

South Hams Council



Title:	Agenda																												
Date:	Thursday, 9th February, 2017																												
Time:	2.00 pm																												
Venue:	Council Chamber - Follaton House																												
Full Members:	<p style="text-align: center;">Chairman Cllr Smerdon Vice Chairman Cllr Cuthbert</p> <p><i>Members:</i></p> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">Cllr Baldry</td> <td style="width: 33%;">Cllr Hodgson</td> </tr> <tr> <td>Cllr Bastone</td> <td>Cllr Holway</td> </tr> <tr> <td>Cllr Birch</td> <td>Cllr Hopwood</td> </tr> <tr> <td>Cllr Blackler</td> <td>Cllr May</td> </tr> <tr> <td>Cllr Bramble</td> <td>Cllr Pearce</td> </tr> <tr> <td>Cllr Brazil</td> <td>Cllr Pennington</td> </tr> <tr> <td>Cllr Brown</td> <td>Cllr Pringle</td> </tr> <tr> <td>Cllr Cane</td> <td>Cllr Rowe</td> </tr> <tr> <td>Cllr Foss</td> <td>Cllr Saltern</td> </tr> <tr> <td>Cllr Gilbert</td> <td>Cllr Steer</td> </tr> <tr> <td>Cllr Green</td> <td>Cllr Tucker</td> </tr> <tr> <td>Cllr Hawkins</td> <td>Cllr Vint</td> </tr> <tr> <td>Cllr Hicks</td> <td>Cllr Wingate</td> </tr> <tr> <td>Cllr Hitchins</td> <td>Cllr Wright</td> </tr> </table>	Cllr Baldry	Cllr Hodgson	Cllr Bastone	Cllr Holway	Cllr Birch	Cllr Hopwood	Cllr Blackler	Cllr May	Cllr Bramble	Cllr Pearce	Cllr Brazil	Cllr Pennington	Cllr Brown	Cllr Pringle	Cllr Cane	Cllr Rowe	Cllr Foss	Cllr Saltern	Cllr Gilbert	Cllr Steer	Cllr Green	Cllr Tucker	Cllr Hawkins	Cllr Vint	Cllr Hicks	Cllr Wingate	Cllr Hitchins	Cllr Wright
Cllr Baldry	Cllr Hodgson																												
Cllr Bastone	Cllr Holway																												
Cllr Birch	Cllr Hopwood																												
Cllr Blackler	Cllr May																												
Cllr Bramble	Cllr Pearce																												
Cllr Brazil	Cllr Pennington																												
Cllr Brown	Cllr Pringle																												
Cllr Cane	Cllr Rowe																												
Cllr Foss	Cllr Saltern																												
Cllr Gilbert	Cllr Steer																												
Cllr Green	Cllr Tucker																												
Cllr Hawkins	Cllr Vint																												
Cllr Hicks	Cllr Wingate																												
Cllr Hitchins	Cllr Wright																												
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. Minutes

1 - 16

to approve as a correct record and authorise the Chairman to sign the minutes of the meeting of the Council held on 15 December 2016

2. Urgent Business

the Chairman to announce if any item not on the agenda should be considered on the basis that he considers it as a matter of urgency (any such item to be dealt with under item 7 below);

3. Confidential Business

the Chairman to inform the meeting of any confidential item of business;

4. Exempt Information

to consider whether the consideration of any item of business would be likely to disclose exempt information and if so the category of such exempt information;

5. 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;

6. Chairman's Engagements

7. Business Brought Forward by the Chairman

to consider business (if any) brought forward by the Chairman as reported under item 2 above;

8. Questions

to consider the following question received in accordance with Council Procedure Rule 8.

(a) From Cllr Hodgson to Cllr Tucker, Leader of Council

"Last August I requested that Mr Harry Barton, CEO of the Devon Wildlife Trust provided an address or workshop on how wildlife can be considered and supported through the planning system. Since then I have made repeated requests

and been given at least three assurances that this has been agreed and is being arranged. This presentation would benefit our policies in the forthcoming JLP and inform decision making at DM Committee; when will it take place?"

