

West Devon Hub Committee



West Devon
Borough
Council

Title:	Agenda
Date:	Tuesday, 19th April, 2016
Time:	2.00 pm
Venue:	Chamber - Kilworthy Park
Full Members:	<p style="text-align: center;">Chairman Sanders</p> <p style="text-align: center;">Vice Chairman Baldwin</p> <p><i>Members:</i> Cllr M J R Benson Parker Cann Sampson Moody Samuel Oxborough</p>
Substitutes:	Councillors:
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 Agenda, then please contact the Monitoring Officer in advance of the meeting.

3. Items Requiring Urgent Attention

To consider those items which, in the opinion of the Chairman, should be considered by the Meeting as matters of urgency (if any)

4. Confirmation of Minutes	1 - 6
Minutes of meeting held 22 March 2016 (previously circulated)	
5. Options for Future Garden Waste Service Design (Cllr Sampson)	7 - 14
6. Review of Long Term Parking Scheme (Cllr Sampson)	15 - 32
7. Review of Corporate Complaints Policy (Cllr Cann)	33 - 52
8. Calendar of Meetings (Cllr Sanders)	53 - 60
9. Resource to deliver Income Generation Proposals (Cllr Baldwin)	61 - 66

Agenda Item 4

At a Meeting of the **HUB COMMITTEE** held at the Council Chamber, Council Offices, Kilworthy Park, Drake Road, **TAVISTOCK** on **TUESDAY** the **22nd** day of **MARCH, 2016** at **2.00pm**

Present:

	Cllr P R Sanders – Chairman
	Cllr R E Baldwin – Vice-Chairman
Cllr M J R Benson	Cllr W G Cann OBE
Cllr J B Moody	Cllr R J Oxborough
Cllr G Parker	Cllr R D Sampson
Cllr L Samuel	

In attendance:

- Executive Director (Strategy and Commissioning)
- Executive Director (Service Delivery and Commercial Development)
- S151 Officer
- COP Lead Specialist Housing, Revenue and Benefits
- Lead Specialist Communications and Media
- Lead Specialist Waste Strategy
- Corporate Procurement Officer
- Group Manager Business Development
- Senior Case Manager

Other Members in attendance:

Cllrs Cheadle, Cloke, Davies, Edmonds, Evans, Leach, McInnes, Mott, Moyse, Musgrave, Pearce, Sellis and Yelland

***HC 58 DECLARATIONS OF INTEREST**
Members were invited to declare any interests in the items of business to be discussed but none were made.

***HC 59 MINUTES**
The Minutes of the Hub Committee Meeting held on 26 February 2016 were confirmed and signed by the Chairman as a correct record.

***HC 60 REVENUE BUDGET MONITORING 2015/16**
The Lead Hub Member for Resources and Performance introduced a report that enabled Members to monitor income and expenditure variations against the approved budget for 2015/16, and provided a forecast for the year end position.

The s151 Officer responded to specific questions, particularly relating to Kilworthy Park. The COP Lead Assets confirmed that the Council was currently working with a local agent to get the best return from the building.

It was then **RESOLVED** that the forecast income and expenditure variations for the 2015/16 financial year and the overall projected underspend of £60,000 be noted.

***HC 61 CAPITAL BUDGET MONITORING 2015/16**

The Lead Hub Member for Resources and Performance introduced a report that advised members of the financial position of capital projects as at 31 January 2016 for the purposes of budget monitoring.

The COP Lead Housing, Revenue and Benefits explained the Tenants Incentive Scheme.

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

***HC 62 T18 BUDGET MONITORING TO END FEBRUARY 2016**

The Leader introduced a report that set out the progress to date in respect of the T18 Transformation Programme.

The Executive Director (S&C) responded to questions in relation to the Council's relationship with Civica. The Lead Member for Customer First drew Members attention to the cost breakdown of transactions and advised that he was working to encourage online self serve.

It was then **RESOLVED** that progress to date on the T18 Transformation Programme be noted.

HC 63 REVIEW OF ROLE AND RESPONSIBILITIES FOR HUB COMMITTEE

The Chairman of the Political Structures Working Group introduced a report of that Group that set out the findings from the recent review of the Roles and Responsibilities for the Hub Committee Members. In introducing the report he particularly drew Members attention to the suggested amendments to roles and responsibilities as set out in paragraph 5.1.5 of the presented report. He also confirmed that the updated list of roles and responsibilities would be attached to the Member's Bulletin each week.

It was then **RESOLVED**:

That Council be **RECOMMENDED** that the existing governance arrangements are working well and should therefore be retained, subject to the approval of some minor amendments as outlined in section 5 of the presented report.

HC 64 CORPORATE DEBT RECOVERY

The Lead Member for Customer First introduced a report that presented a Joint Corporate Debt Recovery Policy for approval.

It was then **RESOLVED**:

That Council be **RECOMMENDED** to adopt the Joint Corporate Debt Recovery Policy.

HC 65 COMMUNICATIONS POLICY AND PROTOCOLS

The Leader introduced a report that sought to recommend approval of the Communications and Social medial Policies and Communication Protocol to full Council.

The Lead Specialist Communications and Media provided clarity on a number of elements within the report and explained that the purpose of the documents was not to prevent Members from speaking to the media but to provide a framework within which they could speak and ensure they had the most up to date and accurate information.

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

The joint Communications and Social Media Policies be adopted for West Devon Borough Council; and

The protocols in the revised Communications protocol be acknowledged and adopted.

HC 66 THE FUTURE OF THE DEVON AUTHORITIES WASTE REDUCTION AND RECYCLING COMMITTEE (DAWRRC)

The Lead Member for Commercial Services introduced a report that outlined proposals to wind up the Devon Authorities Waste Reduction and Recycling Committee and replace it with a new joint Devon Authorities Strategic Waste Committee.

A number of Members commented that Plymouth City Council should be encouraged to join the Group.

It was then **RESOLVED** to **RECOMMEND** to Council that:

1. Support for the proposal to wind up the Devon Authorities Waste Reduction and Recycling Committee
2. To agree to the establishment of the joint Devon Authorities Strategic Waste Committee on the draft terms of reference set out in the Operating Rules attached at Appendix 1 and that any significant changes to the terms of reference be brought back to Council for further approval

3. To agree that the Lead Hub Member for Commercial Services be appointed as the West Devon member of the Devon Authorities Strategic Waste Committee, and that a named substitute, with full voting rights, will attend in the absence of the Lead Hub Member for Commercial Services
4. That any changes considered necessary to the terms as highlighted are delegated to the Lead Specialist Waste Strategy (Strategy & Commissioning) in consultation with the Lead Hub Member for Commercial Services

HC 67 PROCUREMENT STRATEGY

The Lead Hub Member for Commercial Services introduced a report that proposed formal adoption of the Devon Districts Procurement Strategy 2015-2018 as set out in the presented Appendix A.

In respect of the recommendation relating to a Member Champion, Members noted that the Council no longer had Member Champions, but agreed that this issue could be picked up through the appointments process at Annual Council and a Lead Member for Procurement identified.

It was then **RESOLVED** to **RECOMMEND** to Council to:

1. Formally adopt the Devon Districts Procurement Strategy 2015-18 and implement the contents therein; and
2. Establish a Member Champion for Procurement, as per output 21 under Theme C: Leadership

HC 68 REPORTS OF OTHER BODIES

The minutes of the Overview and Scrutiny (External) Committee held on 15 March 2016 were presented for approval and noted.

In respect of Unstarred Minute O&S (E) 32 – Our Plan Review, which included a recommendation to the Hub Committee for reference to Council, the Hub Committee noted the recommendation and made the following:

That Council be **RECOMMENDED** that:

1. the progress on the 2015/16 Our Plan: Annual Activity Programme (appendix 1 of the presented agenda report refers) be noted;
2. the West Devon Our Plan (as outlined at appendix 2 of the presented agenda report) be adopted and published for the 2016/17 Financial Year as a document that:-
 - recognises West Devon Our Plan as the single comprehensive Council Plan;
 - restates the Council's Corporate Vision and Objectives;

- establishes the common basis for the Council's Financial Plan, Asset Management Plan, Local Plan and all other Plans and Strategies;
- establishes priorities for delivery, including a delivery plan commencing in 2016/17 (appendix 4 of the presented agenda report refers);
- establishes mechanisms for delivery;
- establishes engagement, monitoring and review procedures;
- provides context for subsequent incorporation of the Local Plan element currently subject to separate preparation.

Subject to any amendments, which are to be delegated to the Lead Specialist – Place and Strategy, in consultation with the Leader of Council and the Hub Committee Lead Member for Strategic Planning.

3. a joint WD/SH Member Working Group be established to agree the scope and details of the economic development work; and
4. further work be undertaken to identify Key Measures for the 8 Our Plan themes that are clear expressions of the Councils intentions and which can be measured and readily promoted. Agreement of these to be delegated to the Lead Specialist – Place and Strategy, in consultation with the Leader of Council and the Hub Committee lead Member for Strategic Planning.

HC 69

INCOME GENERATION PROPOSALS

(Paragraph 3 – Information relating to any action taken, or to be taken, in connection with the prevention, investigation or prosecution of crime

The Lead Hub Member for Business Development introduced a report that set out a number of proposals related to Income Generation. Members had a detailed debate on the items within the report and during the course of that debate it was agreed to remove one of the proposed recommendations.

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

1. That the income generation and business development principles outlined in this report are agreed and approved in principle, subject, as appropriate, to individual business case sign off and consideration of the full legal and financial implications;
2. That the sum which is uncommitted New Homes Bonus funding (as detailed in 2.7) is allocated to an earmarked “Invest to Earn” reserve to fund income generating initiatives;
3. That the sum which is currently a Capital Budget for Affordable Housing is reallocated as a Capital Budget for “Invest to Earn” income generating initiatives;
4. Where funding for these initiatives is not available from the “Invest to Earn” reserve or capital budget, funding could be drawn from prudential borrowing, subject, as appropriate, to individual business case sign off

by the relevant delegated authority and consideration of the full legal and financial implications;

5. Developments and Disposals as detailed in 3.1.9 below, are supported in principle in accordance with the adopted Asset Management Strategy and subject to consideration of the full legal and financial implications;

6. That the amount estimated to complete the feasibility work in relation to development proposals detailed in 3.1.9.1 to 3.1.9.4 is approved. This will be financed from the 'Invest to Earn' budget. Once complete, individual business cases will be presented for approval by the relevant delegated authority enabling consideration of the full legal and financial implications; and

7. That the proposal to invest monies from the "Invest to Earn" reserve to acquire 2 properties within West Devon, as detailed in 3.3 below, is approved in principle, subject, as appropriate, to individual business case sign off by the relevant delegated authority and consideration of full legal and financial implications.

