

If the management of the acquired or developed assets cannot be managed in-house by existing resources, it will be outsourced to property professionals. The cost of this management is to be deducted before calculating the net yield.

Regular reports will be made to the appropriate body on portfolio composition and performance (Invest to Earn Committee, Hub Committee and/or the Audit Committee) as required.

Disposal

Once acquired, decisions relating to the ownership of any acquired properties will be dealt with in-line with the Council’s Scheme of Delegation.

Disposal will be considered if the portfolio breaches the approved Strategy. Decisions to be made in consultation with the Invest to Earn Committee Chairman , Leader of the Council, S151 officer and Head of Paid Service.

Resources:

The work to filter, appraise and recommend investment and development opportunities will be undertaken within the Assets Head of Practice (HoP). This will be supplemented by specific consultant advice as required and associated costs built into the business case for each project. The Assets HoP has strong relationships with a number of local and national consultants who will be required to support the projects. Examples of this include (but are not limited to): CCD Properties (development specialists), Arcadis (building technical due diligence), Womble Bond Dickinson (legal due diligence) and Savills (commercial property investment advice).

Risk assessment and due diligence

The Authority assesses the risk of loss before entering into and whilst holding property investments/property opportunities by carrying out appropriate due diligence checks and implementing mitigation measures in managing risk:

- The tenants need to be of good financial standing (this is assessed using Dun & Bradstreet credit rating reports and annual accounts). The number of tenants e.g. sole tenant or multi tenanted will be assessed.
- The property condition such as date of construction and any imminent or significant refurbishment or modernisation requirements (forecast capital expenditure).
- How the property investment meets the Council's multiple objectives as set out in the Council's strategy e.g. economic regeneration, business growth.
- The lease must meet certain standards, such as being in a commercial popular location and have a number of years left on the lease providing a certain and contractually secure rental income stream into the future. Any break clauses will be assessed along with the number of unexpired years, bank guarantees and rent reviews.
- The location will be either within West Devon Borough Council's boundary, the LEP area or the South West Peninsula (in that priority order), as set out in the Commercial Investment Strategy (apart from renewable energy investment which may have a wider geographic spread). The population of the catchment area, the economic vibrancy and known or anticipated market demand as well as proximity to travel infrastructure and other similar properties will be assessed.
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- The gross and net yield are assessed against the Council's criteria.
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- The risks are determined by the property sector e.g. office, retail, industrial, associated with specific properties and the mix of sectors within the Council's portfolio.
- Details of acquisition costs e.g. stamp duty land tax, legal costs
- The documented exit strategy for a purchase/new build.
- The legal and technical due diligence checks will also identify any specific problems such as anomalies in the title deed, restrictive use classes, indemnities, local competition, construction or refurbishment requirements.
- The Council engages the use of external advisors to assist in undertaking elements of the due diligence checks such as technical, legal, accounting, property and taxation advice.
- The Council undertakes sensitivity analysis of the interest repayments on its borrowing requirements as a percentage of its available reserves to ensure there is sufficient coverage in the event that rental income is below that forecasted. This ensures that the Council has the available reserves to enable service delivery to be maintained in the short to medium term, whilst alternative solutions are implemented.

Report to: **Council**

Date: **23 July 2019**

Title: **Restructure of the Senior Leadership Team**

Portfolio Area: **Leader**

Wards Affected: **All**

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

Date next steps can be taken: Immediately following this Council meeting.

Author: **Sophie Hosking** Role: **Chief Executive**
Andy Wilson **Head of Practice for HR**

Contact: **01803 863643/email: directors@swdevon.gov.uk**

Recommend that the Council:

- 1. Approves the Senior Leadership Team structure, roles and salaries set out in section 3, paragraph 4.5 (Option 4) and Appendix A of this report with effect from 1 September 2019;**
- 2. Requests the Chief Executive to review and implement changes to the Extended Leadership Team and pay structure to take account of the new Senior Leadership Team structure, other recent changes in the organisation and benchmarking data by the end of December 2019;**
- 3. Note that the combined restructures will achieve ongoing annual revenue savings estimated to be at least £120,000 per annum (£60,000 per annum for each Council).**

1. Executive summary

- 1.1 This report follows the request of Council at the 12 February 2019 meeting for the Chief Executive to bring a report recommending a new management structure (minute reference CM54 Establishment Review).
<https://mg.swdevon.gov.uk/ieListDocuments.aspx?CId=271&MIId=1198&Ver=4>

- 1.2 The Council shares its workforce completely with South Hams District Council and the costs of the management team are divided between the two Councils.
- 1.3 The Council has been running on an interim structure since February 2018 following the departure of one of the Executive Directors and is currently carrying two further vacancies out of the 5 remaining senior leadership team (SLT) posts. On 5th December 2017 Council agreed a report 'Head of Paid Service Replacement'.(Minute reference CM44)
<https://mg.swdevon.gov.uk/ieListDocuments.aspx?CIId=271&MIId=449&Ver=4>
- 1.4 There is an urgent need to appoint to a permanent structure to ensure stability, clarity of roles and sufficient capacity to meet the challenges of delivering the objectives of the two Councils.
- 1.5 The report from the Corporate Peer Challenge carried out in November 2018 on both Councils, recommended a review of the management structure to ensure that there is the capacity to fulfil the Councils' ambitions, particularly in relation to place-shaping and financial sustainability. The report also made recommendations in relation to good governance.
- 1.6 This report proposes a Senior Leadership Team structure made up of 5 posts as follows:
 - Chief Executive
 - Director of Customer Service and Delivery
 - Director of Place and Enterprise
 - Director of Strategic Finance
 - Director of Governance and Assurance
- 1.7 It is intended that one of the Directors will also take on the responsibilities of the role of Deputy Chief Executive.
- 1.8 The restructure of the SLT will have an impact on the Extended Leadership Team (ELT) and this report recommends a review of ELT roles, responsibilities and remuneration following the appointments to the new SLT. An indication of savings that are expected to be achieved as a result of the combined changes to SLT and ELT are set out in the report below.
- 1.9 In developing this proposal various options have been considered including making the current interim arrangements permanent, or reducing the number of roles in the SLT. These options are discussed below in paragraph 4.
- 1.10 A version of this report is also to be considered by the Hub Committee at its meeting on 16 July 2019 and the views of the Hub Committee will be outlined in the published minutes arising from that meeting.

2. Background

- 2.1 West Devon BC and South Hams DC have a long history of working together and first appointed a joint Chief Executive in 2007. In 2010 the Councils appointed a shared management team across both the Councils and in 2014 set out plans for a transformation programme (known as T18) which included a fully shared workforce across both Councils. This joint working and shared workforce has achieved combined annual savings of £6million for the Councils.
- 2.2 In 2015 the two Councils appointed a single new Senior Leadership Team (SLT) to lead the shared workforce and implement the T18 transformation programme. Originally this team consisted of 6 postholders - 2 Executive Directors (Level 1 posts), 4 Group Managers (Level 2 posts) plus the S151 officer. The team was reduced by one member in March 2016 when two of the Group Manager roles were merged and the base budget was adjusted accordingly.
- 2.3 In February 2018 one of the Executive Directors resigned to take up a new role elsewhere. The remaining Executive Director took on both Executive Director roles on an interim basis. Adjustments were made to other SLT roles and to some ELT roles, including the S151 officer taking up her full Level 2 role as Group Manager for Strategic Finance and the allocation of Deputy Chief Executive responsibilities to one of the other Group Managers. Details of the interim arrangements can be found in the December 2017 Council report (Minute CM44).
- 2.4 On 12 February 2019 the remaining Executive Director (Sophie Hosking) was confirmed by both Councils as Chief Executive and tasked with bringing forward proposals for a new structure that would address the changing needs of both Councils. At this point a saving of £68k (£34k for each Council) was taken out of the base budget for 2019/20 onwards to account for the reduction from 2 Executive Director posts to one Chief Executive. Members at South Hams DC requested that further savings be sought from the restructure proposals.
- 2.5 In May 2019, two of the current Group Managers posts became vacant due to the postholders pursuing new career opportunities. This has left only 3 members of SLT in place out of the original 7 appointed in 2015 to cover all the duties of the senior leadership responsibilities across both Councils. Recruitment to the vacancies is on hold pending the proposed restructure and this is causing significant pressure on the remaining 3 members of the Senior Leadership Team.

- 2.6 In putting together the proposals for the new SLT structure a number of issues have been considered including:
- i. Recommendations from the recent Corporate Peer Challenge
 - ii. Shift in organisational focus since 2015 and the changing priorities of the new Councils
 - iii. The two current Group Manager vacancies
 - iv. Government funding and Brexit
 - v. Benchmarking information from other organisations
 - vi. Value for money
 - vii. Impact on Members, staff, customers and external partners
- 2.7 Corporate Peer Challenge. The report from the Corporate Peer Challenge made particular reference to the Councils' need to become more outwardly focused and engage more with the communities they serve, and with external partners, to achieve their ambitions for housing and economic growth.
<http://mg.swdevon.gov.uk/ieListDocuments.aspx?CId=221&MId=1210&Ver=4>
- The Councils' current SLT structure is inwardly focused and the restructure provides an opportunity to address this deficit. In addition the Peer report recommends a continued focus on achieving financial sustainability and good governance.
- 2.8 Change in organisational priorities. Since 2015 there has been a significant change of focus in our organisational activity. Initially the Councils were very internally focused on transforming the workforce and our ways of working to achieve the savings required to keep the Councils financially viable. The focus then shifted more towards strategic planning (the Joint Local Plan) and commercial activity. Looking ahead, there is a new focus on climate change mitigation as well as taking a stronger and more pro-active role in shaping our communities, particularly in relation to housing and economic development.
- 2.9 Vacant posts. In April and May this year, 2 posts within the current SLT became vacant when the Group Manager for Business Development and the Group Manager for Commercial Services left to take up new roles elsewhere. This provides the opportunity to completely reconsider how the responsibilities of the new SLT are divided up in the new structure. It also gives an urgency to getting the new structure in place as soon as possible as there are currently only 3 SLT members covering the whole workload across both Councils (the Chief Executive and the remaining 2 Group Managers).

- 2.10 Financial settlement and Brexit. We continue to face challenging times and uncertainty in relation to our finances and the impact of the UK's impending departure from the EU and we will require a strong leadership team to meet these challenges. Our current 4 year funding settlement with the government ends this financial year (2019/20) and as yet there is no indication as to what funding arrangements are being proposed for 2020/21 onwards.
- 2.11 Benchmarking with other Councils. A further consideration when putting together the proposals has been a review of the appropriate remuneration for the SLT roles in order to attract and retain the right calibre of staff. Benchmarking information has been gathered for comparison purposes from District Councils locally and nationally and also from other Councils with shared management teams. However it should be noted that there are no simple comparisons as all Councils vary in complexity, size, the range of activities and how their management teams are structured.
- 2.12 Value for money. This is a key consideration for the Councils and by sharing a management team the Councils effectively get the benefit of a strong team of 5 senior managers for half the cost, in addition to the cost savings identified at paragraph 3.5 below.
- 2.13 Impact. The appointment of the senior leadership team affects all Members as the team provides essential support to Members to develop strategy and deliver the Councils' statutory obligations and their aspirations for the communities they serve.
- 2.14 The SLT appointments also impact on all staff as an effective team is crucial to achieve a high performing workforce.
- 2.15 Relationships with partners, our communities and other organisations, and our ability to play our part in the public sector within Devon, regionally and nationally, is also dependent on the capacity of the SLT.