(b) From Cllr Hodgson to Cllr Wright, lead Executive Member for Support Services

"Is this Council fulfilling its legal obligations to support and protect wildlife and its associated habitats? Recent recommendations by planning officers to DM committee to approve planning applications that cut through wildlife corridors are being supported by Members, yet in some cases the impacts on the ecology and protected species have not been fully explored or even passed to our in-house ecologist for a view."

9. Notices of Motion

to consider the following motions received in accordance with Council Procedure Rule 10.1:

(a) By Cllrs Green and Hodgson

"The Council will undertake an assessment of the Parkers Barn site in Totnes to determine its suitability and economic viability as a location for affordable housing possibly in conjunction with a Community Land Trust, with a view to the potential purchase of the site, which could also provide improved access for residents of the Riverside housing development."

(b) By Cllrs Green and Baldry

"Dialogue and cooperation between councillors from different political parties leads to increased understanding and informed decision making. As such it is actively encouraged by the Council."

(c) By Cllrs Hodgson and Green

"This Council supports a policy of requesting a comprehensive ecological report with appropriate wildlife surveys for any planning application in close proximity, adjacent to or including a Devon Bank, Wildlife Corridor or protected wildlife habitat."

10. Budget Proposals 2017/18

11. Local Authority Controlled Company Business Case

Please note: This item has been deferred.

12. Pay Policy Statement, Review of Group Managers Salary and Pay and Reward Strategy 2017 **31 - 52**

13. Reports of Bodies

to receive and as may be necessary approve the minutes and recommendations of the under-mentioned Bodies

* Indicates minutes containing recommendations to Council

(a) Executive - 15 December 2016 **53 - 56**

(b) Audit Committee* - 12 January 2017 **57 - 62**

(c) Development Management Committee - 18 January 2017 **63 - 74**

(d) Joint Overview & Scrutiny Panel / Development Management Committee -19 January 2017 **75 - 84**

(e) Overview & Scrutiny Panel - 19 January 2017 **85 - 88**

(f) Executive* - 2 February 2017

To Follow

MINUTES OF THE MEETING OF THE SOUTH HAMS DISTRICT COUNCIL HELD AT FOLLATON HOUSE, TOTNES ON THURSDAY 15 DECEMBER 2016

MEMBERS

* Cllr P C Smerdon – Chairman

* Cllr P K Cuthbert – Vice-Chairman

* Cllr K J Baldry	* Cllr T R Holway
∅ Cllr H D Bastone	* Cllr N A Hopwood
* Cllr J P Birch	* Cllr D W May
* Cllr J I G Blackler	* Cllr J A Pearce
* Cllr I Bramble	* Cllr J T Pennington
* Cllr J Brazil	* Cllr K Pringle
* Cllr D Brown	* Cllr R Rowe
* Cllr B F Cane	* Cllr M F Saltern
* Cllr R J Foss	* Cllr R C Steer
* Cllr R D Gilbert	* Cllr R J Tucker
* Cllr J P Green	* Cllr R J Vint
∅ Cllr J D Hawkins	∅ Cllr L A H Ward
∅ Cllr M J Hicks	* Cllr K R H Wingate
* Cllr P W Hitchins	* Cllr S A E Wright
* Cllr J M Hodgson	

* Denotes attendance

∅ Denotes apology for absence

Officers in attendance and participating:

For all items: Head of Paid Service; Executive Director (Service Delivery and Commercial Development); Monitoring Officer; Joint Local Plan Project Manager; and Senior Specialist – Democratic Services

53/16 **PETITION – SALCOMBE ROAD SWEEPER**

Upon the commencement of the meeting, the Chairman received a petition from Salcombe residents calling for the return of Mr Chad Benson to the role of road sweeper for the town of Salcombe.

The Chairman proceeded to exercise his discretion to permit the petition organiser to make a short representation to the Council. In so doing, the representative paid tribute to Mr Benson and urged Council officers to reconsider their decision and to reinstate him to the position of road sweeper for Salcombe.