***HC 70 RE-ADMITTANCE OF THE PUBLIC**

It was proposed, seconded and agreed to re-admit members of the public to the meeting.

(The Meeting terminated at 4.10 pm)

Chairman

Agenda Item 5

Report to: **Hub**
Date: **19 April 2016**
Title: **Options for future garden waste service design**
Portfolio Area: **CLlr R F D Sampson Commercial Services**

Wards Affected: **All**

Relevant Scrutiny Committee:

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

Date next steps can be taken:

Author: **Jane Savage** Role: **Lead Specialist Waste Strategy (Strategy & Commissioning)**

Contact: **01822 813657**
jane.savage@swdevon.gov.uk

Recommendations:

The Waste Working Group recommends that:

1. Option C - Provide an opt-in, charged garden service with collection from reusable sacks, be approved.
2. The Council steps up the promotion of home composting as the best environmental option for garden waste and introduces a targeted campaign in tandem with any changes brought about by recommendation 1.
3. Any changes considered necessary to the terms as highlighted are delegated to the Lead Specialist Waste Strategy (Strategy & Commissioning) in consultation with the Lead Hub Member for Commercial Services.

1. Executive summary

1.1 The Waste Working Group are considering the specification for the waste and cleansing service when the current contract expires on 31 March 2017.

1.2 The service is currently free to all households and the cost is shared by all council tax payers, irrespective of whether they use the service or not. The garden waste collection service is not a statutory function of the Council and this report details the options available for the future provision of this service and considers the response from the recently carried out public survey.

1.3 About 45% of all English local authorities already apply an annual charge for garden waste collections and more are considering introducing a charge in the near future. In Devon, districts offer a variety of garden waste options. A charged service offers a saving on the cost of service provision on top of an annual income.

1.4 There is a risk that the Waste Disposal Authority may charge for disposal for this type of waste in the future. If it became desirable to charge for this collection during the lifetime of a future contract, then full savings from the cost of service provision would be unlikely to be passed on to the Council by the contractor.

1.5 A decision is required now to inform the specification which will be sent to prospective bidders for the waste contract in early July. Should the future service be provided through a Local Authority Controlled Company, then the decision could be made in principle but the introduction of any chosen option could be delayed until such a time that it is needed to inform future service needs.

1.6 The complete withdrawal of the garden waste service has not been included as an option as the working group concluded that the effect of this on the Council's reputation would be significant. In addition, this waste is tied in to the Waste Disposal Authority's contract for organic waste disposal.

1.7 The Waste Working Group have identified three potential options:

- Option A Retain the current service
- Option B Provide an opt-in, charged garden service with collection from wheeled bins
- Option C Provide an opt-in, charged garden service with collection from reusable sacks

1.8 The group recommend Option C - Provide an opt-in charged garden service with collection from reusable sacks as this option could reduce service costs, whilst maximising income.

1.9 The benefits of this option include:

- This would offer a fairer system financially for residents who do not produce garden waste and a means of delivering a more bespoke service for residents who take up the service.
- Operational costs would be reduced.

- Significant annual income may be expected of around £200,000 in the first year and £260,000 in subsequent years. If the service goes out to tender, the first year would be 2017-18.

1.10 The risks of this option include:

- A potential fall in recycling rate of between 2-6%
- A loss in public satisfaction
- A potential diversion of some of this waste into the residual waste stream
- A potential increase in fly tipping

1.11 The working group recommend further work to introduce best practice in home composting in line with the Devon Authorities Waste and Resource Strategy.

1.12 This report fits with the Council's core objectives of Environment and Resources.

2. Background

2.1 The Waste Working Group are considering the specification for the waste and cleansing service when the current contract expires on 31 March 2017. One of the areas under consideration is the garden waste collection service which is currently free to all households but which is not a statutory function of the Council. Councils do not have a duty to collect garden waste and under the Controlled Waste Regulations, if the service is provided, may charge for its collection. The Waste Working Group have been considering the options available for the future provision of this service.

2.1.1 The cost of the current service is shared by all council tax payers, irrespective of whether they use the service or not.

2.1.2 The garden waste collected on the kerbside is delivered to the Waste Disposal Authority's sites and does not attract recycling credits. It accounts for around 17% of the West Devon's recycling rate.

2.1.3 About 45% of local authorities already apply an annual charge for this service and more are considering introducing a charge in the near future. In Devon, districts offer a variety of garden waste options. South Hams, North Devon and Torquay provide a free of charge wheeled bin service, while Exeter, Mid Devon and Teignbridge provide a charged service mainly from wheeled bins. Charges here range from £34 to £47 per year. East Devon do not provide any garden waste service although a local community group provides a limited service. A charged service offers a saving on the cost of service provision on top of an annual income.

2.1.4 A public survey has recently been undertaken to gather views on the current and future waste services provided by the Authority. The survey was undertaken over a four and a half week period, and views were gathered via an online questionnaire with paper copies available from receptions and other venues. Nine roadshows/outreach events were

held and 583 responses in total were received. The following paragraphs summarise the responses relevant to this report.

2.1.5 When asked 'Do you think it is fair that all residents should share the cost of this service through council tax, 77% of respondents felt it was fair, whilst 23% felt it was not fair. Of those who felt it was not fair, just over a half expressed a wish for a free compost bin.

2.1.6 When asked about charges for garden waste collections, 84% said there should not be a charge with 16% stating that there should be a charge.

2.1.7 When asked about wheeled bins for garden waste, 60% stated that there was no practical reasons why their property could not have a wheeled bin, with around 36% stating that there was a practical reason that their property could not have a wheeled bin.

2.2 This report is pertinent now in the event that the Council decides to continue to deliver the service through an external provider as this decision will inform the specification which will be sent to prospective bidders in early July.

2.2.1 Should the future service be provided through a Local Authority Controlled Company (LACC), then any decision taken now would be more flexible in terms of introduction as a decision could be made in principle but the introduction of any chosen option could be delayed until such a time that it is needed to inform future service needs.

2.3 This report fits with the Council's core objectives of Environment and Resources. It is also in line with developing action plans from the proposed Devon Authorities Waste and Resource Strategy and follows the principals of the international waste hierarchy.

2.4 The garden waste service affects all households in the Borough.

3. Outcomes/outputs

3.1 The Waste Working Group have considered the options available for the garden waste service in anticipation of the start of any new service on or after 1 April 2017 and these are detailed below

4. Options available and consideration of risk

4.1 The complete withdrawal of the garden waste service has not been included as the Waste Working Group concluded that the effect of this on the Council's reputation would be significant. In addition, this waste is tied in to the Waste Disposal Authority's contract for organic waste disposal.

4.1.1 The Waste Working Group have identified three potential options and their associated benefits and risks are set out below.

- **Option A Retain the current service**

- **Option B Provide an opt-in, charged garden service with collection from wheeled bins**
- **Option C Provide an opt-in, charged garden service with collection from reusable sacks**

4.2 Assessment of potential impacts and risks involved

4.2.1 Option A - Retain the current free service

Recycling rate would be maintained. Any change in service affects public satisfaction, and so this option would create the least reaction as borne out by the survey responses.

4.2.2 However, there is a risk that the Waste Disposal Authority may charge for disposal for this type of waste in the future. If it became desirable to charge for this collection during the lifetime of a future contract, then savings from the cost of service provision would be unlikely to be passed on to the Council by the contractor.

4.2.3 Option B - Provide an opt-in charged garden service with collection from wheeled bins

This would offer a fairer system financially for residents who do not produce garden waste, and a means of delivering a more bespoke service for residents who take up the service as a second bin could be offered.

4.2.4 Operational costs would be reduced, however, this is difficult to quantify as these costs are shaped by participation rate which is affected by the level of the charge levied. It is also subject to round size and local demographics and geography.

4.2.5 As West Devon already has a free service, it would be reasonable to expect, based upon the CIPFA (Chartered Institute of Public Finance & Accountancy) nearest neighbours classification, that an annual charge of £38 would produce a participation rate of around 35%. Please note that this level of charge has been used for illustration purposes only and any actual charge would be set by Members at a later date. This equates to gross income of £332,500. After removing the cost of bins, administration and promotion, around £100,000 of income could be expected in the first year with around £250,000 in subsequent years. If the service goes out to tender, the first year would be 2017-18. Bins could be chipped to maximise administrative efficiency though the cost of this is not included in these figures. An incentive could be offered for early take up to maximise participation.

4.2.6 Research by other authorities has shown a fall in recycling rate of between 2-6% when a charged collection is introduced.

4.2.7 A certain amount of public satisfaction is likely to be lost though the public survey suggests that a lesser amount may be gained.

4.2.8 The response to the survey also suggests that 36% of households would not be able to accommodate a bin. This in turn would mean either one of the following:

- i) A dual system with some residents using bins and others sacks would need to be developed ultimately requiring more resources for administration.
- ii) The service would only be available to those having the ability to accommodate bins.

4.2.9 There would be a risk of garden waste being put into the residual waste stream. However, this would be minimal due to the inconvenience of using sacks to contain this type of waste and garden waste in sacks is relatively easy to identify, and therefore deal with.

4.2.10 This option also carries a risk of increased fly tipping of garden waste, however, research from other districts show little evidence of an actual increase in incidents.

4.2.11 Option C - Provide an opt-in charged garden service with collection from reusable sacks

As in B, this would offer a fairer system financially for residents who do not produce garden waste and a means of delivering a more bespoke service for residents who take up the service as additional sacks could be purchased.

4.2.12 Operational costs would be reduced although, as in option B, this is difficult to quantify. However, using sacks rather than bins would reduce other operational costs such as additional bin lifting apparatus and bin maintenance arrangements.

4.2.13 On the same principles as paragraph 4.2.5, a gross income of £332,500 would be expected. After removing the cost of reusable sacks, administration, communications and bar coding of sacks, around £200,000 of income might be expected in the first year with around £260,000 in subsequent years. An incentive could be offered for early take up to maximise participation.

4.2.14 Most authorities offer a single 180 litre wheeled bin which equates to 2 sacks. By allowing the current 4 sack allowance in a charged scheme, West Devon households would receive a much more competitive service than most other areas.

4.2.15 Sacks could be barcoded to minimise theft and this has been shown to work in other authorities.

4.2.16 As in B, research by other authorities has shown a fall in recycling rate of between 2-6% when a charged collection is introduced.

4.2.17 A certain amount of public satisfaction is likely to be lost though the public survey suggests that this may be less than in option B.

4.2.18 This option also carries the risk of garden waste being put into the residual waste stream though for the reasons set out above this would be minimal.