3. Outcomes/outputs

- 3.1 The desired outcome of the restructure is to have a revised SLT in place in September that will meet the requirements of both Councils. It is anticipated that appointments will be made internally, however should this not be the case, a longer timeframe will be necessary.
- 3.2 Following the appointment of the SLT there will then be a review of ELT and this is intended to be completed and implemented by the end of December 2019. It is expected that the reorganisation of the SLT responsibilities, the likelihood of internal appointments to the SLT posts and the recent changes in operational requirements will give the opportunity to make some further savings from the

combined restructures.

- 3.3 Benchmarking of equivalent posts in other organisations along with independent advice from the Local Government Association (LGA) and the resulting salary recommendations is intended to ensure fair and appropriate salaries for the jobs, whilst recognising the additional complexity of working across 2 Councils. This is important in order to attract and retain high calibre officers. However it should be noted that the salaries recommended in this report are at the lowest end of the scales recommended by the LGA following their independent evaluation of the roles and consideration will be given to introducing a link between performance and financial reward in the future. Any performance related pay scheme will be the subject of a separate consultation process.
- 3.4 The benchmarking work has also revealed anomalies in the remuneration of our Extended Leadership team and it is proposed that the ELT review will include re-evaluation of the ELT salary framework.
- 3.5 As mentioned above in paragraph 3.2, it is anticipated that financial savings for both Councils will result from the combined restructures of SLT and ELT. It not possible to predict the exact savings generated until both the SLT and ELT reviews are completed however it is anticipated that it will be in the region of a minimum of £120,000 per annum (approximately £60,000 per annum for each Council – Note the actual split of the saving between both Councils will be calculated in accordance with the shared services apportionments completed annually). This is in addition to the annual £68,000 saving (£34,000 each Council) that has already been taken as a saving in the Budget process for 2019/20 with regards to the former Executive Director post as detailed in paragraph 2.4 above.
- 3.6 The proposed future structure of SLT is made up of 5 posts as follows:
- Chief Executive
 - Director of Customer Service and Delivery
 - Director of Place and Enterprise
 - Director of Strategic Finance
 - Director of Governance and Assurance
- 3.7 It is intended that one of the Directors will also fulfil the role of Deputy Chief Executive.
- 3.8 There are four key outcomes that need to be achieved by the new proposed arrangements:
- Customer facing: To improve the customer experience by making our services easier to use and more responsive, reducing failure demand and becoming more efficient as a result; this will lead to cost reduction or investment in services.

- Community facing: To engage with our communities in our strategic planning role with the aim of promoting and supporting appropriate housing development (with a focus on affordable housing), economic growth and resilience, protecting our environment and mitigating against climate change.
- Financial: To achieve financial sustainability; developing new and existing income streams to support our core functions – through treasury management, investment and development of the Council’s assets, selling services, fees and charges and increasing the tax base.
- Governance and assurance: To make sure we do things properly, ethically and lawfully.

3.9 Rationale for a new structure. The Senior Leadership Team (SLT) is responsible for advising and supporting Councillors to set the direction and strategy of the Councils and our communities and for ensuring the delivery of those strategies. The SLT are collectively responsible for: setting the working culture of the organisation; modelling and embedding the IMPACT behaviours; organising our resources to deliver easy-to-use services; ensuring efficient and effective ways of working; strong governance arrangements; good communication and positive relations with our communities; improving the local tax base (housing and business) whilst also finding ways to generate income and decrease reliance on government grant and local taxes.

3.10 The Councils have statutory responsibilities to provide various services to our residents, communities and businesses and regulatory responsibilities in respect to various activities in our communities. The other key purpose of the Councils relates to the strategic planning role, shaping our communities and responding to social, economic and environmental requirements. The Councils require a financial strategy to support these objectives. Council funding comes primarily from local taxes (Council tax and Business rates), New Homes bonus (or its replacement) and any income generated by council activities, investment or use of council assets. Underpinning the success of the Councils is effective decision making and committee processes; strong governance and assurance; good contract and project management, and efficient systems and processes.

3.11 The proposed new SLT structure will be led by the Chief Executive whose role is to act as principal adviser to the Leaders and all elected Members. Also, as the statutory Head of Paid Service, the Chief Executive provides leadership and direction throughout the organisation. This role is accountable for the performance of the organisation and meeting the Councils’ strategic objectives through efficient and effective deployment of resources to ensure that residents receive services of the highest standard.

- 3.12 The 4 directorships are not generic roles. Whilst all 4 Directors will act across all functions of the organisation and across both Councils they will have their own discrete responsibilities and requirements. Individual Directors roles are focused along the following lines:
- 3.13 Strategic Director of Customer Service and Delivery. This post is key to delivery of our statutory services and our regulatory roles as well as some discretionary services. Most of the Councils' employees will report up to this role. The post holder must be a very effective resource manager. The Director will have oversight of most of the Councils' directly delivered services as well as the internal support services. However, whilst directly line managed through this directorate many of the staff will be accountable to other Directors for specific projects or pieces of work. For example, specialists may be assigned to work on a commercial development project for the Place and Enterprise Director, or have tasks to do that fulfil functions sat within Governance and Assurance, or they may be required to carry out work to support the financial strategy. The bulk of the support functions will also report to this director (e.g. IT, HR, technical finance, legal etc). The focus of this role is to improve the customer experience and provide efficient services within the resource constraints. The post holder must have strong management skills particularly in relation to people and performance.
- 3.14 Strategic Director of Place and Enterprise. This role is focused on our communities, housing, economy and commercial strategies, the Joint Local Plan and our response to climate change. Given that our funding is made up of Council tax, business rates and New Homes Bonus it is important to support the provision of much needed and affordable homes through our housing strategy, as well as initiatives that support our economic wellbeing and our local businesses. At the same time the Councils own assets and can act as developer and investor. The Director needs to be able to balance the Councils' commercial interests with the interests of the local communities. The role is also likely to have responsibility for the place-based commercial activities (e.g. Salcombe Harbour and Lower Dartmouth Ferry in South Hams) as well as responsibility for our relationship with AONB teams. An important aspect to the role is the relationship with external organisations, partners and stakeholders (e.g. the LEP, Homes England, developers and the business sector) to promote the interests of our communities and influence the local, regional and national agenda. A key requirement is to draw in external funding to support place-shaping initiatives. This Director will also have responsibility for the Councils' response to climate change. Great communication and negotiation skills, commercial acumen and the ability to build successful relationships are essential requirements for this role.

- 3.15 Corporate Director of Governance and Assurance. The focus of this role is to ensure that we do things properly, ethically and lawfully and that we have sound governance in place. This key role encompasses the entire decision making processes for Members from start to finish and their scrutiny, audit and assurance functions to ensure that Members are confident in their decision making roles. The Director will have oversight of the Councils' risk and opportunities registers and business continuity arrangements and is also responsible for ensuring vital, Council-wide compliance with regulations for health and safety, procurement, information governance, FOI, Ombudsman and complaints procedures. A critical function of this role will be oversight and management of our major contracts (Waste and Leisure). It is also the responsibility of the role holder to ensure that we have strong, consistent project management applied throughout the organisation. Highly developed organisational skills alongside a methodical and pragmatic approach are key requirements for this role alongside political astuteness and a strong track record of working with Members.
- 3.16 Corporate Director of Strategic Finance (and S151 Officer). Financial sustainability is a critical Council objective. This Director is responsible for developing and reviewing the Councils' Medium Term Financial Strategy with Councillors and other key financial strategies (capital strategy, treasury management strategy, investment strategy etc). The post holder has oversight of the budget setting process and future funding strategies. The Director is also responsible for representing the Council on key financial issues and policies at a regional and national level – e.g. Business rates policy, national funding formulae, spending reviews etc. This role provides financial assurance across the whole organisation and ensures that financial implications of all policies and proposals are properly considered and tested during the development stages. The Director is responsible for ensuring that the Councils' commercial activities are properly assessed and monitored, risks are identified and mitigation in place. This Director is also the Councils' S151 Officer(Chief Finance Officer). The post holder must be a qualified accountant with a recognised body and will need to have an extensive knowledge of Local Government finance.
- 3.17 Deputy Chief Executive (Additional responsibility). The role of Deputy Chief Executive is a set of duties and responsibilities which will be assigned to a member of the Senior Leadership Team (SLT) and will be in addition to his/her normal duties as a Strategic or Corporate Director. This role will support the Chief Executive and Lead Members and will enable the provision of independent support and advice to both Councils simultaneously where necessary and will deputise for all responsibilities of the Chief Executive in her absence.

- 3.18 Role profiles for each of the proposed new SLT roles are attached at Appendix A.
- 3.19 Evaluation of the above roles revealed that the roles of Director for Customer Service & Delivery and Director for Strategic Finance are not considered to be significantly different to the existing roles of Group Manager for Customer First and Support Services and Group Manager for Strategic Finance respectively. Therefore, should this restructure be agreed it proposed to appoint the existing postholders in accordance with the Councils Managing Organisational Change policy
- 3.20 As mentioned above, an independent HR specialist from the Local Government Association has reviewed and evaluated the proposed Director roles, and that of the Chief Executive, and has made recommendations for the salary ranges for all 5 roles. This report proposes using the lowest end of the salary ranges suggested by the LGA advisor.
- 3.21 The LGA senior role job evaluation tool used the following criteria to assess the 5 SLT roles:
- Knowledge requirement
 - Creative thinking required/policy direction involved
 - Impact on People / Organisations
 - Responsibility for resources
- 3.22 The evaluation tool identified that the Customer Service & Delivery and Place & Enterprise roles carry a slightly greater level of responsibility overall and we have therefore designated these roles as Strategic Directors and the remaining two roles (Strategic Finance and Governance & Assurance) as Corporate Directors.
- 3.23 Acting upon the advice of the LGA and taking into account factors such as:
- the relationship to the salaries of the Chief Executive and the Directors;
 - the market rate for similar roles in other local authorities and associated bodies;
 - the added complexity of working across two Councils and comparison with Councils with similar arrangements;
 - outcome of the role evaluation
- it is proposed that the following salary structure is adopted:

Chief Executive	
Spot salary	Salary
CE	£120,000

Spinal Column Point	Salary pa
D1	£64,000
D2	£68,000

D3	£72,000
D4	£76,000

To reflect the differing levels of responsibility, the following salary ranges are proposed:

Role	Salary range
Strategic Director	D2 - D4
Corporate Director	D1 - D3

- 3.24 For the duties of Deputy Chief Executive, an additional responsibility allowance of the greater of £8000 pa or 6.5% of the annual salary payable to the Chief Executive will be paid. The payment will not be consolidated and will not attract an annual cost of living increase, however it will maintain a relationship with the Chief Executive's salary in accordance with recommended practice.
- 3.25 The current cost (as at June 2019) of the Senior Leadership Team (SLT) structure and the Extended Leadership Team (ELT) structure is £1.708 million (this cost is shared across both Councils). The cost of the new proposed SLT and ELT structure is £1.588 million - £0.12 million less.
- 3.26 It not possible to predict the exact savings generated until both the SLT and ELT reviews are completed however it is anticipated that it will be in the region of a minimum of £120,000 per annum (approximately £60,000 per annum for each Council – Note the actual split of the saving between both Councils will be calculated in accordance with the shared services apportionments completed annually). This is in addition to the annual £68,000 saving (£34,000 each Council) that has already been taken as a saving in the Budget process for 2019/20 with regards to the former Executive Director post as detailed in paragraph 2.4 above.
- 3.27 Some of the savings will be deferred until 2021 in order to meet budget pressures for service changes to waste collection and recycling in both Councils. The Councils could alternatively decide to meet this temporary cost from the Strategic Waste Earmarked Reserve, instead of deferring some of the saving.
- 3.28 There will be a one-off cost pressure if there are any redundancies as a result of the combined restructure which would also delay some of the benefit of the savings achieved, although a payback period would be calculated.