54/16 **MINUTES**

The minutes of the meeting of Council held on 29 September 2016 and the Special Council meeting held on 27 October 2016 were both confirmed as a correct record and signed by the Chairman.

55/16 **DECLARATIONS OF INTEREST**

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

56/16 **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman made reference to the following announcements:-

- his wish to thank Members for their support with his Christmas Raffle Draw, which had raised £300 for his chosen charity (South Brent Caring);
- his Christmas refreshments. The Chairman proceeded to invite all Members to his office (upon the rising of this meeting) for light refreshments.

57/16 **QUESTIONS**

It was noted that six questions had been received in accordance with Council Procedure Rule 8.

The Chairman advised that, since Cllr Hicks had forwarded his apologies to this meeting, he would respond to question (a); Cllr Tucker would reply to question (b); and Cllr Pearce would respond to questions (c), (d), (e) and (f)

From Cllr Hodgson to Cllr Hicks, lead Executive Member for the Joint Local Plan

- (a) *'Can the controversial proposed development site T3 in the centre of Totnes be removed from the Joint Local Plan with the provision that Totnes Neighbourhood Plan group is allowed to propose how appropriate areas or zones of this site should be redeveloped?'*

At this point, the Chairman informed that, since this question would potentially pre-empt the debate on the motion submitted by Cllrs Rowe and Holway later in the meeting, he had been advised that it would be inappropriate for a response to be given to this question at this time.

From Cllr Baldry to Cllr Hicks, lead Executive Member for the Joint Local Plan

- (b) *'You are quoted in the Press as saying "Sherford is about building local homes for local people". Is this an accurate report? If it is in what legal way do you see it possible to enforce that Sherford dwellings are occupied/owned by local people?'*

In response, Cllr Tucker advised that a minimum of 1,000 affordable and rental houses would be built at Sherford. However, those properties that were ultimately sold on the open market could be purchased by anyone.

In his supplementary question, Cllr Baldry stated that this was clearly an incorrect statement drafted by the Communications Team and he urged Executive Members to ensure that comments that were attributed to them were factually correct.

From Cllr Birch to Cllr Hicks, lead Executive Member for the Joint Local Plan

(c) *'What situation is envisaged whereby the T3 Area becomes 'vulnerable to approach by any developer' bearing in mind the fact that the area is owned by SHDC?'*

In response, Cllr Pearce advised that, as Cllr Birch would no doubt be aware, any developer could apply for permission on any land regardless of whether they owned it or not. It was necessary only to serve a Certificate B on the registered owner before submitting. Having said that, Cllr Pearce did assure Cllr Birch that the Council had no intention of acceding to any approach by any developer on this site.

In reply to a supplementary question regarding any such future plans for this Area, Cllr Pearce reiterated that she was personally not aware of any future intention to accede to any approach from any developer on this site.

From Cllr Birch to Cllr Hicks, lead Executive Member for the Joint Local Plan

(d) *'Has the District Council's officers held any discussions with developers and/or their agents concerning:*

*(i) the possible future development of the T3 area or any parts of it?
and*

(ii) the possible future sale of the T3 area or parts of it?'

In reply, Cllr Pearce informed that there had been no discussions between officers and any prospective purchasers. The Council presently had no intention of selling any part of this land nor for the moment did it envisage any such sale.

In reply to a supplementary question regarding the future plans for this Area, Cllr Pearce reiterated that she was personally not aware of any future intention to hold any such discussions.

From Cllr Birch to Cllr Hicks, lead Executive Member for the Joint Local Plan

(e) *'Has the District Council's officers held any discussions with commercial property agents and/or residential estate agents concerning:*

- (i) the possible future sale of the T3 area or any parts of it? and*
- (ii) the valuation of the T3 area or parts of it?'*

In reply, Cllr Pearce informed that there had been no discussions between officers and any prospective purchasers. The Council presently had no intention of selling any part of this land nor for the moment did it envisage any such sale.

In reply to a supplementary question regarding any future proposals for this Area, Cllr Pearce reiterated that she was personally not aware of any future intention to hold any such discussions.