4.2.19 This option also carries a risk of increased fly tipping though research from other districts show little evidence of an actual increase in incidents.

5. Proposed Way Forward

5.1 The Waste Working Group recommend that Option C - Provide an opt-in, charged garden service with collection from reusable sacks, be approved if the Council decides to continue to deliver the service through an external provider. Should the future service be provided through a Local Authority Controlled Company, then a decision in principal is recommended to inform the future waste service.

5.2 This option could reduce service costs, whilst maximising income.

5.3 Although, it is likely to result in an amount of public dissatisfaction, this is expected to be less than that generated by Option B. In order to mitigate any adverse reaction, a subsidy could be offered to those on lower incomes and a comparison could be drawn in any promotion of the scheme, highlighting the competitive pricing structure compared with many other Local Authorities. An Assisted Collection service would be offered in line with the current policy for all other waste collections.

5.4 In addition, residents will be signposted to the two Household Waste Recycling Centres in the Borough, where garden waste can currently be taken free of charge.

5.5 In line with the Devon Authorities Waste and Resource Strategy, the Council should continue to promote and subsidise home composters which is the best environmental option for this material. The Waste Working Group recommend further work to introduce best practice in this area.

5.6 This recommendation fits with the Council's core objectives of Environment and Resources.

6. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance	Y	Members' approval to the proposal is required as the recommendation involves a change in the way that the Council delivers its services. Controlled Waste Regulations 2012.
Financial	Y	Potential annual revenue income of £332,500, providing a net income of £200,000 in the first year and £260,000 in subsequent years. Potential reduction in operational costs.

Risk	Y	Potential reduction in recycling rate of between 2-6%. Loss of public satisfaction.
Comprehensive Impact Assessment Implications		
Equality and Diversity		The impact on residents on low incomes has been considered.
Safeguarding		None
Community Safety, Crime and Disorder		None
Health, Safety and Wellbeing		None
Other implications		None

Supporting Information

Background Papers: None

Process checklist	Completed
Portfolio Holder briefed	yes
SLT Rep briefed	yes
Relevant Exec Director sign off (draft)	yes
Data protection issues considered	yes
If exempt information, public (part 1) report also drafted. (Cabinet/Scrutiny)	n/a

Agenda Item 6

Report to: **West Devon Hub Committee**
Date: **19th April 2016**
Title: **Review of long-term parking scheme**
Portfolio Area: **Car parking service delivery**
Wards Affected: **All in Tavistock and Okehampton**
Relevant Scrutiny Committee:

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

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

Author: **Cathy Aubertin** Role: **Operational Manager (Environment Services)**

Contact: **Telephone 01803 861234/ email: Cathy.Aubertin@swdevon.gov.uk**

Recommendations:

1. That the Hub Committee recommends to Council to approve the continuation of the long-stay parking scheme in Okehampton and Tavistock.

1. Executive summary

- 1.1 The report requests that Members consider the recommendation to maintain the West Devon Off-Street Parking Places Order in respect of long-stay parking fees in Okehampton and in Tavistock. The parking fees were implemented as a 12-month pilot scheme, with a view to support the community desire to increase footfall and encourage visitors and shoppers to the towns to stay for longer.

2. Background

- 2.1 In 2015, following consultation with the West Devon Car Parking Strategy Group members, a pilot scheme was implemented in Okehampton and Tavistock, which allowed all-day parking in long-

stay car parks for £2 per day. The pilot was monitored in order to establish what the impact would be on the overall budget position for the Council, footfall in the towns, and in customer satisfaction.

- 2.2 Feedback from both customers and stakeholders has been largely positive. Tavistock BID has reported that its members have attributed some sales directly to the fact that customers have had the time to browse.
- 2.3 Appendix 1 shows a comparison of the number of Pay & Display tickets purchased last year, in comparison with those purchased in the previous financial year.
- 2.4 The total level of income received by the Borough Council has increased in comparison with the previous financial year, as can be seen in Appendix 2.
- 2.5 Following the pilot, the West Devon Car Parking Strategy Group met to review and discuss the matter on 22nd March 2016. The group was supportive of the scheme and requested that the Council consider allowing the scheme to continue long-term, albeit with regular reviews to ensure that concerns are monitored and that the Council's income is not adversely affected.

3. Outcomes/outputs

- 3.1 Should the Council resolve to allow the parking scheme to continue, officers will continue to monitor it to ensure that the Council's income is not adversely affected.
- 3.2 Officers will also work with Okehampton and Tavistock business communities in measuring the success of the scheme in respect of footfall in the towns, and review as necessary.
- 3.3 The recommendation for continuance will not negate the ability for individual communities to request that the tariffs be reviewed in their own areas, and local proposals may be considered in the future.
- 3.4 As Members will recall when the scheme was implemented, the Wharf car park was re-designated as a short-stay, rather than long-stay car park in order to address the concerns raised by Meadowlands customers. Views on how successful this has been have been sought from both the Meadowlands User Group and the Wharf, and will be presented verbally to the Committee.
- 3.5 A schedule of all car parks, with details of designation and bays available, is attached at Appendix 3.
- 3.6 Furthermore, in light of concerns raised in respect of St Rumon's School parents being able to park, views of the parents have also been sought and will be presented verbally to the Committee.

Parents are able to park in either Abbey or Brook Street car parks with their permits.

4. Options available and consideration of risk

- 4.1 An alternative to this recommendation would be to revert to the previous Pay & Display charges in long-stay car parks, which would increase the all-day parking fee from £2 to £6.50 in town centre car parks.
- 4.2 Although some concern has been raised by a limited number of customers, there is no evidence to support the concern that parking is now no longer available for customers who arrive in the towns after 10am. Monitoring of this issue has been carried out, and the results are attached at Appendix 4.
- 4.3 As is evidenced from the monitoring, although parking may be fully used in Bedford and Abbey car parks in Tavistock, there is always alternative parking available in Riverside. Riverside was previously the cheaper alternative for long-stay parking; however, this is no longer the case so the use of this car park has fallen slightly.

5. Proposed Way Forward

- 5.1 This recommendation is being proposed as a result of meetings and discussions with Okehampton and Tavistock community members, including Town Councillors, Tavistock BID and the Chambers of Commerce. Both communities are keen to work in partnership with us to encourage more footfall in the town.
- 5.2 Ward Members have been consulted in respect of this proposal in advance of this report.
- 5.3 The proposal to make this amendment to the Off-Street Parking Places Order is in line with the following priorities:
 - Community well-being
 - Access to services
 - Towards excellence
 - Customer first
- 5.4 The option to not proceed with the proposed continuation of the scheme would mean that the Off-Street Parking Places Order would need to be amended to revert back to the previous charges. This would cost approximately £1,500 in respect of advertising and printing notices and revised information signs.

6. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address

Legal/Governance		<p>The Council has the power to provide off-street parking under the Road Traffic Regulation Act 1984 (as amended).</p> <p>The Council has the power to deal with the provision, management and control of car parks.</p> <p>The Council has the powers to provide this service under the General Powers of Competence in the Localism Act 2011.</p>
Financial		None. The continuation of the scheme will not require any amendment to the Off-Street Parking Places Order.
Risk		None
Comprehensive Impact Assessment Implications		
Equality and Diversity		No implications.
Safeguarding		No implications.
Community Safety, Crime and Disorder		No potential positive or negative impact on crime and disorder reduction.
Health, Safety and Wellbeing		No implications.
Other implications		None.

Supporting Information

Appendices:

Appendix 1 – Pay & Display ticket sales

Appendix 2 – Car park income

Appendix 3 – Car park details

Appendix 4 – Monitoring of available parking bays

Background Papers:

None.

Approval and clearance of report

Process checklist	Completed
Portfolio Holder briefed	Yes/No
SLT Rep briefed	Yes/No

Relevant Exec Director sign off (draft)	Yes/No
Data protection issues considered	Yes/No
If exempt information, public (part 1) report also drafted. (Cabinet/Scrutiny)	Yes/No

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April 2015 - March 2016

	April	May	June	July	August	September	October	November	December	January	February	March	Total
Tavistock													
Riverside	1,590	1,792	1,482	2,156	2,500	1,924	2,464	1,298	2,024	1,231	1,324	1,436	21,221
Abbey	2,468	2,767	2,448	2,415	2,631	2,467	2,568	2,206	2,446	2,063	2,039	2,334	28,852
Bank Square	2,092	2,202	2,083	2,398	2,156	2,047	2,182	2,017	2,106	1,828	1,763	1,886	24,760
Brook Street	4,218	4,505	4,416	5,145	5,193	4,319	5,229	4,294	5,825	3,916	3,687	4,233	54,980
Bedford	10,712	12,046	11,949	13,413	14,146	12,693	9,630	10,894	11,614	9,662	10,132	11,681	138,572
Wharf	3,953	4,105	4,099	4,759	4,801	4,316	3,136	2,601	3,311	3,434	3,834	3,817	46,166
Chapel Street	966	1,019	859	1,091	1,043	1,053	1,170	969	1,053	830	938	959	11,950
Russell Street	2,854	2,854	2,741	3,386	3,312	3,031	3,155	2,977	3,402	2,817	2,951	3,035	36,515
Okehampton													
Mill Road	1,755	1,897	1,771	1,911	1,933	2,009	2,055	1,840	1,897	1,655	1,701	1,959	22,383
Market Street	25,033	28,264	19,664	23,960	25,990	23,759	25,918	23,695	26,034	22,525	22,614	24,427	291,883
	55,641	61,451	51,512	60,634	63,705	57,618	57,507	52,791	59,712	49,961	50,983	55,767	677,282

April 2014 - March 2015

	April	May	June	July	August	September	October	November	December	January	February	March	Total
Tavistock													
Riverside	1,863	1,790	1,864	1,934	2,230	2,025	2,322	1,871	2,198	1,600	1,630	1,831	23,158
Abbey	2,706	3,106	2,794	3,073	3,174	2,696	3,168	2,624	3,289	1,885	2,140	2,431	33,086
Bank Square	2,062	2,184	2,096	2,217	2,187	2,117	2,281	2,058	2,258	2,142	1,968	2,343	25,913
Brook Street	4,498	4,740	4,458	5,062	5,633	4,819	5,461	4,549	5,794	4,055	3,864	4,155	57,088
Bedford	10,912	12,155	10,275	12,821	14,775	12,729	8,918	10,047	12,031	8,383	8,107	10,148	131,301
Wharf	3,540	3,510	3,168	3,974	4,702	3,545	3,617	3,029	2,513	2,956	3,158	3,551	41,263
Chapel Street	871	907	918	1,007	911	1,003	1,124	1,053	1,034	895	906	978	11,607
Russell Street	2,783	3,194	2,675	2,849	3,039	2,660	2,989	2,895	3,398	2,569	2,459	2,985	34,495
Okehampton													
Mill Road	1,482	1,656	1,689	1,922	1,831	1,826	1,917	1,502	1,578	1,417	1,440	1,858	20,118
Market Street	21,290	22,373	20,916	23,177	25,112	21,424	24,142	22,346	24,524	21,667	20,570	25,435	272,976
	52,007	55,615	50,853	58,036	63,594	54,844	55,939	51,974	58,617	47,569	46,242	55,715	651,005