4. Options available and consideration of risk

- 4.1 When developing the proposal a range of different options were considered including:
- Reverting to separate management structures for each Council;
 - Confirming the current interim structure and roles and appointing to the vacant posts against the current job descriptions;
 - Reducing the number of posts or not appointing to one or both of the current vacancies and increasing the scope of the remaining roles accordingly; and
 - Retaining a structure of 1 Chief Executive and 4 Directors but reviewing the responsibilities of roles in order to create a new team that better reflects the current and anticipated requirements of the two Councils.
- 4.2 Option 1: Separate Management Structures. It is not considered feasible to revert to separate management teams for each Council due to the complexity of unpicking the current arrangements and the enormous financial cost to both Councils associated with re-establishing separate arrangements.
- 4.3 Option 2: Confirm interim structure. The option of making the interim structure permanent and recruiting to the current vacancies would not address the recent operational changes resulting from the new waste collection and street cleaning contract. Nor does it take into account the changing priorities of the new Council administrations or the recommendations of the Corporate Peer Challenge.
- 4.4 Option 3: Reducing the number of posts. There are two vacancies in the current interim arrangements and consideration has been given to whether one or both of these vacancies could be taken as savings and a new team established with fewer postholders. Not appointing to either of the two vacancies, and continuing to distribute the responsibilities amongst the remaining SLT members and some members of ELT, would result in financial savings to the Councils however it is not considered sustainable to continue to operate at this level of resourcing for any longer than is absolutely necessary. There would be significant risks to the effective operation of the Councils and to the well-being of the 3 remaining members of the team. Not appointing to one of the vacancies could generate a smaller financial saving but there would be a significant risk that the Councils would not have the capacity at a senior level to effectively meet their statutory duties or their commitments to their communities.

- 4.5 Option 4: Developing a new team that meets the Councils' requirements. This option recommends developing a senior leadership team that has the capacity to meet the Councils' needs and addresses the four key requirements outlined in paragraph 3.8. It is proposed that the team will comprise of the Chief Executive and 4 Directors – details and role profiles can be found at Appendices A and B. This option will meet the recommendations of the Corporate Peer Challenge, the changes to the organisations' operational requirements and the changing priorities and focus of the Councils. It will provide capacity, resilience and expertise at the appropriate level within the organisation. The proposal will increase the current cost of SLT by approximately £22,500 (4.4%) but will reduce requirements within the ELT which will result in an overall saving of £120,000 (7%) on the current arrangements. This is the recommended option (Option 4).
- 4.6 Consultation. All current members of SLT and ELT have been consulted on the proposals including the process for appointing to the posts. The consultation has also been posted on the staff intranet for all staff. A copy of the consultation document can be found at Appendix B. In response, questions were raised about role responsibilities, salary levels and the differentiation between the Strategic and Corporate Directors, the recruitment process and the timing of the proposed ELT restructure. We do not propose to make any significant changes but we have clarified with consultees the points raised and we have made minor changes to the role profiles.
- 4.7 The Head of HR practice has also consulted with our recognised Unions through the Joint Consultative Committee.
- 4.8 Leaders and Deputy Leaders of both Councils have been consulted during the development of the proposal.
- 4.9 Independent advice has been provided by the senior HR specialist at the LGA concerning the development and evaluation of the role profiles, and the benchmarking and recommendations relating to salaries.

5. Proposed Way Forward

- 5.1 It is proposed that the Councils approve Option 4 and agree the SLT structure, roles and salaries as set out in section 3 of this report and Appendix A.

6. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance		The proposal is in accordance with the Councils Managing Organisational Change policy and

		<p>compliant with all relevant employment law legislation, including the Equality Act 2010</p> <p>The Head of Paid Service is responsible for staffing arrangement of the Council. However, it is considered appropriate that the Council considers the proposals within this report given that it concerns a senior management restructure which is significantly different from the current arrangements.</p> <p>Both Councils need to agree the restructure proposals; in the event that common agreement cannot be reached alternative proposals will need to be considered.</p>
<p>Financial implications to include reference to value for money</p>		<p>The proposal will increase the current cost of SLT by approximately £22,500 (4.4%) but will reduce requirements within the ELT which will result in an overall saving of a minimum of £120,000 (7%) (being approximately £60,000 each Council) on the current arrangements.</p> <p>This is in addition to the annual £68,000 saving (£34,000 each Council) that has already been taken as a saving in the Budget process for 2019/20 with regards to the former Executive Director post as detailed in paragraph 2.4 above.</p> <p>Some of the savings will be deferred until 2021 in order to meet budget pressures for service changes to waste collection and recycling in both Councils. The Councils could alternatively decide to meet this temporary cost from the Strategic Waste Earmarked Reserve, instead of deferring some of the saving.</p> <p>There will be a one-off cost pressure if there are any redundancies as a result of the combined restructure which would also delay some of the benefit of the savings achieved, although a payback period would be calculated.</p> <p><u>Value for money.</u> This is a key consideration for the Councils and by sharing a management team the Councils effectively get the benefit of a strong team of 5 senior managers for half the cost, in addition to the cost savings identified at paragraph 3.5.</p>

Risk		<p>Risk 1: That one of the Councils does not agree the proposal or that one Council proposes amendments that are not supported by the other Council.</p> <p>Risk 2: that the Council proposes one of the other options in paragraph 4 which would incur delay and further costs and not support the needs of the organisation.</p> <p>Risk 3: That it is not possible to make an internal appointment to the SLT roles resulting in the need to look externally which would incur cost and significant delay.</p>
Supporting Corporate Strategy		This proposal supports all 6 themes of the corporate strategy.
Comprehensive Impact Assessment Implications		
Equality and Diversity		The proposed selection process is non discriminatory and in line with usual practice.
Safeguarding		None
Community Safety, Crime and Disorder		None
Health, Safety and Wellbeing		None
Other implications		None

Supporting Information

Appendices:

Appendix A – Proposed new SLT role profiles

Appendix B – Copy of consultation document

Background Papers:

Council – 5th December 2017 – Head of Service Replacement

Council – 12th February 2019 – Establishment Review

Hub Committee - 19th March 2019 – Peer Challenge Action Plan

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Strategic Director of Customer Service and Delivery



LEVEL:	Level 2 (Band A Impact Behaviours)
ACCOUNTABLE TO:	Chief Executive
SALARY:	£68,000 - £76,000
LOCATION:	Totnes / Tavistock / Agile

Job Purpose

The Director of Customer Service and Delivery will work closely with all other Directors across the Senior Leadership Team to lead strategic and operational activity across two Councils working together with a shared workforce. The focus of this role is to lead on service delivery and improve the customer experience by providing efficient services within the resource constraints. It is key to the delivery of our statutory services and our regulatory roles, as well as some discretionary services. This role will have overall management of most of the Councils' workforce and oversight of the majority of the Councils' directly delivered services as well as the internal support services. This role is the key driver for ongoing service delivery improvements and efficiencies through strong resource and performance management, sound working policies and established cross functional working practices.

Role Profile

- Lead a diverse range of professional services, that are high quality, effective and continuously improving
- Provide strong and effective resource management across a range of externally and internally facing services, leading a matrix management team operating in a complex political environment
- Ensure continuous improvement and measure added value through robust performance management across a range of services
- Drive the digital agenda for the council creating new customer-centric operating models using the newest available technology to achieve greater efficiency
- Provide dynamic and inspirational leadership across the organisation, driving a high performing, supportive culture that can be embedded at all levels
- Responsible for significant delegated financial budgets and resources ensuring they are allocated effectively for the delivery of high quality services, achieving compliance with relevant policies and guidelines
- Develop and promote cutting edge partnerships with a range of stakeholders at both a local and national level
- Demonstrate a forward-thinking and commercial approach, effectively managing risk to reduce cost, create income generation opportunities and achieve inward investment
- Translate future strategic demands into tangible and measurable policies and projects that add value whilst providing clear direction and credibly communicating the future vision
- Lead a culture of continuous improvement within Customer Service & Delivery and across the Councils, effectively anticipating and responding to change and promoting a collaborative culture, sharing knowledge across the organisation
- Harness innovation and creativity in service delivery models and champion development opportunities, to enrich the workforce and maximise engagement and productivity
- Understand the demographic of our communities and ensure that this is central to service delivery and the style and culture of the organisation as a provider and employer
- Ensure appropriate business continuity plans and emergency response procedures are in place for the areas of specific responsibility

The Senior Leadership Team

All Director roles, along with the Chief Executive, form the Senior Leadership Team (SLT) across both Councils which is collectively accountable for the following:

- ◆ Responsible for working effectively with Councillors, providing advice and support to set the direction and strategy of the Councils and communities.
- ◆ Ensuring the strategic priorities in the Councils' Corporate Themes are translated methodically and transformed into high quality, cost effective service delivery.
- ◆ Setting the working culture of the organisation; leading by example, role modelling the Councils' IMPACT behaviour framework and upholding the Councils values and ethics.
- ◆ Ensuring high performance and successful outcomes through the engagement of staff and effective organisation and deployment of resources to ensure delivery of easy to use services.
- ◆ Delivering efficient and effective ways of working with strong governance arrangements in place, whilst creating and promoting a culture of flexibility to respond effectively to shifts in priority.
- ◆ Demonstrating and promoting excellent internal and external communication; enhancing existing partnerships and creating pathways to build further positive relations within our communities and beyond to increase growth and development by generating income and reducing reliance on government grant and local taxes.
- ◆ Providing outstanding strategic leadership across the organisation; promoting economic growth, effectively managing assets and delivering the priorities in the Councils' Corporate Strategy to make a positive impact on the lives of local people.
- ◆ Empowering members of the Extended Leadership Team (ELT) by defining and expanding their areas of responsibility, ensuring a risk management culture to support their independence and flexibility.