From Cllr Birch to Cllr Hicks, lead Executive Member for the Joint Local Plan

(f) *'Are there any internal council reports prepared by officers dealing with the possible future sale of the T3 area or part of it?'*

In response, Cllr Pearce confirmed that, to the knowledge of the officers presently working for the Council, there had been no such reports. In addition, no such reports had been able to be traced.

Cllr Birch proceeded to ask a supplementary question regarding whether or not there was a likelihood of any such internal reports being produced in the future. In reply, Cllr Pearce advised that, at this time, she was not aware of any intention for any such reports to be prepared.

58/16

NOTICES OF MOTION

It was noted that one motion had been received in accordance with Council Procedure Rule 10.1.

(a) By Cllrs Green and Hodgson

"In response to rising concerns regarding the role of the Local Enterprise Partnership in participating in the bid for public funding to finance the HOSW Devolution bid, this Council calls for LEP Board Members to be bound by the same code of conduct as Publicly Elected Representatives."

In introducing the motion, the proposer made reference to:-

- a recent national media report that had claimed that over 250 payments had been made (amounting to over £100 million) by LEP Board Members that involved obvious conflicts of interest;

- his motion both seeking to protect LEP Board Members and encourage transparency;
- his general view that, across the country, the local government overview and scrutiny function had not been sufficiently scrutinising LEP's. When considering the huge sums of public expenditure involved, the Proposer felt this to be regrettable.

In the ensuing debate, the following points were raised:-

- (a) Some Members informed that LEP Board Members were subject to the same rules and guidance in respect of registering and declaring their interests. Furthermore, a Member had reviewed the South West LEP website and found that most Board Members had declared their respective interests. However, it was also acknowledged that not all Board Members appeared to have complied with this requirement;
- (b) With regard to the overview and scrutiny of the LEP, the view was expressed that the County Council would probably be taking a lead in this regard. As a consequence, the Chairman of the Overview and Scrutiny Panel requested that the Head of Paid Service check whether this was the case and, if it was not, he would be more than happy for this Council's Panel to take on ownership of this matter;
- (c) Whilst supporting the sentiments of the motion, a Member did highlight the importance of the most appropriate industry representatives being involved on LEP Boards;
- (d) A Member stressed his total opposition to the principle of LEP Boards and felt it to be regrettable that such emphasis, responsibility and power was being given to these unelected bodies.

It was then:

RESOLVED

In response to rising concerns regarding the role of the Local Enterprise Partnership in participating in the bid for public funding to finance the HOSW Devolution bid, this Council calls for LEP Board Members to be bound by the same code of conduct as Publicly Elected Representatives.

(b) By Cllrs Hodgson and Green

"In the light of the proposed NHS cuts and the likely impact on local care services, the HOSW Devolution Bid should include a request for funding to secure a health service which looks after the needs of all those living in Devon and Somerset."

In her introduction, the proposer highlighted that:

- there was a huge amount of community concern regarding these cuts, which were becoming an even bigger issue in light of the aging population;
- Health and Wellbeing was an important component of the Devolution Bid;
- a similar motion had been approved by Devon County Council at its meeting on 8 December 2016.

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

- (i) Some Members were of the view that, when considering the aging population and the rural nature of Devon, the NHS changes were wholly unsuitable to this area. To mitigate against the impact, it was felt that this motion was suggesting a potential solution;
- (ii) It was noted that central government had indicated that it would not devolve such powers as part of any Devolution Bid;
- (iii) Some Members supported the thrust of the motion, but were of the view that there may be better means of attracting appropriate funding. Furthermore, it was confirmed that extensive lobbying to central government was currently taking place and an announcement regarding social care funding was anticipated imminently.

It was then:

RESOLVED

In the light of the proposed NHS cuts and the likely impact on local care services, the HOSW Devolution Bid should include a request for funding to secure a health service which looks after the needs of all those living in Devon and Somerset.