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April 2015 - March 2016

	Riverside	Abbey	Bank Sq	Brook St	Bedford	Wharf	Chapel St	Russell St	Market St	Total
April	£2,932	£3,923	£1,926	£7,847	£18,489	£5,234	£1,480	£3,767	£21,935	£67,532
May	£3,022	£3,469	£1,328	£5,311	£18,161	£4,378	£953	£2,943	£20,988	£60,551
June	£3,102	£4,012	£1,256	£5,422	£21,347	£5,240	£970	£3,064	£24,197	£68,611
July	£3,716	£4,045	£1,412	£5,755	£21,938	£5,746	£1,006	£4,373	£22,577	£70,568
August	£3,846	£4,007	£1,355	£6,384	£21,753	£5,964	£1,189	£3,758	£20,516	£68,771
September	£3,675	£3,889	£1,280	£6,052	£22,840	£5,769	£1,120	£3,516	£21,779	£69,921
October	£4,226	£4,182	£1,939	£9,096	£15,317	£4,190	£1,769	£4,215	£21,262	£66,197
November	£2,675	£3,626	£1,330	£5,436	£20,256	£3,533	£1,060	£3,489	£22,741	£64,145
December	£3,795	£4,076	£1,411	£7,577	£19,207	£4,230	£1,281	£4,649	£22,914	£69,140
January	£2,647	£2,281	£1,039	£4,618	£14,627	£3,266	£785	£3,066	£17,628	£49,957
February	£2,158	£3,742	£1,199	£5,008	£18,567	£5,186	£964	£3,510	£21,529	£61,863
March	£2,616	£3,871	£1,714	£7,980	£19,147	£4,425	£1,523	£4,211	£20,500	£65,987
	£38,412	£45,122	£17,190	£76,487	£231,648	£57,158	£14,100	£44,559	£258,566	£783,243

April 2014 - March 2015

	Riverside	Abbey	Bank Sq	Brook St	Bedford	Wharf	Chapel St	Russell St	Market St	Total
April	£2,755	£3,862	£1,127	£3,725	£16,863	£4,332	£752	£2,679	£16,497	£52,591
May	£3,005	£4,841	£1,852	£7,803	£19,421	£4,346	£1,352	£3,942	£18,437	£65,000
June	£2,907	£4,713	£1,283	£5,522	£18,398	£4,149	£1,034	£3,044	£18,281	£59,332
July	£2,618	£4,176	£1,341	£5,815	£18,392	£4,213	£998	£3,070	£17,818	£58,441
August	£3,794	£5,077	£1,314	£6,665	£25,627	£6,674	£994	£3,388	£21,833	£75,366
September	£2,776	£4,028	£1,283	£6,053	£22,423	£4,758	£987	£2,477	£19,666	£64,450
October	£3,997	£5,065	£2,030	£9,441	£14,849	£4,765	£1,700	£3,539	£20,538	£65,924
November	£2,522	£3,577	£1,262	£5,309	£15,005	£3,256	£1,075	£3,125	£16,842	£51,974
December	£4,026	£4,534	£1,431	£7,096	£20,563	£3,393	£1,205	£3,720	£22,032	£68,000
January	£2,751	£3,014	£1,199	£4,793	£14,006	£3,408	£850	£3,370	£18,493	£51,884
February	£2,900	£2,795	£1,306	£5,055	£12,909	£4,009	£1,002	£2,920	£17,500	£50,395
March	£3,311	£2,967	£1,422	£5,594	£17,482	£4,257	£1,049	£3,324	£22,157	£61,563
	£37,364	£48,649	£16,849	£72,871	£215,938	£51,559	£12,998	£38,598	£230,094	£724,920

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PARKING CHARGES – updated 20th April 2016

For motor vehicles, motorbikes and other vehicles less than 3.5 tonnes gross weight.

Charging Period - Monday to Saturday 8:00am – 6:00pm & Sunday 10.00am – 6:00pm

Parking Place	Max waiting period	Approx no of bays	Blue badge holder spaces	Charge up to ½ hour	Charge up to 1 hour	Charge 1-2 hours	Charge 2-3 hours	Charge 3-4 hours	Charge all day
TAVISTOCK PAY & DISPLAY									
Abbey	All day	58	2	£2.00					
Bank Square	1 hour	10	1	£0.50	£1.00	-	-	-	-
Bedford	All day	229	8	£2.00					
Brook Street (lower decks)	3 hours	104	4	£1.00	£1.80	£2.20	-	-	
Brook Street (2 x upper decks)	All day			£2.00					
Chapel Street	3 hours	14	1	£0.50	£1.00	£1.80	£2.20	-	-
Riverside	All day	85	8	£2.00					
Russell Street	2 hours	28	2	£0.50	£1.00	£1.80	-	-	-
The Wharf	All day	57	6	£0.50	£1.00	£1.80	£2.20	-	-
OKEHAMPTON PAY & DISPLAY									
Market Street	3 hours	169	5	£0.50	£1.00	£1.80	£2.20	-	-
Mill Road	All day	83	3	£0.50	£2.00				
RURAL PAY & DISPLAY									
Chagford	All day	73	2	£0.30	£0.70	£1.30	£1.90	£2.70	
Hatherleigh	All day	73	1	£0.30	£0.60	£0.90	£1.40	£1.90	
FREE OF CHARGE									
Bere Alston	None	37	0	-	-	-	-	-	-
Lydford	None	25	0	-	-	-	-	-	-
Brentor	None	25	0	-	-	-	-	-	-

Public Service Vehicles

Public service vehicles may park in Tavistock Bus Station or Bedford car park coach bays free of charge.

Season ticket charges from 1st April 2012:

Type of Season Ticket	Applicable car park	12 months	6 months	3 months
Tavistock town centre	Abbey, Bedford, The Wharf	£400	£240	£140
Peripheral	Riverside, Mill Road	£195	£120	£70
Rural	Chagford, Hatherleigh	£155	£95	£55

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Monitoring of the number of available parking bays in long-stay car parks

DATE	BEDFORD (TAV) 221	TIME	ABBNEY (TAV) 56	TIME	RIVERSIDE (TAV) 121	TIME	MILL ROAD (OKE) 85	TIME	OFFICERS INITIALS
January 2016									
03/01/16	210	10:30	53	10:55	120	10:45			DG
03/01/16	177	11:50							DG
04/01/16	133	15:20	50	15:50	109	15:40	55	12:00	DG
05/01/16	70	14:40	2	14:10	58	14:22	26	14:45	MR/MC
05/01/16	177	09:00	0	10:00	109	09:55	29	11:00	DG
05/01/16	11	11:30	0	11:50	97	11:45			DG
05/01/16	55	14:10	0	14:50	91	15:00			DG
06/01/16							43	09:55	DG
06/01/16							51	14:50	DG
08/01/16	155	09:15	3	10:00	109	09:55	21	11:50	DG
08/01/16	66	15:15	17	15:40	103	15:45			DG
10/01/16	210	10:15	55	11:15	115	11:10	77	12:20	DG
10/01/16	199	11:20							DG
10/01/16	199	15:30							DG
11/01/16	155	09:30	28	10:15	115	10:00	43	12:05	DG
11/01/16	88	15:00	42	15:50	115	15:35			DG
12/01/16	52	14:40	7	13:10	44	13:20	26	13:45	MR/MC
13/01/16							26	10:00	DG
13/01/16							17	11:45	DG
13/01/16							34	14:15	DG
14/01/16	166	09:10	6	09:50	109	09:40	21	11:05	DG
14/01/16	155	16:15					26	12:55	DG
15/01/16	188	09:15	34	09:50	115	09:45	26	12:20	DG
15/01/16	88	10:40							DG
15/01/16	77	15:45							DG
16/01/16	199	10:45	55	11:10	115	11:05	77	12:15	DG

19/01/16							51	10:05	DG
19/01/16							34	14:20	DG
20/01/16	133	09:50	3	10:25	103	10:20	42	16:20	DG/MC
20/01/16	44	14:50	3	15:10	97	15:15			DG
21/01/16							36	15:45	MC
22/01/16	88	09:40	2	10:10	103	10:00			DG
22/01/16	43	10:29	2	10:25	67	10:18			MR
22/01/16	11	11:00	2	12:00	67	11:45			DG
22/01/16	11	14:20	4	15:10	79	15:20			DG
23/01/16	177	09:10	42	09:25	115	09:25	34	12:05	DG
23/01/16	111	10:10							DG
23/01/16	66	15:35							DG
24/01/16	199	10:20	53	10:35	115	10:50	77	12:15	DG
26/01/16							34	10:35	DG
27/01/16							34		MC
28/01/16	144	09:35	3	09:55	109	09:45	19	11:35	DG/MC
28/01/16	66	10:30	28	16:05	109	16:00	17	11:40	DG
28/01/16	78	15:55	2	16:25	67	16:30			MR/MS
29/01/16	88	10:00	0	10:35	97	10:25	55	12:10	DG
29/01/16	99	15:45	22	15:55	97	15:50			DG
February 2016									
01/02/16	166	09:20	28	10:10	109	10:00	43	11:35	DG
01/02/16	66	15:00	34	15:20	115	15:30			DG
02/02/16	155	09:00	17	09:35	103	09:35			DG
02/02/16	77	10:05	0	11:30	73	11:45			DG
02/02/16	55	16:00	6	15:15	67	15:00			DG
03/02/16							30	09:50	DG
03/02/16							26	11:30	DG
03/02/16							47	13:35	DG
05/02/16							33	13:30	MC
08/02/16	177	09:00	45	09:30	115	09:25	51	10:25	DG
09/02/16	8	11:35	1	11:12	57	11:15			MS