Areas of Specific Responsibility

The Director of Customer Service and Delivery will have direct responsibility for the resources to deliver the majority of the Councils' external and internal services. In summary, these functions include:

Community of Practice	Functions
Customer Services	Customer Contact Centre
Development Management	Planning, Enforcement, Green Space, Land Charges, TPOs, LLPG, Street Naming
Environmental Health	Environmental Health, Health & Safety, Private Sector Housing, Housing Standards, Business Continuity, Emergency Planning, Pollution, Anti-social Behaviour / Nuisance, Community Safety Partnership, DFGs, Licensing
Environment Services	Waste, Parking, Grounds Maintenance, Building Maintenance, Events, Car Parks, Public Toilets, Environmental Protection, Markets, Localities, Fleet, Contract Monitoring, Education & Communications (Waste & Leisure)
Housing, Revenues & Benefits	Housing Advice, Homelessness, Safeguarding, Council Tax, NNDR, Benefits
Support Services	Finance, Legal, ICT, IT Security, HR, Payroll, Communications, Design, Creditors, Debtors / Recovery, Insurance, DMR

The Director will also have responsibility to support the Director of Place and Enterprise by providing specialist and case management support for:

Community of Practice	Functions
Assets	Engineering, Estates and Facilities
Commercial	Property acquisition and development
Climate Change	Developing and delivering the Councils' response
Place Making	Urban Fringe delivery, Trees / Landscape, Biodiversity, S106, Neighbourhood Planning, Green Infrastructure

Person Specification

Impact Behaviours

The Councils have developed and adopted a behavior framework known as 'Impact'. The framework aims to enhance both individual and organisational performance by outlining measurable behaviours that describe how we need to perform our roles. All members of the Senior Leadership Team are expected to demonstrate Band A Impact Behaviours.

Experience/Skills – Essential

- A successful track record as a senior manager, including specific experience of managing customer service operations and effectively managing resources in an organisation of equivalent size or larger than South Hams and West Devon Councils
- Strong management skills, particularly in relation to people and performance
- Success in terms of their contribution to the advancement and development of organisations through the formulation of key policies, corporate objectives, commissioning and strategy
- Excellent track record in delivering successful, productive partnerships between organisations, across geographical, political or commercial boundaries
- Appreciation and understanding of the dynamics of working in a complex, political environment and across two Councils
- Evidence of using personal influence to implement innovation in the delivery of services, service improvement or other areas of organisational performance
- A commitment to quality, customer focused services and the benefits that flow from a corporate approach to service delivery
- A track record of gaining traction with others, including peers to generate change and development in organisations
- Thorough and pragmatic understanding of the dynamics between elected members and officers, decision-making in local authorities and the relationship between other agencies
- Excellent written and verbal communication skills
- The ability to drive and motivate for change through effective leadership

Knowledge – Essential

Gained through a combination of professional qualifications and/or significant experience in related services, the core knowledge requirements for the role include:

- Solid knowledge of the range and role of customer and support services and exemplary practice in the wider market.
- Understanding of external market opportunities for customer service delivery.
- An appreciation of the potential technology presents to advance and extend customer services.
- A good understanding of current policy and strategy impacting local government services, contract and project management.

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Corporate Director of Governance and Assurance



LEVEL:	Level 2 (Band A Impact Behaviours)
ACCOUNTABLE TO:	Chief Executive
SALARY:	£64,000 - £72,000
LOCATION:	Totnes / Tavistock / Agile

Job Purpose

The Director of Governance and Assurance will work closely with all other Directors across the Senior Leadership Team to lead strategic and operational activity across two Councils working together with a shared workforce. Future success of the Councils will be underpinned by effective decision making and committee processes. Therefore the focus of this role is to ensure that processes and procedures are carried out properly, ethically and lawfully and that the Councils have sound governance in place. This role encompasses the decision making processes for Members and their scrutiny, audit and assurance functions, along with responsibilities across both Councils for consistency and transparency in both statutory and non-statutory procedures.

The post holder will be required to be the Councils' nominated Data Protection Officer as required by the General Data Protection Regulation (GDPR).

Role Profile

- Responsible for working with Councillors and officers across the organisations to ensure there is sound governance in place to allow the Councils to operate lawfully and consistently.
- Ensuring there is strong project management applied throughout the organisation to achieve council-wide consistency and transparency.
- Responsibility for ensuring Council-wide compliance with regulations for health and safety, procurement, information governance, Data Protection, FOI, Ombudsman and complaints procedures, and has oversight of the Councils' risk and opportunities registers.
- Maintain a strategic oversight of all Council contracts with additional engagement and management of major contracts.
- Provide dynamic and inspirational leadership across the organisation, driving a high performing, supportive culture that can be embedded at all levels.
- Responsible for significant delegated financial budgets and resources ensuring they are allocated effectively for the delivery of high quality services, achieving compliance with relevant policies and guidelines.
- Develop and promote cutting edge partnerships with a range of stakeholders at both a local and national level.
- Demonstrate a forward-thinking and commercial approach, effectively managing risk to reduce cost, create income generation opportunities and achieve inward investment.
- Translate future strategic demands into tangible and measurable policies and projects that add value whilst providing clear direction and credibly communicating the future vision.
- Lead a culture of continuous improvement within Governance and Assurance and across the Councils, effectively anticipating and responding to change and promoting a collaborative culture, sharing knowledge across the organisation.
- Harness innovation and creativity in service delivery models and champion development opportunities, to enrich the workforce and maximise engagement and productivity.
- Understand the demographic of our communities and ensure that this is central to service delivery and the style and culture of the organisation as a provider and employer.
- Ensure appropriate business continuity plans and emergency response procedures are in place for the areas of specific responsibility.

The Senior Leadership Team

All Director roles, along with the Chief Executive, form the Senior Leadership Team (SLT) across both Councils which is collectively accountable for the following:

- ◆ Responsible for working effectively with Councillors, providing advice and support to set the direction and strategy of the Councils and communities.
- ◆ Ensuring the strategic priorities in the Councils' Corporate Themes are translated methodically and transformed into high quality, cost effective service delivery.
- ◆ Setting the working culture of the organisation; leading by example, role modelling the Councils' IMPACT behaviour framework and upholding the Councils values and ethics.
- ◆ Ensuring high performance and successful outcomes through the engagement of staff and effective organisation and deployment of resources to ensure delivery of easy to use services.
- ◆ Delivering efficient and effective ways of working with strong governance arrangements in place, whilst creating and promoting a culture of flexibility to respond effectively to shifts in priority.
- ◆ Demonstrating and promoting excellent internal and external communication; enhancing existing partnerships and creating pathways to build further positive relations within our communities and beyond to increase growth and development by generating income and reducing reliance on government grant and local taxes.
- ◆ Providing outstanding strategic leadership across the organisation; promoting economic growth, effectively managing assets and delivering the priorities in the Councils' Corporate Strategy to make a positive impact on the lives of local people.
- ◆ Empowering members of the Extended Leadership Team (ELT) by defining and expanding their areas of responsibility, ensuring a risk management culture to support their independence and flexibility.

Areas of Specific Responsibility

The Director of Governance and Assurance will ensure compliance across both Councils and will be directly responsible for the following functions:

Monitoring Officer & Constitution	Audit
Member Services	Electoral Services
Contract Oversight & Management (Waste, Leisure & IT)	Procurement
Programme Board	Project Management
Business Intelligence	FOI
Complaints and Ombudsman	Information Governance V.CoP
Health & Safety V.CoP	Data Protection
Corporate Risk Register	

In addition to the above, The Director of Governance and Assurance, working closely with the Director of Customer Service and Delivery and will have indirect responsibility for:

- | | |
|--|--------------|
| Business Continuity/Emergency Planning | ICT Security |
|--|--------------|

Person Specification

Impact Behaviours

The Councils have developed and adopted a behavior framework known as 'Impact'. The framework aims to enhance both individual and organisational performance by outlining measurable behaviours that describe how we need to perform our roles. All members of the Senior Leadership Team are expected to demonstrate Band A Impact Behaviours.

Experience/Skills – Essential

- Ability to demonstrate an understanding of sound governance and effective council wide compliance with processes and procedures.
- A successful track record as a senior manager, including specific experience of managing contracts and projects in an organisation of equivalent size or larger than South Hams and West Devon Councils.
- Strong management skills, particularly in relation to people and performance.
- Highly developed organisational skills with a methodical and pragmatic approach.
- A proven, strong track record working with Members.
- Success in terms of their contribution to the advancement and development of organisations through the formulation of key policies, corporate objectives, commissioning and strategy.
- Excellent track record in delivering successful, productive partnerships between organisations, across geographical, political or commercial boundaries.
- Appreciation and understanding of the dynamics of working in a complex, political environment and across two Councils.
- Evidence of using personal influence to implement innovation in the delivery of services, service improvement or other areas of organisational performance.
- A commitment to quality, customer focused services and the benefits that flow from a corporate approach to service delivery.
- A track record of gaining traction with others, including peers to generate change and development in organisations.
- Thorough and pragmatic understanding of the dynamics between elected members and officers, decision-making in local authorities and the relationship between other agencies.
- Excellent written and verbal communication skills
- The ability to drive and motivate for change through effective leadership.

Knowledge – Essential

Gained through a combination of professional qualifications and/or significant experience in related services, the core knowledge requirements for the role include:

- Knowledge and sound understanding of decision making processes within local government and high political astuteness.
- A solid understanding of current policy and strategy impacting local government services, contract and project management

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Strategic Director of Place and Enterprise



LEVEL: Level 2 (Band A Impact Behaviours)
ACCOUNTABLE TO: Chief Executive
SALARY: £68,000 - £76,000
LOCATION: Totnes / Tavistock / Agile

Job Purpose

The Strategic Director of Place and Enterprise will work closely with all other Directors across the Senior Leadership Team to lead strategic and operational activity across two Councils working together with a shared workforce. The role particularly focuses on our communities, housing, economy and commercial strategies, together with the Joint Local Plan to support the provision of much needed and affordable homes, as well as initiatives that support our economic wellbeing and our local businesses. There will be particular emphasis on building and maintaining relationships with external organisations, partners and stakeholders to promote the interests of our communities and influence the local, regional and national agenda. This role is key to deliver the Councils' corporate objectives by drawing in external funding to support place-shaping initiatives and respond to social, economic and environmental requirements whilst balancing the Councils' commercial interests with the interests of the local communities.

Role Profile

- Effectively manage the Councils' income streams to support the provision of much needed and affordable homes through our housing strategy, as well as initiatives that support our economic wellbeing and our local businesses.
- Identify and secure external funding to support place-shaping initiatives.
- Develop and implement strategies for investment of Council assets whilst maintaining a balance between the Councils' commercial interests with the interests of the local communities.
- Lead the Councils' response to climate change
- Build successful relationships with a range of stakeholders locally, regionally and nationally to grow existing, and implement new working partnerships.
- Provide dynamic and inspirational leadership across the organisation, driving a high performing, supportive culture that can be embedded at all levels.
- Responsible for significant delegated financial budgets and resources ensuring they are allocated effectively for the delivery of high quality services, achieving compliance with relevant policies and guidelines.
- Demonstrate a forward-thinking and commercial approach, effectively managing risk to reduce cost, create income generation opportunities and achieve inward investment.
- Translate future strategic demands into tangible and measurable policies and projects that add value whilst providing clear direction and credibly communicating the future vision.
- Lead a culture of continuous improvement within Place and Enterprise and across the Councils, effectively anticipating and responding to change and promoting a collaborative culture, sharing knowledge across the organisation.
- Harness innovation and creativity in service delivery models and champion development opportunities, to enrich the workforce and maximise engagement and productivity.
- Understand the demographic of our communities and ensure that this is central to service delivery and the style and culture of the organisation as a provider and employer.