(c) By Cllrs Green and Hodgson

“The Council will consider allowing Neighbourhood Plan groups to decide to develop recommendations for specific sites and remove these sites from the JLP on condition that the estimated number of dwellings included in the JLP for that Neighbourhood Plan area is not reduced.”

In his introduction, the proposer was of the view that the Council should create the provision (where there was good reason) for certain areas to be removed from the Joint Local Plan (JLP) and into Neighbourhood Plans. In addition, he considered this motion to be timely in advance of the Special Council meeting on 2 March 2017 to consider the next stage of the JLP process.

In the ensuing discussion, the point was made that the prescribed legal process should be allowed to run its course and approval of this motion at this time would make the whole JLP process somewhat vulnerable. Whilst the Council would aspire to achieve the intention of this motion, it was currently considered to be too early in the process, with it being more appropriate for Neighbourhood Plan groups to influence the programme at the March 2017 consultation stage.

When put to the vote, this motion was declared **LOST**.

(d) By Cllrs Vint and Birch

“That this Council:

notes the ruling of the High Court (Case No: CO/2241/2016) in support of a housing policy known as ‘H2. Full Time Principal Residence Requirement’ as set out in St Ives Area Neighbourhood Development Plan and which provides that: ‘New second homes and holiday lets will not be permitted at any time..’ and

supports and encourages Town and Parish Councils within the South Hams District to adopt similar policies in their own Neighbourhood Development Plans.”

The proposer introduced the motion and highlighted the implications of the high court decision whereby town and parish councils now had the power to specify the types of homes that were permitted to be built.

In discussion, reference was made to:

- (i) a suggested amendment to the motion. Since it was considered to be the Council’s role to be in a neutral position regarding the formulation of a Neighbourhood Plan, a Member suggested that the words ‘*and encourages*’ should be deleted from the motion. The proposer and seconder of the motion confirmed their willingness to accept this suggestion and the substantive motion was updated accordingly;
- (ii) support for the motion. Some Members commented that the Council should do everything it could to take advantage of this landmark ruling;
- (iii) reference to ‘holiday lets’. Whilst there was confusion regarding whether or not reference was included to ‘holiday lets’ in the policy, since the motion included the words ‘*to adopt similar policies*’, then there was considered to be sufficient flexibility to enable Members to support its approval;

It was then:

RESOLVED

That this Council:

notes the ruling of the High Court (Case No: CO/2241/2016) in support of a housing policy known as 'H2. Full Time Principal Residence Requirement' as set out in St Ives Area Neighbourhood Development Plan and which provides that: 'New second homes and holiday lets will not be permitted at any time..' and

supports Town and Parish Councils within the South Hams District to adopt similar policies in their own Neighbourhood Development Plans.

(e) By Cllrs Ward and Holway

"The Council develops a plan to become more dementia aware, particularly for customer facing staff and to support the development of dementia awareness in the community."

(NOTE: in the absence of Cllr Ward, Cllr Holway proposed the motion, which was then seconded by Cllr Cuthbert.)

In his introduction, the proposer stated that there was scope for the Council to set more of an example in this respect. Furthermore, the proposer felt that there was the need for emphasis to be given to Dementia Awareness in the Member Learning and Development Plan.

In discussion, the seconder highlighted that awareness of dementia was as important as actual funding provision.

It was then:

RESOLVED

The Council develops a plan to become more dementia aware, particularly for customer facing staff and to support the development of dementia awareness in the community.

(f) By Cllrs Rowe and Holway

"We propose that the area known as T3 should be removed from the Joint Local Plan."

In her introduction, the proposer provided an extensive history of the area known as T3 and emphasised the importance of this site to the town of Totnes. In her conclusion, the proposer stressed her wish for the T3 area to be left alone and she therefore did not wish to see the site remain in the Joint Local Plan (JLP).

In the ensuing debate, reference was made to:-

- (a) an amendment. The following amendment was **PROPOSED** and **SECONDED** as follows:

“This Council appreciates support from the Council’s officers to consider the Market Square in Totnes as a non-designated heritage asset and further the Council supports the work being done to designate Leechwell Gardens as a public open space. For this reason, the two areas will remain in the Local Plan. Further, the Grove School site and all the remaining sites in the Totnes Central Area will be removed from the Joint Local Plan.”