09/02/16	0	11:05	3	10:10	110	08:50	39	10:24	TS
09/02/16	6	14:20	0	12:30	71	14:00	30	14:45	TS
09/02/16							29	14:45	MC
10/02/16	34		3		41		34	10:05	DG/DD
10/02/16							30	12:10	DG
10/02/16							34	15:00	DG
10/02/16							25	14:25	MC
11/02/16	76	10:54	9	10:43	69	10:50	30	12:45	MR/MC
13/02/16	32		5		28		23		DD
15/02/16	19		6		24		26		DD
15/02/16	84	15:49	12	15:40	75	15:45			MR
16/02/16	10	09:20	5	10:15	105	10:20	64	09:50	TS/DG
16/02/16	0	12:00	0	14:00	87	14:10	56	11:55	TS/DG
16/02/16	0	14:30					47	14:55	TS/DG
16/02/16							35	11:30	MC
17/02/16	89	10:45	11	11:15	109	11:05	37	12:45	DG/MC
17/02/16	22	12:30	3	14:00	97	14:10			DG
17/02/16	66	15:20							DG
18/02/16	22	14:45	11	15:35	97	15:25	30	10:05	DG
18/02/16							30	11:20	DG
18/02/16	1	12:34	1	12:17	16	12:25			MR
18/02/16							30	16:25	MC
19/02/16	100	09:40	0	10:25	97	10:15	17	12:50	DG/MC
19/02/16	56	10:05	0	11:50	79	11:40			DG
19/02/16	0	12:30							DG
19/02/16	22	14:40							DG
20/02/16	155	09:40	11	10:10	115	10:00	30	12:30	DG
20/02/16	66	15:40							DG
21/02/16	188	10:45	53	11:05	115	11:05	77	12:25	DG
21/02/16	188	15:30							DG
22/02/16	200	09:00	45	09:35	109	09:25	51	10:30	DG
22/02/16	111	15:55	40	16:30	115	16:30			DG
22/02/16	117	15:14	11	15:07	75	15:23			MR

23/02/16	155	09:00	6	09:45	103	09:35	35	16:30	DG/MC
23/02/16	0	11:30	0	12:15	42	12:05			DG
23/02/16	33	14:35	11	15:15	85	15:25			DG
23/02/16	90	16:23	17	16:10	72	16:14			MR
24/02/16	7	11:05	2	10:30	18	10:00			DD
24/02/16	6	14:43	5	14:35	65	14:39			MR
25/02/16	155	09:00	14	09:25	109	09:45	34	13:30	DG/MC
25/02/16	22	10:55	0	11:30	91	11:25	24	12:30	DG/DD
25/02/16	44	14:30	14	15:15	103	15:10			DG
26/02/16	25	09:45	9	10:05	35	09:15	27	10:55	DD/MC
26/02/16	23	10:40							MS
26/02/16	2	13:30	4	14:10	24	14:45			DD
29/02/16							30	11:58	MC
29/02/16							24	11:45	DD

March 2016

01/03/16							40	16:00	MC
02/03/16	76	15:35							MS
04/03/16	78	09:45	0	09:55	103	09:50	27	10:35	DG/MC
04/03/16	0	11:30	0	12:10	97	12:05			DG/MC
04/03/16	33	15:00	23	15:35	103	15:40			DG/MC
05/03/16	177	09:15	22	09:30	115	09:25	26	10:45	DG
05/03/16	77	10:05	14	15:50	97	15:45			DG
05/03/16	55	15:20							DG
06/03/16	177	11:00	53	11:25	120	11:20	72	12:30	DG
06/03/16	188	15:45							DG
07/03/16	19	11:20	5	10:30	21	11:00	51	09:55	DG/DD
07/03/16							34	11:20	DG
07/03/16							43	13:50	DG
08/03/16	188	08:50	17	09:10	109	09:40	21	10:45	DG/DD
08/03/16	100	10:00	7	10:30	103	10:25			DG
08/03/16	44	13:45	22	14:35	109	14:25			DG
08/03/16	133	16:30							DG

09/03/16	122	09:10	17	09:40	109	09:55	17	11:45	DG
09/03/16	21	12:00	7	13:15	24	12:30			DD
09/03/16	66	15:35	44	16:25	103	16:20			DG
11/03/16	34	10:45	8	09:30	27	09:45	24	11:30	DD
15/03/16	188	09:05	11	09:30	109	09:40	34	12:00	DG
15/03/16	88	10:05							DG
16/03/16	55	15:00							MS
17/03/16	94	16:15							MS
18/03/16	13	10:40							MS
18/03/16	111	09:30	0	10:40	97	10:30			DG
18/03/16	44	10:20	14	15:30	103	15:25			DG
18/03/16	0	11:05							DG
18/03/16	55	14:35							DG
19/03/16	155	09:40	17	10:00	109	09:55	26	11:45	DG
19/03/16	44	15:20	34	15:35	103	15:45			DG
20/03/16	88	11:00	20	11:45	115	11:20	68	13:00	DG

Key:
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- MS Martin Sandys
- DG David Gale
- TS Tom Steenkamp
- MR Matt Rawlings
- MC Murray Cowley
- DD David Draper

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Agenda Item 7

Report to: **Hub Committee**
Date: **19 April 2016**
Title: **Review of Corporate Complaints Policy**
Portfolio Area: **Cllr Cann OBE**
Wards Affected: **All**
Relevant Scrutiny Committee: **Internal**

Urgent Decision: **N** Approval and clearance obtained: **N/A**

Date next steps can be taken: **after the three-day call-in period following the Hub Committee meeting**

Author: **Catherine Bowen** Role: **Monitoring Officer and Legal CoP Lead**

Contact: **Email: Catherine.Bowen@swdevon.gov.uk**

Recommendations:

That the Hub Committee:

- 1. adopts the revised Corporate Complaints Policy attached at Appendix 1 to this report,**
- 2. delegates any amendments to the Monitoring Officer in consultation with the Portfolio holder.**

1. Executive summary

1.1 To consider and agree a revised Corporate Complaints Policy as attached at Appendix A.

2. Background

- 2.1 This report asks Members to consider and agree the revised Corporate Complaints Policy attached at Appendix A. The Complaints Policy also incorporates a revised 'Unreasonable Customer Behaviour and Vexatious Complaints Policy'.
- 2.2 A review of the Complaints Policy ensures that it reflects current business practice following the T18 restructure and also ensures that it is customer focussed.

3. Outcomes/outputs

- 3.1 The revised Corporate Complaints Policy confirms that the Council is committed to delivering high quality, value for money services to the standard that the Customer expects. However, the Council also realises that sometimes things can go wrong and that Customers are not always happy with the service they receive from the Council.
- 3.2 The attached Policy sets out what comprises a complaint and how the Council will deal with that complaint. The Policy also includes a revised policy on how the Council will deal with the few occasions where complainants exhibit unreasonable or vexatious behaviour.
- 3.3 The main changes from the existing policy include:
 - 3.3.1 emphasis on early informal resolution of complaints
 - 3.3.2 clarity on which issues cannot be resolved under this Policy but with signposting to where assistance can be sought instead
 - 3.3.3 contacting the complainant to identify the specific concerns and focus investigation
 - 3.3.4 emphasis on proactive resolution of complaints and not defensive actions
 - 3.3.5 extended target response dates to ensure appropriate response is given in a realistic timescale
 - 3.3.6 clarity on how the Council will report and learn from complaints
- 3.4 The Policy includes a section on reporting and learning from complaints in order to provide an opportunity to put matters right and to improve the Council's services. This includes:
 - 3.4.1 summary and outcome of anonymised complaints to be available on the Council's website
 - 3.4.2 regular reports to SLT where there are learning points for the future
 - 3.4.3 regular reports to Members on the number and types of complaints received together with information on complaints outcomes, lessons learnt, measures taken to prevent recurrences and (where relevant) how we have improved services as a result of the complaint.

4. Options available and consideration of risk

- 4.1 The Council could choose not to review its Policy with the risk that it is not customer focussed and does not reflect the Council's existing business practice. A review of the Policy would ensure that these risks are mitigated and provide clarity and commitment to the Customer.
- 4.2 We have consulted the Ombudsman and a selection of Customers who have complained previously and who indicated they were happy to be contacted by the Council
- 4.3 Officers involved in Customer complaints have also been consulted and had the opportunity to input into the revisions to the Policy.

5. Proposed Way Forward

- 5.1 That Members consider the attached Complaints Policy and agree its adoption.

6. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal / Governance, and Risks	Y	<p>The Hub Committee is responsible for an overview of complaints which relates to the Council's performance.</p> <p>Adopting an up-to-date complaints policy will ensure that the Council deals with complaints openly and consistently. If complaints are not handled correctly or expediently the council may not be fulfilling its duties and as a result may not be providing high quality services. If complaints are not resolved they may result in referrals to the Ombudsman which may ultimately result in financial penalties.</p>
Financial	N	There are no direct financial implications to this report.
Comprehensive Impact Assessment Implications		
Equality and Diversity		This is considered in the revised policy.
Safeguarding		These will be dealt with as required in any specific complaint
Community Safety, Crime and Disorder		N/a
Health, Safety and Wellbeing		N/a
Other implications		N/a

Supporting Information

Appendices:

Appendix 1: Revised Complaints Policy

Background Papers:

None

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West Devon Borough Council

Complaints Policy and Procedure

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Complaints Policy and Procedure

Introduction

We are committed to delivering high quality, value for money services at the Council and to providing what you need to the standard that you expect.

You may wish to tell us if we have succeeded in delivering a high quality service, a member of staff has impressed you, or just to comment on how we could improve on our services. Please let us know by visiting ([link](#)).

We realise that sometimes things can go wrong and people are not always happy with the service they receive from the Council. We believe that dealing effectively with complaints is essential to providing good services.

Complaints are extremely valuable to us because they give us the opportunity to put things right if there have been mistakes and, just as importantly, to improve our services to make sure that the same mistakes are not repeated in the future.

Purpose of our Complaints Policy

The purpose of this Policy is to:

- define what a complaint is
- explain who can make a complaint
- explain how to make a complaint
- explain the process we will follow when dealing with a complaint, so that everyone knows what they can expect
- set out how we will monitor complaints, use information to improve services and identify training needs

Our guiding principles

We will:

- put you, the customer, at the heart of the process, showing understanding for the issues you raise
- treat all complaints seriously, with an honest and open mind, and do everything we can to deal with them efficiently and effectively
- be open minded and flexible in our approach whilst operating within our processes
- say sorry if we have made a mistake, or something has gone wrong, and we will put it right as soon as possible
- aim to resolve complaints at the earliest opportunity
- keep you informed about the progress of your complaint
- make sure our responses are open and honest, based on the evidence available, address all elements of the complaint, and provide clear explanations for decisions made

- ensure our procedure is equally accessible irrespective of age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, sexual orientation, race, religion or belief
- use complaints information in a positive way to identify training requirements, improve processes, and share learning when appropriate to prevent similar occurrences in the future

What is a complaint?

We define a complaint as:

‘An expression of dissatisfaction with our service (whether justified or not) which requires a response’.