The Senior Leadership Team

All Director roles, along with the Chief Executive, form the Senior Leadership Team (SLT) across both Councils which is collectively accountable for the following:

- ◆ Responsible for working effectively with Councillors, providing advice and support to set the direction and strategy of the Councils and communities.
- ◆ Ensuring the strategic priorities in the Councils' Corporate Themes are translated methodically and transformed into high quality, cost effective service delivery.
- ◆ Setting the working culture of the organisation; leading by example, role modelling the Councils' IMPACT behaviour framework and upholding the Councils values and ethics.
- ◆ Ensuring high performance and successful outcomes through the engagement of staff and effective organisation and deployment of resources to ensure delivery of easy to use services.
- ◆ Delivering efficient and effective ways of working with strong governance arrangements in place, whilst creating and promoting a culture of flexibility to respond effectively to shifts in priority.
- ◆ Demonstrating and promoting excellent internal and external communication; enhancing existing partnerships and creating pathways to build further positive relations within our communities and beyond to increase growth and development by generating income and reducing reliance on government grant and local taxes.
- ◆ Providing outstanding strategic leadership across the organisation; promoting economic growth, effectively managing assets and delivering the priorities in the Councils' Corporate Strategy to make a positive impact on the lives of local people.
- ◆ Empowering members of the Extended Leadership Team (ELT) by defining and expanding their areas of responsibility, ensuring a risk management culture to support their independence and flexibility.

Areas of Specific Responsibility

The Director of Place and Enterprise will be directly responsible for the following functions:

Joint Local Plan	Affordable Housing
Commercial Property and Assets	AONB
Strategic Planning	Town & Parishes Liaison
Neighbourhood Planning	New Income Streams
Salcombe Harbour	Dartmouth Ferry
Funding Applications & Grants	Representing SHWD Interests at Regional Level (HotSW, LEP, etc.)
Climate change response	Economic Development

In addition, and working closely with other Directors, the Director of Place and Enterprise will have indirect responsibility for aspects of:

Private Sector Housing/Housing Standards	Pollution, Antisocial Behaviour/Nuisance
Community Safety Partnership	Planning (DM)
Urban Fringe delivery team	Bio Diversity/S106/Community
Car parking (strategy)	Public Conveniences (strategy)

Person Specification

Impact Behaviours

The Councils have developed and adopted a behavior framework known as 'Impact'. The framework aims to enhance both individual and organisational performance by outlining measurable behaviours that describe how we need to perform our roles. All members of the Senior Leadership Team are expected to demonstrate Band A Impact Behaviours.

Experience/Skills – Essential

- Proven strength in communication and successful negotiation with a strong sense of business/commercial acumen.
- A successful track record as a senior manager, effectively managing resources in an organisation of equivalent size or larger than South Hams and West Devon Councils.
- Strong management skills, particularly in relation to people and performance.
- Success in terms of their contribution to the advancement and development of organisations through the formulation of key policies, corporate objectives, commissioning and strategy.
- Excellent track record in delivering successful, productive partnerships between organisations, across geographical, political or commercial boundaries.
- Appreciation and understanding of the dynamics of working in a complex, political environment and across two Councils
- Evidence of using personal influence to implement innovation in the delivery of services, service improvement or other areas of organisational performance.
- A commitment to quality, customer focused services and the benefits that flow from a corporate approach to service delivery.
- A track record of gaining traction with others, including peers to generate change and development in organisations.
- Thorough and pragmatic understanding of the dynamics between elected members and officers, decision-making in local authorities and the relationship between other agencies.
- Excellent written and verbal communication skills
- The ability to drive and motivate for change through effective leadership

Knowledge – Essential

Gained through a combination of professional qualifications and/or significant experience in related services, the core knowledge requirements for the role include:

- Solid knowledge of community initiatives with an understanding of the needs of the local communities and issues impacting on both a local and national level
- A good understanding of the management of external funding streams and income generation opportunities
- A good understanding of current policy and strategy impacting local government services, contract and project management

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Corporate Director of Strategic Finance (& S151 Officer)



LEVEL: Level 2 (Band A Impact Behaviours)
ACCOUNTABLE TO: Chief Executive
SALARY: £65,000 - £73,000
LOCATION: Totnes / Tavistock / Agile

Job Purpose

The Director of Strategic Finance will work closely with all other Directors across the Senior Leadership Team to lead strategic and operational activity across two Councils working together with a shared workforce. A sustainable financial future is a critical objective for both Councils, and the focus of this role is to implement a robust financial strategy including developing and reviewing the Councils' Medium Term Financial Strategy with Councillors together with having an oversight of the budget setting process and implementing other key financial and future funding strategies. This is a cross cutting role, involving both corporate and strategic activities to engage with all areas of the organisation. The Councils require a sound financial strategy to support the corporate objectives and this role is key in providing financial assurances relating to all aspects of existing funding streams, income generation and investment or use of Council assets.

The post holder will be required to be the Section 151 Officer for both Councils in accordance with section 151 of the Local Government Act 1972 which requires every local authority to appoint a suitably qualified officer responsible for the proper administration of its affairs.

Role Profile

- Responsible for financial budgets across the whole organisation, ensuring that financial implications of all policies and proposals are properly considered and tested during the development stages.
- Responsible for ensuring that the Councils' commercial activities are properly assessed and monitored, risks are identified and mitigation in place.
- Responsible for representing the Council on key financial issues and policies at a local, regional and national level.
- Responsible for carrying out the duties of the Section 151 Officer across two Councils in line with current legislation
- Provide dynamic and inspirational leadership across the organisation, driving a high performing, supportive culture that can be embedded at all levels
- Develop and promote cutting edge partnerships with a range of stakeholders at both a local and national level
- Demonstrate a forward-thinking and commercial approach, effectively managing risk to reduce cost, create income generation opportunities and achieve inward investment
- Translate future strategic demands into tangible and measurable policies and projects that add value whilst providing clear direction and credibly communicating the future vision
- Lead a culture of continuous improvement within Strategic Finance and across the Councils, effectively anticipating and responding to change and promoting a collaborative culture, sharing knowledge across the organisation
- Harness innovation and creativity in service delivery models and champion development opportunities, to enrich the workforce and maximise engagement and productivity
- Understand the demographic of our communities and ensure that this is central to service delivery and the style and culture of the organisation as a provider and employer
- Ensure appropriate business continuity plans and emergency response procedures are in place for the areas of specific responsibility.

Key Statutory Responsibilities

The Director of Strategic Finance is also the Councils' S151 officer. The post holder must be appropriately qualified and will need to have an extensive knowledge of Local Government finance.

The Senior Leadership Team

All Director roles, along with the Chief Executive, form the Senior Leadership Team (SLT) across both Councils which is collectively accountable for the following:

- ◆ Responsible for working effectively with Councillors, providing advice and support to set the direction and strategy of the Councils and communities.
- ◆ Ensuring the strategic priorities in the Councils' Corporate Themes are translated methodically and transformed into high quality, cost effective service delivery.
- ◆ Setting the working culture of the organisation; leading by example, role modelling the Councils' IMPACT behaviour framework and upholding the Councils values and ethics.
- ◆ Ensuring high performance and successful outcomes through the engagement of staff and effective organisation and deployment of resources to ensure delivery of easy to use services.
- ◆ Delivering efficient and effective ways of working with strong governance arrangements in place, whilst creating and promoting a culture of flexibility to respond effectively to shifts in priority.
- ◆ Demonstrating and promoting excellent internal and external communication; enhancing existing partnerships and creating pathways to build further positive relations within our communities and beyond to increase growth and development by generating income and reducing reliance on government grant and local taxes.
- ◆ Providing outstanding strategic leadership across the organisation; promoting economic growth, effectively managing assets and delivering the priorities in the Councils' Corporate Strategy to make a positive impact on the lives of local people.
- ◆ Empowering members of the Extended Leadership Team (ELT) by defining and expanding their areas of responsibility, ensuring a risk management culture to support their independence and flexibility.

Areas of Specific Responsibility

The Director of Strategic Finance and has direct responsibility for the following functions:

S151	Medium Term Financial Strategy (MTFS)
Budget Process	Capital Strategy / Capital Programme
Treasury Management Strategy	Business rates strategy (pooling, pilots, appeals etc).
Assurance and due diligence for commercial strategy (investment and development)	Borrowing strategy and proportionality
Pension strategy	Statement of accounts

In addition to the above, the Director of Strategic Finance will have responsibility for all finance related functions across both Councils, yet the responsibility for the delivery of the service and the management of resources will remain with the Director of Customer Service and Delivery.

Person Specification

Impact Behaviours

The Councils have developed and adopted a behavior framework known as 'Impact'. The framework aims to enhance both individual and organisational performance by outlining measurable behaviours that describe how we need to perform our roles. All members of the Senior Leadership Team are expected to demonstrate Band A Impact Behaviours.

Experience/Skills – Essential

- ◆ A successful track record as a senior manager, including specific experience of financial management and generating growth in a number of ways.
- ◆ Success in terms of their contribution to the advancement and development of organisations through the formulation of key policies, corporate objectives, commissioning and strategy.
- ◆ Excellent track record in delivering successful, productive partnerships between organisations, across geographical, political or commercial boundaries.
- ◆ Appreciation and understanding of the dynamics of working in a complex, political environment and across two Councils
- ◆ Evidence of using personal influence to implement innovation in the delivery of services, service improvement or other areas of organisational performance.
- ◆ A commitment to quality, customer focused services and the benefits that flow from a corporate approach to service delivery.
- ◆ A track record of gaining traction with others, including peers to generate change and development in organisations.
- ◆ Thorough and pragmatic understanding of the dynamics between elected members and officers, decision-making in local authorities and the relationship between other agencies.
- ◆ Excellent written and verbal communication skills
- ◆ The ability to drive and motivate for change through effective leadership

Qualifications – Essential

According to the Section 113 Local Government Finance Act 1988 – the job holder must be a member of one of the following bodies:

- ◆ Institute of Chartered Accountants
- ◆ Chartered Association of Certified Accountants
- ◆ Chartered Institute of Public Finance and Accounting
- ◆ Chartered Institute of Management Accountants

Knowledge – Essential

Gained through a combination of professional qualifications and/or significant experience in related services, particularly financial management including the use of large financial management systems, the core knowledge requirements for the role include:

- ◆ Solid knowledge and understanding of financial management procedures, particularly in local government
- ◆ A good understanding of current policy and strategy impacting local government services, contract and project management
- ◆ A sound understanding of commercial due diligence

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Review of the Senior Leadership Team - Consultation



Introduction

The report from the Corporate Peer Challenge carried out in November 2018 on both Councils recommended a review of the management structure to ensure that there is the capacity to fulfil our ambitions, particularly in relation to place-shaping and financial sustainability. The report also made recommendations in relation to good governance.

The Council has been running on an interim senior leadership structure since February 2018 following the departure of one of the Executive Directors and is currently carrying two further vacancies out of the five remaining Senior Leadership Team (SLT) posts.