A complaint could be in relation to any of the following examples:

- there has been a delay in providing a service
- we have made a mistake in the way we have provided a service
- we have failed to deliver a service – this could relate to quality, standard or service level
- we have not listened properly
- our processes or policies have not been followed
- our legal or regulatory requirements have not been met
- we have not delivered against a commitment or promise
- our staff have not been helpful or have not conducted themselves correctly

What is not a complaint?

Informal service issues

We encourage all our staff to work with customers and to try to find a resolution to any expression of dissatisfaction without the need to use the formal complaints process.

In many cases we can resolve an issue very quickly – by putting the problem right straight away. We consider these types of cases as **informal service issues**.

An example might be where a refuse team has not picked up a customer’s bin, but once the team is made aware of this, the bin will be emptied as soon as possible.

You can make an informal complaint, or service request, by discussing your concerns with the member of staff involved, or filling in a form on [\(link\)](#).

However, if informal discussions do not resolve your issues, or you do not consider the informal complaint or service request route to be appropriate, then you can make a formal complaint under the Council’s complaints procedure.

Complaints not covered by this Policy

There are some complaints that we cannot consider under this Policy because:

- there are other processes more suitable for dealing with them, such as statutory appeal or tribunal process
- they are outside of our control
- there are separate legal or regulatory requirements covering these services
- it would have been reasonable for you to have complained about the matter sooner

Examples are:

- complaints made more than one year after you became aware of the issue (that being the subject of the complaint)
- the conduct of Councillors (see Complaints about Councillors below [link](#))
- where it is the responsibility of one of our partners, or another local Council, or another organisation (we will direct you to the right place)
- where there is disagreement with the result of a process that has its own appeal process (see Appeals below [link](#))
- anonymous complaints (see Anonymous Complaints below [link](#))
- dissatisfaction with local or Government policies (see Complaints about policies below [link](#))
- Unacceptable or vexatious complaints (please see our Policy attached at Appendix A ([link](#)))
- Complaints relating to staff personnel issues, such as disciplinary and grievance issues (see Complaints about staff below).

Complaints about Councillors

The Council is committed to ensuring that elected Members (Councillors) uphold good standards of behaviour. If you believe that a Borough Councillor (or a Parish or Town Councillor within the Council's area) has not complied in some way with the code of conduct for Councillors, please read the advice and guidance on the Council's website at ([link](#)) on how to complain under the Standards Complaint Process.

Appeals

An appeal is where a request is submitted to change a decision that has been made.

For some services there are alternative statutory appeal or tribunal processes in place which must be used rather than the complaints procedure. These services include:

- appeals against the refusal of planning permission or planning enforcement
- appeals against statutory notices
- parking appeals
- housing benefit appeals
- homelessness decisions

Anonymous complaints

We will only deal with anonymous complaints where they involve individual or public safety, alleged corruption, or other serious impropriety, and where we have sufficient information to allow an investigation to proceed.

Complaints about policies

You can make a complaint if you consider that the Council has not followed its policies or procedures, or if the Council has not followed the proper processes in adopting or reviewing its policies.

However, some complaints are expressions of dissatisfaction with Government or local policies, as opposed to our failure to meet service standards. We will do our best to explain the policy and the reasons for it. However, if you are still unhappy we may direct you to your MP or your local Councillor for further discussions depending on whether this is national or local policy.

Complaints about staff

We will ensure that staff who are the subject of a complaint, or who may have a clear conflict of interest, will not handle or respond to the complaint. The member of staff will be told about the complaint and asked for his/her views.

Where your complaint involves personnel issues against Council staff, such as disciplinary and grievance issues, the Council will investigate this separately and take any action deemed necessary.

Complaints from Councillors or MPs

Where Councillors or MPs make a complaint on behalf of a constituent, we will deal with the complaint following our normal processes and keep the Councillor or MP informed of progress.

Who can make a complaint?

Anyone who uses, or is affected by, our services can make a complaint including:

- our residents
- people who work in, or visit, the Borough
- local businesses
- community groups

A complaint can also be made by a representative:

- acting on behalf of someone who is unable to make the complaint themselves because of physical or mental incapacity

- where they have been asked to act on behalf of a customer
- acting on behalf of someone who has died

For complaints made by a representative we normally require written authority from the customer (or from the executor or administrator of their estate) to deal with the representative acting on their behalf.

How do I make a complaint?

You can make a complaint in a way that best suits you. We encourage any customer who has a concern about a particular service to make contact with us straight away. Early complaints give us the best opportunity to resolve an issue quickly.

Complaints can be made in a number of ways:

- online via our complaint form ([link](#))
- by emailing us at complaints@swdevon.gov.uk
- by writing to us at: ([link](#))
- by speaking to Customer Services by phone: 01822 813600
- in person at our offices

How can you help us when making a complaint?

Please give us as much detail as possible about the complaint including:

- What you are complaining about
- When it happened (or should have happened)
- Why, and how, you think we should have done things differently
- What you would like us to do to put things right
- Tell us your preferred method of contact and your contact details (including your phone details as we welcome the opportunity to talk to you at an early stage about your complaint)

Before submitting your complaint to us, you may want to read the helpful advice on 'how to complain' set out on the Local Government Ombudsman's website (www.lgo.gov.uk).

Please remember that you should exhaust the Council's internal complaints process before complaining to the Ombudsman (see 'Still not satisfied – Local Government Ombudsman' [link](#)).

Additional help

Complaints must normally be made in writing. However, we are happy to make reasonable adjustments to assist you if you have a disability that prevents you from making your complaint in writing. We can also help if English is not your first language.

If you need any support in completing the Complaint Form, please let us know as soon as possible.

Confidentiality

All responses to complaints at all stages will be sent in writing to your address (home or email) unless specifically requested otherwise. We will maintain the confidentiality of all personal customer information, and not disclose it outside of the Council without your prior permission, unless legally obliged to do so.

What happens after I have made my complaint?

Complaints procedure - stage 1

Your complaint will be **acknowledged within five working days** using a standard letter. This letter explains the complaints procedure, timescales and the officer who will be dealing with your complaint.

We welcome the opportunity to talk to you on the phone at the beginning of the process (if you are comfortable with that) to make sure we understand your concerns.

The complaint will be investigated by an appropriate senior officer. To find out who the Council's senior officers are, please follow this [link](#).

A **response** will be sent to you within **30 days** (consecutive days) of the acknowledgement where this is practical, but where this is not possible because of:

- the complexity of the matter to which the complaint relates
- exceptional or unforeseen circumstances

we will let you know and give an indicative timescale of when a full response will be provided.

The stage 1 response will include information about what you can do if you are not satisfied with the way your complaint has been dealt with.

Complaints procedure stage 2

You should ask for your original complaint to be referred to stage two **within 3 months** of receiving the response under stage 1.

We will ask you to tell us the reasons why you believe your complaint has not been properly resolved in order that the stage 2 consideration can be focused on the specific outstanding elements of the complaint.

The complaint will be considered by an appropriate senior officer ([link](#)) from a different part of the organisation to the officer who dealt with your original complaint.

This stage 2 complaint process will:

- look at whether your original complaint was properly considered
- ensure that key issues you have raised have not been missed
- issue a final decision

A stage 2 response will be prepared and sent to you within **30 days** (consecutive days) of acknowledgement of receipt where this is practical, but where this is not possible because of:

- the complexity of the matter to which the complaint relates
- exceptional or unforeseen circumstances,

we will let you know, and give an indicative timescale of, when a full response will be provided.

The response will include information about how to refer the matter to the Ombudsman if you are still unhappy after the Council's response (see below).

Still not satisfied - Local Government Ombudsman

If you are not happy with the way in which we handled your complaint, or with our response, you may ask the Local Government Ombudsman to look into your complaint. The Ombudsman will not normally look into a complaint if we (the Council) have not had an opportunity to resolve it through our own complaints process first.

In cases where the Ombudsman has recommended redress or made recommendations, we are committed to following the advice and timescales of the Ombudsman to the best of our ability.

The **Local Government Ombudsman** can be contacted via:

Website: www.lgo.gov.uk

Tel: 0300 90610614

What about when we get it wrong?

When a complaint is found to be justified the Council will:

- apologise to you and anyone else affected by the error
- explain what has been / will be done to put the mistake right
- explain how the error occurred and what has been done to prevent it happening again
- redress (if you have suffered loss or suffering) in line with the Local Government Ombudsman's guidance on 'Remedies'.

In some cases an apology and an explanation is all that is necessary and appropriate by way of a remedy. However, we will offer redress where we believe that this will best serve the interests of the customer and customer service. For example, practical action may be considered as part, or all, of a remedy where a complaint is about failure to take some specific action.

Consideration will also be given to any practical action suggested by you.

There will be circumstances where we are unable to put you, as the customer, back into the position you would have been in because of the amount of time lapsed or due to other events which may since have occurred. In such circumstances, we may consider restorative or financial compensation. When considering any redress we will be fair, consistent, and mindful of public money.

Reporting and learning from complaints

We are committed to learning from complaints and using complaints information to improve our services, and we will look at:

- the type of complaint
- the complaint outcome
- the timescales agreed
- whether timescales were met
- equality information about complainants

We will then:

- publish (anonymised) a summary of complaints and their outcomes on the Council's website
- report to the Council's Senior Leadership Team ([link to who these are](#)) when a complaint identifies learning points for the future
- report regularly to Councillors on the number and type of complaints received, together with (where relevant):
 - information on the complaint outcomes
 - lessons learnt
 - what we have done to make sure this doesn't happen again
 - how we have improved services as a result of the complaint

Equalities and Accessibility

We will ensure our complaints process is easily accessible to all customers.

We are committed to equality and diversity in employment practice and service delivery. Our aim is to ensure that all our customers are confident of receiving fair treatment and equality of opportunity irrespective of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, sexual orientation, race, sex, and religion or belief.

It is our aim to monitor complaints wherever possible, across all protected characteristics of discrimination to enable us to get a clear picture of where there may be unintentional barriers to services. We are committed to learning from, and improving, services as a result of this monitoring activity.

Evaluation

In order to ensure that our Complaints Policy is effective and that we are doing what we have set out in this Policy, we will ask randomly selected customers for feedback once the complaints process has been completed. This is not related to the outcome of the complaints process but to how we dealt with your complaint.

Appendix A

Unreasonable Customer Behaviour and Vexatious Complaints Policy

Introduction

The Council is committed to providing what you need, in the way you want, and to the standard you expect. We believe that dealing effectively with complaints and customer requests for information is essential to providing good services.

We will process complaints in line with our policy, and we will make every effort to achieve a satisfactory outcome for each customer.

Unfortunately, in a minority of cases, people pursue their complaints or requests for information in a way that is unreasonable. In some instances, this can have a negative impact on the handling of their complaint or request. It can also have a significant impact on our resources and on our ability to provide services to our other customers.