There is now an urgent need to appoint to a permanent structure to ensure stability, clarity of roles and sufficient capacity to meet the challenges of delivering the objectives of two Councils.

This paper sets out for consultation the proposed new structure and the approach to achieving it.

The final proposals will inform a report to each Council in July 2019. It is anticipated that the revised structure will be put in place by 1 September 2019.

Section 1: Background

The current SLT has its origins in the T18 Transformation Programme and originally consisted in January 2015 of:

- ◆ Executive Director for Strategy and Commissioning (Level 1)
- ◆ Executive Director for Service Delivery and Commercial Development (Level 1)
- ◆ Group Manager for Customer First (Level 2)
- ◆ Group Manager for Support Services (Level 2)
- ◆ Group Manager for Commercial Services (Level 2)
- ◆ Group Manager for Business Development (Level 2)
- ◆ Section 151 Officer (Level 3)

The following further changes have subsequently occurred:

- ◆ **March 2016** – Group Manager Customer First left and duties transferred to Group Manager for Support Services
- ◆ **February 2018** – Executive Director for Strategy & Commissioning left and interim arrangement agreed by Councils. The remaining Executive Director took both roles and subsequent changes made to responsibilities of other roles, including allocation of Deputy Chief Executive duties to a Group Manager and the S151 Officer becoming Group Manager for Strategic Finance.
- ◆ **February 2019** – appointment by both Councils of remaining Executive Director as Chief Executive
- ◆ **April 2019** – 2 vacant posts following departure of Group Managers for Business Development and Commercial Services

As well as the changes in personnel, a number of other factors impact the composition of SLT:

- ◆ The decision not to proceed with the commissioning model and the formation of the LACC.
- ◆ The South Hams decision to seek a partner to deliver its Waste and Recycling service with effect from April 2019 and the impact on the Group Manager role following the transfer of 86 employees and significant service delivery functions
- ◆ The completion of the initial workstream to create a framework under which the Councils could pursue its commercial interests
- ◆ The recommendations of the Peer Challenge Review, in particular the capacity required in relation to place-shaping, financial sustainability and good governance
- ◆ The new priorities emerging from election of new Councils
- ◆ The challenging local and national framework and the need for strong focussed leadership
- ◆ Importance of building and sustaining key external relationships and to exert greater place, regional and national influence
- ◆ Importance of strong leadership on staff

Section 2: The proposed new SLT structure

The proposal is limited to the Senior Leadership Team. It is proposed that a further review will take place in autumn 2019 to review and restructure the Extended Leadership Team (ELT) and this will be the subject of a separate consultation. It is not proposed to make any redundancies as part of the review and it is proposed that vacant roles are filled through internal appointments.

It is proposed that the role of Chief Executive is supported by a SLT of 4 roles:

**Director of
Customer Service
and Delivery**

**Director of
Place and
Enterprise**

**Director of
Strategic
Finance**

**Director of
Governance and
Assurance**

The senior leadership roles and are mapped against the Band A Impact Behaviours.

The roles have the following generic responsibilities (not exhaustive):

- ◆ for advising and supporting Councillors to set the direction and strategy of the Councils and our communities and for ensuring the delivery of those strategies
- ◆ setting the working culture of the organisation
- ◆ modelling and embedding the IMPACT behaviours
- ◆ organising our resources to deliver easy-to-use services
- ◆ ensuring efficient and effective ways of working
- ◆ strong governance arrangements
- ◆ good communication and positive relations with our communities
- ◆ improving the local tax base (housing and business) whilst also finding ways to generate income and decrease reliance on government grant and local taxes;

The 4 directorships are not generic roles. Whilst all 4 Directors will act across all functions of the organisation and across both Councils they will have their own discrete responsibilities and requirements. Individual Directors are focused along the following lines

Strategic Director of Customer Service and Delivery

- ◆ This post is key to delivery of our statutory services and our regulatory roles as well as some discretionary services.
- ◆ Most of the Councils' employees will report up to this role.
- ◆ The post holder must be a very effective resource manager.
- ◆ The Director will have oversight of most of the councils' directly delivered services as well as the internal support services. However, whilst directly line managed through this directorate many of the staff will be accountable to other Directors for specific projects or pieces of work. For example, specialists may be assigned to work on a commercial development project for the Place and Enterprise, or have tasks to do that fulfil functions sat within Governance and Assurance, or they may be required to carry out work to support the financial strategy.
- ◆ The bulk of the support functions will also report to this director (e.g. IT, HR, technical finance, legal etc).
- ◆ The focus of this role is to improve the customer experience and provide efficient services within the resource constraints.
- ◆ The post holder must have strong management skills particularly in relation to people and performance.

Strategic Director of Place and Enterprise

- ◆ This role is focused on our communities, housing, economy and commercial strategies and the Joint Local Plan.
- ◆ Given that our funding is made up of Council tax, business rates and New Homes Bonus it is important to support the provision of much needed and affordable homes through our housing strategy, as well as initiatives that support our economic wellbeing and our local businesses.
- ◆ At the same time the Councils own assets and can act as developer and investor. The Director needs to be able to balance the Councils' commercial interests with the interests of the local communities.
- ◆ The role is also likely to have responsibility for the Councils' place-based commercial activities (e.g. Salcombe Harbour and Lower Dartmouth Ferry).
- ◆ An important aspect to the role is the relationship with external organisations, partners and stakeholders (e.g. the LEP, Homes England, developers and the business sector) to promote the interests of our communities and influence the local, regional and national agenda.
- ◆ A key requirement is to draw in external funding to support place-shaping initiatives.
- ◆ Great communication and negotiation skills, commercial acumen and the ability to build successful relationships are essential requirements for this role.

Corporate Director of Governance and Assurance

- ◆ The focus of this role is to ensure that we do things properly, ethically and lawfully and that we have sound governance in place.
- ◆ This role encompasses the decision making processes for Members and their scrutiny, audit and assurance functions.
- ◆ The Director is also responsible for ensuring Council-wide compliance with regulations for health and safety, procurement, information governance, FOI, Ombudsman and complaints procedures, and has oversight of the Councils' risk and opportunities registers and business continuity arrangements.
- ◆ An important part of the role is ensuring that we have strong, consistent project management applied throughout the organisation.
- ◆ A critical function of this role will be oversight and management of our major contracts (Waste and Leisure).
- ◆ Highly developed organisational skills alongside a methodical and pragmatic approach are key requirements for this role alongside political astuteness and a strong track record working with Members.

Corporate Director of Strategic Finance (and S151 Officer)

- Financial sustainability is a critical Council objective.
- This Director is responsible for developing and reviewing the Councils' Medium Term Financial Strategy with Councillors and other key financial strategies (capital, treasury management etc).
- The post holder has oversight of the budget setting process and future funding strategies.
- The Director is also responsible for representing the Council on key financial issues and policies at a regional and national level – e.g. Business rates policy, national funding formulae, spending reviews etc.
- This role provides financial assurance across the whole organisation and ensures that financial implications of all policies and proposals are properly considered and tested during the development stages.
- The Director is responsible for ensuring that the Councils' commercial activities are properly assessed and monitored, risks are identified and mitigation in place.
- This Director is also the Councils' S151 officer. The post holder must be appropriately qualified and will need to have an extensive knowledge of Local Government finance.

Deputy Chief Executive

The role of Deputy Chief Executive is a set of duties and responsibilities which will be assigned to a member of the Senior Leadership Team (SLT) and will be in addition to their normal duties as a Strategic or Corporate Director.

This role will support the Chief Executive and Lead Members and will enable the provision of independent support and advice to both Councils simultaneously where necessary and will deputise for all responsibilities of the Chief Executive in their absence.

Full role descriptions and person specifications are at Appendices A - D

Section 3: Job Evaluation and Salary range

Using a LGA senior role job evaluation tool, the 4 roles were assessed against the following criteria:

- Knowledge requirement
- Creative thinking required/policy direction involved
- Impact on People / Organisations
- Responsibility for resources

The tool identified that the Customer Service & Delivery and Place & Enterprise roles had a slightly greater level of responsibility and we have therefore designated these roles as Strategic Directors and the remaining two roles as Corporate Directors.

Acting upon the advice of the LGA and taking into account factors such as:

- the relationship to the salary of Chief Executive
- the market rate for similar roles in other local authorities and associated bodies
- the added complexity of working across two Councils
- outcome of the role evaluation

It is proposed that the following salary structure is adopted:

Spinal Column Point	Salary pa
D1	£64,000
D2	£68,000
D3	£72,000
D4	£76,000

To reflect the differing levels of responsibility, the following salary ranges are proposed:

Role	Salary range
Strategic Director	D2 - D4
Corporate Director	D1 – D3

The range recognises the progression that will be made by postholders in the first three years of the role.

Special Responsibility Allowances

The salary range includes all responsibility payments for carrying out additional duties, including Monitoring Officer (and Deputy Monitoring Officer), Section 151 Finance Officer (and Deputy and all current responsibility allowances will be consolidated into the proposed new salary range.

Where the significant additional responsibilities are carried out by an officer other than a member of SLT, a special responsibility allowance may still be payable.

The exception is the special responsibility allowance payable to the officer acting as the Deputy Chief Executive. The Chief Executive will assign the duties after inviting expressions of interest from within the SLT. An additional responsibility allowance of the greater of £8000 pa or 6.5% of the annual salary payable to the Chief Executive will be paid. The payment will not be consolidated and will not attract an annual cost of living increase.

Pay assimilation and progression

Existing staff appointed to the SLT with a salary within the relevant range will be assimilated to the nearest salary point.

Staff appointed from a salary lower than the relevant range will be appointed to the lowest point of the range.

Progression through the salary range will be by annual incremental progression, subject to satisfactory performance.

Performance related pay

Consideration will be given to introducing a link between performance and financial reward in the future. Any performance related pay scheme will be the subject of a separate consultation process.

Section 4: Selection Process

In accordance with the Councils' Managing Organisational Change policy, the roles of Strategic Director for Customer Service & Delivery and Corporate Director for Strategic Finance are considered to be not significantly different to the existing roles of Group Manager for Customer First and Support Services and Strategic Finance respectively. **Therefore it proposed to slot in the existing post holders.**

The roles of Strategic Director for Place & Enterprise and Corporate Director for Governance & Assurance are considered to be significantly different to any existing role and applications are invited for the new roles.

It is proposed that the roles are advertised internally in the first instance. An external advert will only be considered if a suitable candidate is not identified.

Applications are sought from candidates who can meet the requirements set out in the respective person specification. The Chief Executive will shortlist applicants in consultation with the LGA.

The shortlisted applicants will then asked to participate in an assessment centre consisting of:

- ◆ a structured assessment against IMPACT Band A behaviours
- ◆ a 20 minute presentation against a given topic
- ◆ a psychometric tool
- ◆ a topic discussion with the two Leaders

The assessment panel will be chaired by the Chief Executive and advised by a panel consisting of senior Members from both Councils and an independent advisor.

The proposed dates for assessment are 4, 5 and 6 September 2019.

It is proposed that the successful candidates will start their new role from 9 September 2019.

Section 5: Consultation

Comments and suggestions are invited on the proposals set out in this consultation paper. The final proposals will form the basis of a Report to Council in July.

Responses to the consultation should be addressed to SLTconsultation@swdevon.gov.uk and received by midnight on Wednesday 3 July 2019.

Report to: **Council**
Date: **23 July 2019**
Title: **Climate Change Update**
Portfolio Area: **Council**
Wards Affected: **All**
Urgent Decision: **N** Approval and clearance obtained: **Y**

Date next steps can be taken: **Immediately**

Author: **Drew Powell** Role: **Specialist Manager (Customer First)**

Contact: **01803 861240 email: drew.powell@swdevon.gov.uk**

RECOMMENDATIONS:

That Council is recommended to:

1. Delegate authority to the Head of Paid Service, in conjunction with the Leader of the Council, to sign the 'Devon Climate Declaration';
2. Note the progress of the Climate Change and Biodiversity Working Group established in response to the declaration of a 'Climate Change and Biodiversity Emergency' at Council on May 21st 2019;
3. Request that the Climate Change and Biodiversity Working Group develop an action plan to be brought back to full Council for approval on 10 December 2019.

1. Executive summary

- 1.1 At the meeting of full Council on May 21st 2019 it was resolved that 'West Devon Borough Council recognises that we have a Climate Change and Biodiversity Emergency' (minute CM 9 refers)
- 1.2 The resolution also included the recommendation that a cross-group membership Working Group be established and requested to report back to a meeting of full Council within three months with initial recommendations.
- 1.3 This report outlines recent developments with regard to climate change and sets out initial proposals to investigate how the Council can further reduce its carbon footprint in response to the Intergovernmental Panel on Climate Change (IPCC) report and the declaration of a Climate Change and Biodiversity emergency.

2. Background

- 2.1 Evidence shows that humans have already caused climate change, the impacts of which are being felt around the world. Global temperatures have already increased by 1 degree Celsius from pre-industrial levels. Atmospheric Carbon dioxide (CO²) levels are above 400 parts per million (ppm). This far exceeds the 350 ppm deemed to be a safe level for humanity.
- 2.2 In order to reduce the impact of Global Warming and limit the effects of Climate Breakdown, it is estimated that, globally, we need to reduce our CO²eq (carbon equivalent) emissions from their current 6.5 tonnes per person per year to less than 2 tonnes as soon as possible.
- 2.3 Understanding how an organisation impacts climate change is complex. Determining how to approach achieving a carbon neutral Borough or County is equally complex and requires a strategic evidence based approach.
- 2.4 The Greenhouse Gas (GHG) protocol introduced a widely accepted accounting tool, a methodology that splits consumption and production as follows;
 - Scope 1 – All Direct Emissions from the activities of an organisation or under their control. Including fuel combustion on site such as gas boilers, fleet vehicles and air-conditioning leaks.
 - Scope 2 – Indirect Emissions from electricity purchased and used by the organisation. Emissions are created during the production of the energy and eventually used by the organisation.
 - Scope 3 – All Other Indirect Emissions from activities of the organisation, occurring from sources that they do not own or control. These are usually the greatest share of the carbon footprint, covering emissions associated with business travel, procurement, waste and water.
- 2.5 Assessing Scope 1 and 2 emissions is relatively straightforward however Scope 3 requires detailed work and cooperation across numerous stakeholders.
- 2.6 Tackling this huge challenge will require action at all levels from international policy through to individual action but it is recognised that Local Authorities at all tiers are uniquely placed to deliver and enable a reduction in carbon emissions.
- 2.7 In addition to reversing the adverse impacts on the environment, reducing our carbon footprint can deliver economic benefits in terms of new jobs, economic savings and market opportunities, as well as improved personal, social and environmental well-being for people, locally and worldwide.
- 2.8 In terms of Biodiversity, The Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES) Global Assessment Report on Biodiversity and Ecosystem Services (May 2019) concludes that 'Nature is declining globally at rates unprecedented in

human history — and the rate of species extinctions is accelerating, with grave impacts on people around the world now likely.'

- 2.9 It is recognised that whilst Climate Change and Biodiversity are separate issues they are also intrinsically linked.

3. Outcomes/outputs

- 3.1 The Council recognises the need to reduce its carbon footprint, and to respond to the challenges of climate change and loss of biodiversity in the interests of local, national and global well-being.
- 3.2 This report sets out progress to date, both locally and Countywide, and sets out emerging plans arising from the initial meeting of the Working Group.

4. Devon County Background

- 4.1 In recognition of the findings of the IPCC report Devon County Council declared a Climate Emergency on 21 February 2019 and has committed to review and recommend what further corporate approaches can be taken through their Climate Change Strategy and Corporate Energy Policy and to facilitate stronger Devon-wide action through collaboration at a strategic, community and individual level.
- 4.2 In response to this, a Devon Climate Emergency Response Group (DCERG) has been formed. The Group operate within the well-established emergency response framework to facilitate effective action across a broad partnership. The initial teleconference held on 9th May 2019 was joined by WDBC and a range of other partners including the other Devon Districts, Western Power Distribution, the University of Exeter, South West Ambulance Service Trust, Devon and Cornwall Police, Natural Devon, Devon Public Health, Public Health England and the Ministry of Housing, Communities and Local Government (MHCLG) and NHS England (South West).
- 4.3 Officers unanimously agreed to collaborate and to seek Member approval to sign up to a Devon Climate Declaration committing each organisation to review their own carbon reduction plans and to work together on a Devon-wide carbon plan.
- 4.4 The wording of the Devon Climate Declaration can be found at Appendix 1 and it is proposed that the Council join partners in signing the declaration.
- 4.5 In addition, Tactical and Climate Response Officers groups have been formed to support the DCERG in its preparation of a Devon Carbon Plan.
- 4.6 Full details of the work of the groups, funding and minutes from meetings are available on the Devon County Council website, as reached through the link below, and will be updated as the wider Devon response progresses.

<https://www.devon.gov.uk/energyandclimatechange/devon-climate-emergency>

- 4.7 Unlike Devon County Council, Plymouth City Council have not invoked emergency powers but have made a pledge to make Plymouth carbon neutral by 2030, and commit to working with other councils with similar ambitions. A "climate emergency action plan" will now be created for the council to consider in six months.

5. The Councils own activity to date

- 5.1 The Council has long since recognised the need to reduce its carbon footprint and has been proactive in this regard. A number of initiatives have already been implemented to reduce carbon emissions including;

- Introduction of agile working which has reduced both commuting and business mileage by an estimated 1 million miles per year, across its workforce, with a carbon saving of 483 tonnes.
- Improving the energy efficiency of existing housing through grants and enabling schemes such as Cosy Devon, the Green Deal and the Energy Company Obligation.
- Installation of Solar panels on main headquarters and a number of other assets.
- Installation of Electric Vehicle charging points at main headquarters which are currently free to use to encourage uptake.

- 5.2 In terms of future carbon production, the Joint Local Plan (JLP) is one of only a handful of Local Plans in the country that has set a carbon reduction target to be achieved through effective implementation of its policies. The JLP provides a framework that ensures development makes a positive contribution with respect to all factors affecting and being affected by climate change. Policies require development to be environmentally conscious, support a low carbon economy, protect the best agricultural land and deliver resilient communities with good access to services by foot, cycling and public transport and which seek to protect and enhance biodiversity and linked habitats.

- 5.3 The JLP allocates sites for development that are located in places where access to services is good by foot and cycling; and have requirements (additional to the strategic and development management policies) that specifically require measures such as Landscape and Ecological Management Plans and contributions to public transport.

- 5.4 Development Management Policies provide further detail and requirements for development to address climate change. These include, for example, policies which supports local food growing by seeking provision of new allotments and / or community food growing sites, low carbon development by requiring consideration of the energy hierarchy and the promotion of renewable and low carbon energy, including community energy projects.

- 5.5 Whilst it is not possible to introduce in the emerging Supplementary Planning Documents 'new policies' with respect to climate change, those documents can set a clear and high bar for prospective developers on the basis that responding positively to climate change in a rounded and effective way is commensurate with good design.
- 5.6 The Council is also working with Neighbourhood Planning Groups to support the inclusion in Neighbourhood Plans of detailed policies and further specific measures that seek to address climate change in a balanced and effective way.

6. Emerging Plans

- 6.1 The Climate Change and Biodiversity Working Group met on 2 July 2019 and undertook an initial scoping of the issues. The group have agreed Terms of Reference and will meet monthly. The group will be supported by three members of the Extended Leadership Team.
- 6.2 The group recognised that climate change is a cross-cutting, strategic issue that impacts on all of the Council's six Corporate Strategy themes and as such it is proposed that the Portfolio sits with the Leader of the Council who will take on the responsibility as Lead Hub Member.
- 6.3 The complexity of the issues that cut across all council and community activities was recognised by the group, as was the need for a methodical project approach.
- 6.4 It was agreed that two clear work streams, which will be further subdivided, are emerging;
 - The Council's own Carbon Footprint – understanding and calculating this and creating a plan to become net-zero carbon by a future date.
 - The wider Community/Devon/Regional position – the need to support the emerging Devon Carbon Plan and establish similar wider plans on biodiversity.
- 6.5 The group will be developing the project approach over the coming weeks but in the meantime, training on measuring the Council's carbon footprint has been arranged with DCC and Exeter University on 23 July, 2019 and an externally facilitated member workshop, to be held jointly with South Hams DC, is proposed for 18 September, 2019.

7. Summary

- 7.1 Good progress has been made across Devon and within the Council in response to the various declarations of Climate Change and Biodiversity Emergencies.
- 7.2 The Climate Change and Biodiversity Working Group has had its initial meeting and is developing plans to manage the Council's response and will produce an Action Plan for approval at Council on 10 December 2019.

8. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance	Y	<p>As a Category 2 responder under the Civil Contingencies Act 2004 the Council has a duty to plan and prepare a response to an emergency or provide support to those who do.</p> <p>Devon County Council, a Category 1 responder, declared a Climate Emergency on 21 February 2019.</p>
Financial implications to include reference to value for money		It is highly likely that declaring a climate emergency will have significant financial implications for the Council however it is not possible to estimate costs in advance of producing the action plan proposed by the report.
Risk		<p>A number risks need to be highlighted; Based on the evidence put forward failing to respond to the emergency is likely to have long term impacts on the council and the community it serves.</p> <p>Acting in a disproportionate manner and directing resources away from other key areas may have adverse impacts in a number of areas including delivery of statutory services, customer satisfaction, vulnerable people and the financial sustainability of the organisation.</p> <p>Implementing new policies without full consideration of their impacts may directly impact on business, economic growth and delivery against the Joint Local Plan housing targets</p>
Supporting Corporate Strategy		Developing a plan to meet the challenges of climate change supports all six corporate themes.
Comprehensive Impact Assessment Implications		
Equality and Diversity		There are no implications arising from this report
Safeguarding		There are no Safeguarding implications arising from this report.
Community Safety, Crime and Disorder		There are no positive or negative impacts on crime and disorder reduction.
Health, Safety and Wellbeing		Developing a plan to meet the challenges of climate change and biodiversity is likely to have a net

		positive impact on health, safety and well-being. The magnitude of this impact cannot be assessed at this stage.
Other implications		None at this stage

Supporting Information

Process checklist	Completed
Portfolio Holder briefed/sign off	Yes/No
SLT Rep briefed/sign off	Yes/No
Relevant Heads of Practice sign off (draft)	Yes/No
Data protection issues considered	Yes/No
Accessibility checked	Yes/No

Appendix 1

Devon Climate Declaration

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Appendix 1

Devon Climate Declaration

1. This Declaration has been prepared by a consortium of public, private and voluntary organisations collaborating through a Devon Climate Emergency Response Group. It sets out an ambition to tackle climate change that covers all of Devon, including those people who live, work in and visit our county, and those businesses who are based or operate here.
2. We are aware of the significant implications of climate change for Devon's communities; it is already affecting our environment, infrastructure, economy and health & wellbeing. If not addressed, the impact on future generations will be profound and the ability to meet the United Nation's Sustainable Development Goals will be severely compromised.
3. We understand that the Intergovernmental Panel on Climate Change (IPCC) has advised that carbon emissions must reduce globally by at least 45% by 2030 from 2010 levels and reach net-zero by 2050 if we are to avoid the worst effects of climate change by keeping warming below 1.5 degrees.
4. We will lead in the global response to climate change through our collective action, innovation and influence.
5. Individually, we will review (within 6 months) our plans to reduce our organisation's carbon emissions to meet or exceed these targets, including ensuring the people we do business with are doing the same. We will publicly report our carbon emissions annually in accessible formats.
6. In collaboration, we will engage Devon's residents, businesses and visitors to develop and implement a plan to facilitate the reduction of Devon's production and consumption emissions to meet IPCC recommendations at the latest. We will openly report progress on its delivery. We know this transformational change will be challenging and will include:
 - Deploying more renewable, decentralised and smart energy systems
 - Retrofitting energy-efficiency measures into our existing buildings
 - Constructing zero-carbon new buildings
 - Travelling less and using improved walking, cycling and public transport infrastructure more often, and using electric and hydrogen vehicles
 - Changing our consumption to use less, re-use more and choose low-carbon options
 - Challenging all economic sectors to review their practices and the values of those they do business with
 - Divesting from fossil fuels
 - Changing our dietary patterns and reducing food waste
 - Changing agricultural practices to reduce emissions associated with farming operations, manage soils sustainably and replenish soil carbon
 - Encouraging carbon storage such as through tree planting, the use of wood in construction and peatland restoration
 - Empowering the people of Devon with the knowledge and skills to act collectively.
7. Additionally, we will work to understand the near-term and future risks of climate change for Devon to plan for how our infrastructure, public services and communities will have to adapt for a 1.5-degree warmer world.

8. Local organisations and communities cannot do this alone as national government plays a key role in many of the policy areas that are vital to reducing emissions and adapting to climate change. We call on government to prioritise decarbonisation and adaptation within decision making and work with us by using its powers to provide the resources and funding necessary to accelerate the transition to a low-carbon and resilient economy and society.
9. We challenge every organisation, business, community and individual to do the same

Report to: **Council**

Date: **23 July 2019**

Title: **Outside Bodies**

Portfolio Area: **Leader – Cllr Neil Jory**

Wards Affected: **All**

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

Date next steps can be taken: **Immediately**

Author: **Nadine Trout** Role: **Commissioning Manager**

Contact: Nadine.Trout@swdevon.gov.uk or **01822 813624**

RECOMMENDATION

That Council appoints to the Outside Bodies as detailed in paragraph 5 of this report.

1. Executive summary

1.1 On 21 May 2019, Council resolved to undertake a review into the merits of continuing to appoint to the following Outside Bodies and to report back to this Council with findings:

1. Crowndale Recreational Association
2. Tavistock College Endowment Fund
3. Tavistock Heritage Initiatives Grant Panel
4. Tavistock Townscape Heritage Partnership
5. Torridge, North, Mid and West Devon Citizens Advice Bureau

1.2 This report therefore provides a summary of the review undertaken and includes background information on each of the bodies which can be found in section 3 of this report.

1.3 Section 5 of this report provides a proposed way forward which recommends the Council makes two appointments for 2019/20, namely:

1. Tavistock College Endowment Fund
2. Tavistock Townscape Heritage Partnership

2. Background

2.1 The Council decides annually on the appointment of Members to Outside Bodies.

2.2 On 21 May 2019 Council “RESOLVED that:

1. The Council should be represented on the list of Outside Bodies as presented to the meeting, with the exception of a review being undertaken into the merits of continuing to appoint to the following Outside Bodies:

- Crowndale Recreational Association;
- Tavistock College Endowment Fund Trustee;
- Tavistock Heritage Initiatives Grant Panel;
- Tavistock Townscape Heritage Partnership; and
- Torridge, North, Mid and West Devon Citizens Advice Bureau;

with the results of this review being presented to the next Council meeting

2. Appropriate representatives be appointed as this Council’s appointments to those Bodies for the 2019/20 Municipal Year and that for the purposes of Members’ Allowances, attendance at meetings of these Bodies be regarded as an approved duty; and

3. Members appointed to Outside Bodies provide regular feedback and consultation on issues affecting the Bodies concerned”.

2.3 The Commissioning Manager was tasked with reviewing each of the Outside Bodies detailed above.

3. Outcomes/outputs

3.1 At the request of Council a review was conducted on each of the Outside Bodies to ascertain their legal standing and whether representation from a West Devon Borough Council Member was required. The following paragraphs provide an overview of findings.

3.2 Crowndale Recreational Association

Is a registered charity and appears on the Charity Commission website, Charity no. 1053020. The contact for the charity is Tavistock Community Football Club. The charity does not appear to be financially active although states on the Charity Commission website that it provides buildings, facilities and open space for amateur sport. The Council’s legal records show West Devon Borough Council issued a 999 year lease at a peppercorn rent to Crowndale Recreational Association in 1996 for the Crowndale recreational ground which covers 48,617 square meters. The lease stipulates that the tenant (Crowndale Recreational Association) cannot develop the site without agreement from the Landlord i.e. this Council.

3.3 Tavistock College Endowment Fund

Is a registered charity and appears on the Charity Commission website, Charity no. 306658. The purpose of the Fund is to make education/training grants to children and young people. For the past 5 years the Fund has distributed approximately £18,000 p.a. The scheme which governs the Fund was made by the Board of Education under the Charitable Trust Acts 1853 to 1925, and was last updated in 2008. The Governing Body for the Fund consists of 9 persons, one being a representative trustee on behalf of West Devon Borough Council. There is no clear rationale for requiring a trustee on behalf of WDBC to be one of the 9 persons. Should a representative be appointed for 2019/20 it is suggested that a review of the make-up of the Governing Body be requested to test this requirement for the future.

3.4 Tavistock Heritage Initiatives Grant Panel

The project manager for this initiative has advised that the Grant Panel is dormant because all grants have been allocated. There is therefore no need for a Member representative at this time. Should however, more funds be made available there is scope for representation under para 3.5 of this report.

3.5 Tavistock Townscape Heritage Partnership

The Town Clerk of Tavistock has advised that this partnership is looking to reconvene in the autumn and that representation from a West Devon Borough Councillor representing a Tavistock ward would be very much appreciated. The Partnership was first established in 2008 to oversee an application to the Heritage Lottery Fund under its Townscape Heritage Initiative. The Partnership was extended in 2015 as part of a wider heritage initiative set to deliver projects and plans over a 5-10 year period. The present terms of reference for the Partnership make specific reference to representation from West Devon Borough Council.

3.6 Torrige, North, Mid and West Devon Citizens Advice Bureau

Is a registered charity and appears on the Charity Commission website, Charity no. 1068496. Its purpose is to prevent or relieve poverty by providing free, confidential, impartial advice to everybody regardless of race, gender sexuality or disability. For the past 5 years the charity has spent over £735,000 p.a. and raises funds from the public. West Devon Borough Council has provided grant funding to the charity for a number of years, in the current financial (2019/20) the Council has contributed £32,900 to the Bureau in grant funding and the charity reports on the outcomes for this funding through the Council's Overview and Scrutiny Committee. It should be noted that, in line with best practice, the Council is considering moving from grant funding to commissioning services in the future, and this could create a possible conflict should the Council be a member organisation of the Charity. The articles of association for the Bureau do not make specific mention of West Devon Borough Council though do make reference to the ability to admit "member organisations". The

articles of association also state that: *"anyone over the age of 18 – who is interested in furthering the work of the Charity, may attend (with the consent of the Chair) speak at the Annual General Meeting but only members of the Charity shall be entitled to vote."* Furthermore, the Chief Executive for the Bureau has stated she would welcome a West Devon Borough Council Member attending both the Bureau AGM and an annual local Trustee Board meeting in a non-voting capacity. It is considered that such attendance by any Members of the Council (without being admitted as a member organisation of the charity) and the ability for the charity to attend the O&S Committee is sufficient to maintain the relationship and appropriate communications between the organisations and does not compromise any future commissioning arrangements.

4 Options available and consideration of risk

4.1 Option 1 - Maintain previous levels of representation for all bodies

Given the information detailed in section 3 above, it would not be prudent to pursue this as an option. The Crowndale Recreational Association and Tavistock Heritage Grants Panel are financially dormant and therefore do not merit Member representation, and formal representation at Torridge, North, Mid and West Devon Citizens Advice Bureau is not advised for the reasons set out in paragraphs 3.6.

4.2 Option 2 - Consider representation on some outside bodies

It is considered prudent to provide Council representation on an outside body whereby the constitution, terms of reference or articles of association for the outside body has relevance to the Council. Section 3 above clearly states there is provision for this in the case of Tavistock College Endowment Fund Trustees and Tavistock Townscape Heritage Partnership.

4.3 Option 3 - Consider withdrawing all representation

Due to the point made in 4.2 above this is not deemed an appropriate option to pursue.

5. Proposed Way Forward

5.1 In light of the information provided in section 3 it is recommended option 4.2 is pursued and that Council at this meeting appoints an elected Member to the following Outside Bodies for 2019/20:

1. Tavistock College Endowment Fund Trustee
2. Tavistock Townscape Heritage Partnership

5.2 Furthermore, it is recommended that attendance of meeting of these Bodies be regarded as an approved duty; and Members appointed to Outside Bodies provide regular feedback and consultation on issues affecting the Bodies concerned via the Members' Bulletin, an e-newsletter emailed to all Council Members and Senior Leadership officers.

6. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance	Y	The Council Constitution requires the Council to approve the list of (and appointments to) the Outside Bodies.
Financial implications to include reference to value for money	Y	Attendance at meetings of Outside Bodies is already budgeted for within the Members' Allowances budget. To ensure value for money Members appointed to Outside Bodies provide regular feedback and consultation on issues affecting the Bodies concerned.
Risk	Y	See section 4 of this report.
Supporting Corporate Strategy	Y	Council Theme – <i>Efficient and effective</i>
Comprehensive Impact Assessment Implications		
Equality and Diversity	N	N/A
Safeguarding	N	N/A
Community Safety, Crime and Disorder	N	N/A
Health, Safety and Wellbeing	N	N/A
Other implications	N	None

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