This procedure covers Complaints and Freedom of Information (FOI) requests. In respect of FOI requests the Council will have regard to the guidance issued by the Information Commissioner's Office 'Dealing with vexatious requests'.

Purpose

The purpose of this document is to:

- define unreasonable customer behaviour
- explain what we consider to be unreasonable customer behaviour and how we will deal with it
- define vexatious requests
- explain what we consider to be vexatious requests and how we will deal with these

What is unreasonable customer behaviour?

We define unreasonable behaviour as:

'Unreasonable complainants are those who, because of the nature or frequency of their contacts with the Council, negatively impact our ability to deal effectively with their (or other people's) complaints.'

Unreasonable behaviour may include one or two isolated incidents, as well as unreasonably persistent behaviour, which is usually an accumulation of incidents or behaviour over a longer period.

We differentiate between 'persistent' customers and 'unreasonably persistent' customers.

Customers making a complaint can be 'persistent' where they feel we have not dealt with their complaint or request properly and are not prepared to leave the matter there. For example, it is not unreasonable for a customer to criticise how their complaint is being handled when our published procedures are not followed.

However, some customers may have justified complaints or requests, but may pursue them in inappropriate ways, such as lengthy phone calls, emails expecting immediate responses, detailed letters or emails every few days. Others may pursue complaints or requests which have no substance, or which have already been considered and dealt with. Their contacts with us may be amicable but still place very heavy demands on staff.

Situations can escalate, and in a few cases customers can become abusive, offensive, threatening or behave in a way that we may consider to be unacceptable.

In these circumstances, we may have to restrict access to our premises or staff.

Examples of unreasonable behaviour

Examples of what we might consider to be unreasonable behaviour includes:

- refusing to specify the grounds of a complaint, despite offers of assistance
- changing the basis of the complaint/request as the matter proceeds
- denying or changing statements made at an earlier stage
- covertly recording meetings and conversations
- submitting falsified documents from themselves or others
- making excessive demands on the time and resources of staff with lengthy phone calls, emails to numerous council staff, or detailed letters every few days, and expecting immediate responses
- refusing to accept the decision or repeatedly arguing points with no new evidence
- persistently approaching the council through different routes about the same issue
- causing distress to staff - including use of hostile, abusive or offensive language, or an unreasonable fixation on an individual member of staff
- making unjustified complaints about staff who are trying to deal with the issues, and seeking to have them replaced
- insisting on the complaint being dealt with in ways which are not compatible with the adopted complaints procedure or with good practice
- introducing trivial or irrelevant new information at a later stage
- raising many detailed but unimportant questions and insisting that they are all answered
- submitting repeat complaints/requests with minor additions / variations and/or where the customer insists we consider these as new complaints

What is a vexatious request/complaint?

We define a vexatious request or complaint as one:

‘that is likely to cause distress, disruption, irritation, without any proper or justified cause’.

A vexatious request may refer to an ongoing complaint or include one or two individual requests for information, or may form part of a wider pattern of vexatious behaviour. For example, if there is a wider dispute or it is the latest in a lengthy series of overlapping requests.

However, we will not automatically refuse a request (or to deal with a complaint) simply because it is made in the context of a dispute or if it forms part of a series of requests.

We will consider each request for information on its own merits and we will not automatically refuse a request because the individual may have caused problems in the past. We will ensure that we consider whether the request (and not the requester) is vexatious, with our focus being on the request itself.

Where a request is considered to be vexatious we may make the decision not to provide the information.

Examples of vexatious requests/complaints

Examples of what we might consider to be vexatious requests / complaints are shown below. The list is not exhaustive and for a request or complaint to be considered as vexatious it is likely that more than one of the examples is relevant:

- Submission of obsessive requests with very high volume and frequency of correspondence.
- Requests for information that has already been seen or where there is a clear intention to reopen issues that have already been considered.
- Where complying with the request would impose significant or disproportionate burden on the Council in terms of expense, and negatively impact our ability to provide service to others. In this situation, we will also consider Section 12 (exemption where cost exceeds the appropriate limit) of the Freedom of Information Act.
- Threatening language or actions whereby it would be unreasonable for the Council to tolerate it no matter how legitimate the complaint or request
- Where the customer states that the request / correspondence is actually meant to cause maximum inconvenience, disruption or annoyance.
- Where the request / complaint lacks any serious purpose or value. An apparent lack of value would not usually be enough on its own to make a matter vexatious, but may do when considered with other examples.
- Harassing the Council - this could include very high volume and frequency of correspondence, or mingling requests with accusations and complaints.

Managing unreasonable complainant behaviour and vexatious requests/complaints

Before taking any decision to designate a Customer’s behaviour as unreasonable or vexatious, we will be satisfied that:

- the complaint / request is being, or has been, investigated properly
- we have reached the right decision in the right way
- communications with the customer have been adequate
- the Customer is not now providing any significant new information that might affect the Council's view on the complaint /request.

When it is necessary to designate the Customer as behaving unreasonably the Council will consider:

- offering a meeting between the Customer and a Senior Officer to explore scope for a resolution of the complaint and to explain why their current behaviour is seen as unreasonable
- sharing this policy with the Customer and warning the Customer that restrictive actions may need to be applied if their behaviour continues
- where the behaviour is so extreme that it threatens the immediate safety and welfare of staff, we may report the matter to the police or consider taking legal action. In such cases we may not give the Customer prior warning.

Options that we may take

Any action that we take will be proportionate to the nature and frequency of the complainant's current contacts. The following options may be suitable, taking the Customer's behaviour and circumstances into account. Options include:

- restricting contacts with staff to specified days and limited times
- limiting the Customer to one form of contact (telephone, letter, email etc)
- requiring the Customer to communicate only with one named member of staff
- requiring any personal contacts to take place in the presence of a witness and in a suitable location
- requiring the Customer to enter into an agreement about their future behaviour before their case proceeds
- refusing to register and process further complaints about the same matter
- refuse all future contact with the Customer

Where a decision on the complaint has been made, we may tell the Customer that all communication is now ended and that future correspondence will be read and placed on the file but not acknowledged, unless it contains material new information.

Operating the policy

If a decision is taken (by an officer of the Extended Leadership Team in consultation with a member of the Senior Leadership Team) to apply restricted access, we will write to the Customer with a copy of this Policy to explain:

- why the decision has been taken
- what it means for his / her contacts with the Council

- how long any limits will last,
- when and how any decision to restrict access will be reviewed, and
- how the Customer can appeal against the decision.

Reviewing decisions to restrict access

A review of the decision will be made by the officer who made the original decision at the specified time, and the restrictions will be lifted unless there are good grounds to extend them.

We will tell the Customer of the outcome of the review. If limits are to continue, we will explain our reasons and state when the limits will next be reviewed.

Appeals against the Option that the Council has taken against the Customer

An appeal should be made within one month of the decision made (for example, to restrict access or ceasing contact with the Customer) and it will be considered by an Officer of the Extended Leadership Team who was not involved in the original decision to restrict access.

Referring complainants to the Local Government Ombudsman (LGO)

Where relations between the Council and Customer sometimes break down badly while complaints are under investigation, and there is little prospect of achieving a satisfactory outcome, the LGO may, exceptionally, be prepared to consider complaints before the Council's internal complaints procedure has been exhausted.

A Customer who has been treated as behaving unreasonably may make a complaint to the LGO about it.

Report to: **Hub Committee**

Date: **19 April 2016**

Title: **DRAFT CALENDAR OF MEETINGS**

Portfolio Area: **Strategy and Commissioning – Cllr Sanders**

Wards Affected: **All**

Relevant Scrutiny Committee: **Overview and Scrutiny Internal Committee**

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

Date next steps can be taken: The Committee recommendations will be presented to the Annual Council meeting on 10 May 2016 for approval.

Author: **Kathryn Trant** Senior Case Manager

Contact: **Email: kathryn.trant@swdevon.gov.uk**

RECOMMENDATION

That the Hub Committee RECOMMEND to Council that the Calendar of Meetings for 2016-17 (as presented at Appendix A) be approved.

1. Executive summary

- 1.1 Each year, the Council is required to approve a calendar of meetings for the forthcoming year.

2. Background

- 2.1 The Constitution sets out requirements relating to the number and frequency of meetings of Council Bodies. In setting the calendar of meetings each year, the Council can ensure that these requirements are met. It also enables forward planning and avoids meeting clashes.

3. Outcomes/outputs

- 3.1 Set out at Appendix A is the draft calendar of meetings for 2016-17. Whilst the calendar is normally presented to an earlier Council meeting for approval, this was not possible this year due to the Council having only approved the Hub Committee review at its last meeting on 5 April 2016 (Minute CM 61b refers).
- 3.2 In drawing up the calendar of meetings, a number of parameters are set which include:
- Constitutional requirements which, for some bodies, sets the number and frequency of meetings to be held annually
 - The wishes of Members that Tuesdays are seen as Member days and therefore as many meetings as possible are arranged to take place on this day;
 - The wishes of Members to avoid clashes with meetings of other organisations and events where possible;
 - The wishes of Members to avoid meetings during school holidays where possible;
 - Financial timescales and requirements; and
 - Attempting to ensure that Council and Hub Committee meetings are held in close proximity to the equivalent meetings at South Hams District Council.
- 3.3 It should be noted that the calendar only lists those meetings which can or need to be programmed (for constitutional, financial or other reasons). Meetings of other Council bodies such as task and finish groups arising from the work of the Scrutiny Committees can be programmed on an ad-hoc basis.
- 3.4 Members will note that the draft Calendar already includes provision for Special Council meetings to be held on 28 June 2016 and 26 July 2016. These meetings have been scheduled at the request of lead officers to consider the proposals in relation to the Local Authority Controlled Company (28 June) and the Leisure Review (26 July).
- 3.5 Members may also note that the previously scheduled date of 21 June 2016 for P&L Committee has had to be changed as a result of the EU Referendum. The Committee will now take place on 28 June, 2016.

4. Options available and consideration of risk

- 4.1 By approving the calendar of meetings each year, the Council will avoid potential Member meeting clashes and ensure that the Constitutional requirements are provided for, and Members wishes, where possible, are taken into account.

5. Proposed Way Forward

5.1 Approval of the calendar of meetings will prevent meeting clashes and ensure that Constitutional requirements are met.

6. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance	Y	Statutory Powers – Local Government Act 1972
Financial	N	There are no direct financial implications
Risk	N	These are addressed in the body of the report
Comprehensive Impact Assessment Implications		
Equality and Diversity	N	Not applicable
Safeguarding	N	Not applicable
Community Safety, Crime and Disorder	N	Not applicable
Health, Safety and Wellbeing	N	Not applicable

Supporting Information

Appendices:

A: Calendar of meetings 2016-17

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DRAFT CALENDAR OF MEETINGS 2016 - 2017

May 2016

- 10 WD ANNUAL COUNCIL
- 12 Devon County Council
- 12 West Devon Site Inspections
- 19-21 Devon County Show
- 24 Planning and Licensing Committee
- 30 Bank Holiday

June 2016

- 07 Hub Committee
- 09 WD Site Inspections
- 14 Overview and Scrutiny External Committee
- 16 WD Site Inspections
- 20-24 EU Referendum this week
- 28 Planning and Licensing Committee
- 28 Special Council meeting

July 2016

- 05-07 LGA Conference
- 05 WD Audit Committee
- 12 Hub Committee
- 14 WD Site Inspections
- 15 Devon Building Control Partnership
- 19 WD Audit Committee am
- 19 Overview and Scrutiny Internal Committee

23 July – 31 August – School Holiday

- 26 Planning and Licensing Committee
- 26 Special Council

August 2016

- 02 Overview and Scrutiny External Committee
- 11 WD Site Inspections
- 23 Planning and Licensing Committee
- 29 Bank Holiday

DRAFT CALENDAR OF MEETINGS 2016 - 2017

September 2016

- 06 Overview and Scrutiny Internal Committee
- 08 WD Site Inspections
- 13 Hub Committee
- 20 Planning and Licensing Committee
- 27 WD Audit Committee am

October 2016

- 04 WD Council
- 06 Devon County Council meeting
- 06 WD Site Inspections
- 11 Overview and Scrutiny External Committee
- 12-14 SOLACE Conference
- 18 Planning and Licensing Committee
- 24-28 Half Term

November 2016

- 01 Hub Committee
- 03 WD Site Inspections
- 08 Overview and Scrutiny Internal Committee
- 11 Devon Building Control Partnership
- 15 Planning and Licensing Committee
- 29 Standards Committee
- 29 Hub Committee

December 2016

- 01 WD Site Inspections
- 06 WD Council
- 08 Devon County Council meeting
- 13 Planning and Licensing Committee
- 17 – 2 Jan School Holidays
- 22 WD Site Inspections

DRAFT CALENDAR OF MEETINGS 2016 - 2017

January 2017

- 10 Planning and Licensing Committee
- 10 WD Audit Committee
- 17 WD Joint Overview and Scrutiny Committee
- 24 Hub Committee
- 26 WD Site Inspections

February 2017

- 07 Planning and Licensing Committee
- 07 WD Council
- 13-17 Half Term
- 16 Devon County Council meeting
- 21 WD CTSP
- 23 WD Site Inspections
- 28 Hub Committee

March 2017

- 07 Planning and Licensing Committee
- 07 Overview and Scrutiny External Committee
- 14 WD Audit Committee
- 23 WD Site Inspections
- 24 Devon Building Control Partnership
- 28 Hub Committee

April 2017

- 03-17 School Holidays
- 04 Planning and Licensing Committee
- 11 WD Council
- 13 WD Site Inspections
- 14 Good Friday
- 17 Easter Monday
- 18 Overview and Scrutiny Internal Committee
- 25 Planning and Licensing Committee

May 2017

- 01 Bank Holiday
- 02 Hub Committee
- 09 Overview and Scrutiny External Committee
- 18 WD Site Inspections
- 23 WD Annual Council
- 30 Planning and Licensing Committee
- 30-2 June Half Term

Resource to Deliver Income Generation Proposals

Report to:	West Devon Hub Committee
Date:	19th April 2016
Title:	Resource to Deliver Income Generation Proposals
Portfolio Area:	Cllr Bob Baldwin, Deputy Leader Business Development
Wards Affected:	All
Relevant Scrutiny Committee:	N/A
Approval and clearance obtained:	Yes
Urgent Decision:	N/A
Date next steps can be taken:	Recommendation to full Council
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Recommendations:

That the Hub Committee RECOMMEND to Council:

1. The recruitment of a permanent level four grade specialist post, shared between South Hams and West Devon, on a 60% SH / 40% WD split to support the further investigation and delivery of income generation proposals approved at Full Council on 5th April 2016, as detailed in 3.0 below

1.0 **Executive Summary**

- 1.1 This report sets out the rationale for the recruitment of an L4 Development Surveyor, on a 60/40 shared post basis between South Hams District Council and West Devon Borough Council and seeks Member agreement and a recommendation to Council to progress this recruitment.
- 1.2 The actual cost to WDBC for this role would be £17,600 in 2016/17, including on costs.
- 1.3 It is recommended that this amount is funded from the "Invest to Earn" earmarked reserve.

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2. Background

- 2.1. WDBC approved a number of income generation initiatives in principle at its Full Council meeting held 5th April 2016.
- 2.2. These initiatives were originally presented to the Hub Committee in a report entitled "Income Generation Proposals" on 22nd March 2016 (Exempt Report).
- 2.3. A number of asset development opportunities were outlined in the report which if pursued, would generate both recurrent revenue and one-off capital receipts.
- 2.4. Full Council also approved the creation of an "Invest to Earn" earmarked reserve, with an initial value of £372,462 made up of previously uncommitted New Homes Bonus, to fund the income generating initiatives. Additionally, it was agreed that the sum of £550,000 which was previously a Capital Budget for Affordable Housing would be reallocated as a Capital Budget for "Invest to Earn" income generating initiatives.

3.0 Proposals

- 3.1. A number of asset development opportunities were presented to Hub Committee in an exempt report, entitled "Income Generation Proposals" on 22nd March 2016. See paragraphs 3.1.9.1 to 3.1.9.4 of that exempt report for details of the specific projects.
- 3.2. In order to work up the schemes and then drive forward the asset development opportunities, it is imperative that the correct skill set and capacity is in place within the organisation. It is therefore proposed that a new Development Surveyor post is created.
- 3.3. The existing staff (3 shared posts + a Community of Practice Lead) within the Assets Community of Practice deal with the employment estate. This estate generates, after maintenance and staffing costs, a total surplus to WDBC of c.£200,000 per annum. The existing establishment are fully committed in their roles and do not have the spare capacity to take forward new asset development work.
- 3.4. The skill set of a development surveyor is different to that on the establishment. Development surveyors advise on all aspects of planning and development, taking into account a range of complex economic, social and environmental factors. They provide their clients with information to help them make informed choices about investment. Such expertise is particularly critical where development funds are coming from the public purse and careful planning and financial consideration needs to be evidenced.
- 3.5. The role of Development Surveyor will encompass all phases of the development lifecycle from site identification, acquisition, planning, liaising with architects, overseeing contractors - everything involved in the physical delivery of schemes.
- 3.6. The role will take responsibility for specific development projects in South Hams and West Devon covering a mix of commercial and

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residential property types, appraising, proposing and developing the projects.

- 3.7. Key skills for the new post would include the management of multiple projects at various stages of development, business case preparation, obtaining legal and planning consents, the procurement and co-ordination of appropriate professional and construction services, managing stakeholders, etc.
- 3.8. It is proposed to recruit a permanent level four grade specialist post, shared with South Hams, on a 60% SH / 40% WD split. SHDC approved their 60% contribution at a Special Council meeting held on 7th April 2016. The proportion to be paid by SHDC is higher as the number and complexity of projects is expected to be higher than for WDBC. This roughly equates to 3 days per week for SHDC, 2 days for WDBC.
- 3.9. If this proposal is agreed by WDBC, the recurrent cost pressure created for West Devon would be c. £17,600 pa, inclusive of on-costs.
- 3.10. If approved, this post would be funded in 2016/17 from the "Invest to Earn" earmarked reserve but would become a cost pressure from 2017/2018 onwards. It is envisaged that the funding for this role would be reviewed in 2018/2019. The role will be instrumental in delivering asset development related income opportunities across both Councils that otherwise could not be delivered. It could therefore be considered as self-funding in the medium term.
- 3.11. This post would have a focused delivery brief and would be tasked with taking forward the priority projects outlined in the exempt Income Generation Proposals report presented to Hub Committee on the 22nd March 2016.
- 3.12. It should be noted that the list of projects may evolve with time in line with market factors and other opportunities. Each project will require business planning and a business case and may require additional resources in time to ensure successful delivery – this would form part of any future detailed business case for the specific project.

4.0 Options available and consideration of risk

- 4.1. Members could opt not to recruit a development surveyor. However, this proposal is for a shared post with SHDC, meaning that WDBC would benefit from economies of scale. If WDBC opt not to recruit a development surveyor, it would need to purchase external consultancy services to support asset development opportunities and this is likely to be at significant additional cost.
- 4.2. Such consultants charge in the region of £1,000 per day. It is not considered an effective use of council resources to acquire services on a piecemeal basis given the number of asset development opportunities available to both councils at this time. The use of an external consultant in lieu of a development surveyor on the

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staffing establishment would not be cost effective after 18 days of work.

- 4.3. Each individual development project will be subject to a business case, which will consider the risk, legal and financial impact of any proposition. The development surveyor, if recruited, will be responsible for preparing that business case.

5.0 Proposed Way Forward

- 5.1. If Members approve the recommendation in this report, officers will seek to recruit a development surveyor in order to progress the initiatives outlined in the exempt Income Generation Proposals report presented to Hub Committee on 22nd March 2016.

6.0 Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/ Governance	Y	If any asset development recommendation is adopted a detailed business case will need to be prepared and brought back before the Councils for approval. The full legal and financial implications must be considered as part of any business case review. The development surveyor will be well placed to prepare such a business case.
Financial	Y	At Full Council on 5 th April 2016, West Devon Members agreed a number of Income Generation Initiatives in principle. The s151 officer will ensure that any income initiative taken forward will adhere to Council guidelines and borrowing, if required and approved, will remain within prudent limits. If approved, the joint post will be funded from the "Invest to Earn" earmarked reserve in 2016/17 and then will be treated as a cost pressure from 2017/2018 onwards. South Hams approved the recruitment of their 60% share of the Level 4 Development Surveyor role at a Special Council meeting held on 7th April 2016.
Risk	Y	Risk implications will be considered on an individual project business case basis.
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	N/A

Supporting Information

Resource to Deliver Income Generation Proposals

Background Papers:

- Income Generation Proposals – presented to Hub Committee on 22nd March 2016 (Exempt Report). Approved by Full Council on 5th April 2016.

Approval and clearance of report

Process checklist	Completed
Portfolio Holder briefed	Yes
SLT Rep briefed	Yes
Relevant Exec Director sign off	Yes
Data protection issues considered	Yes
If exempt information, public (part 1) report also drafted	No

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