In support of her amendment, the proposer informed that:

- the Market Square was in the Conservation Area;
- the Grove School would not be relocating;
- the parking area would remain as a parking area;
- the amendment would have no overall effect on the JLP and the lead officer had been consulted and was content with this wording; and
- there would be a further opportunity for views to be expressed during the March 2017 consultation stage.

In contrast, other Members felt that this amendment presented a number of potential loopholes and it did not go far enough to reassure the local community. In particular, the lack of reference to removal of the proposed 70 dwellings was felt to be a real cause for concern.

Whilst the point was made on a number of occasions that professional officer advice had advised that removal at this time of the area known as T3 would seriously jeopardise the entire JLP process, several other Members wished to refute this claim and highlighted that areas T5, T6 and T8 had already been removed.

When put to the vote, the amendment was declared **CARRIED** and therefore became the substantive motion;

- (b) a further amendment. A further amendment was **PROPOSED** and **SECONDED** as follows:

*“This Council appreciates support from the Council’s officers to consider the Market Square in Totnes as a non-designated heritage asset and further the Council supports the work being done to designate Leechwell Gardens as a public open space. For this reason, the two areas will remain in the Local Plan. Further, the Grove School site and all the remaining sites in the Totnes Central Area **together with the allocation of 70 dwellings** will be removed from the Joint Local Plan.”*

In support of the motion, some Members felt that the amendment would provide clear guidance to officers before the JLP was next presented to the Special Council meeting on 2 March 2017 for consideration. Officers again emphasised their advice that the removal of the 70 dwellings at this stage would jeopardise the entire JLP process. This point was again disputed by some Members.

When put to the vote, the amendment was declared **LOST**.

It was then:

RESOLVED

This Council appreciates support from the Council's officers to consider the Market Square in Totnes as a non-designated heritage asset and further the Council supports the work being done to designate Leechwell Gardens as a public open space. For this reason, the two areas will remain in the Local Plan. Further, the Grove School site and all the remaining sites in the Totnes Central Area will be removed from the Joint Local Plan.

(g) By Cllrs Hodgson and Green

"In the event that SHDC approves the Local Authority Controlled Company to deliver services on behalf of this Council, then a local referendum to ascertain public support would be held. (This could be held as part of the proposed referendum next March on a Combined Authority of Devon and Somerset)."

The proposer introduced her motion and emphasised how strongly she felt about the methods by which the Council undertook its consultation exercises. Whilst she acknowledged that there were cost implications, a decision on the Local Authority Controlled Company (LACC) was so significant that she considered that it merited a local referendum.

In discussion, reference was made to:-

- (a) referendums. Whilst some Members stated their support for the principle of a referendum, other Members were of the view that elected representatives were in place to represent their local communities;
- (b) an operational decision. Since a decision on whether or not to establish a LACC would be an operational matter for the Council to ultimately determine, a Member advised that he could not support this motion.

When put to the vote, the motion was declared **LOST**.

59/16

APPOINTMENT OF SALCOMBE HARBOUR BOARD CO-OPTED MEMBER

Members considered a report that sought to approve the appointment of a Co-Opted Member to the Salcombe Harbour Board.

In discussion, both the Leader of the Council and the Chairman of the Board confirmed that the recommended candidate had been subject to the normal recruitment and selection process.

It was then:

RESOLVED

That, with immediate effect, Ali Jones be appointed to the Salcombe Harbour Board as a Co-Opted Member for the period to the date of the Annual Council meeting in May 2020.

60/16

REPORTS OF BODIES

(a) Salcombe Harbour Board – 26 September 2016

SH.17/16: Strategic Business Plan 2017/22

RESOLVED

That the Salcombe Harbour Board's Strategic Business Plan 2017/22 be adopted.

SH.18/16: 2017/18 Budget

RESOLVED

That the proposed 2017/18 budget (as set out in the agenda report presented to the Board) be approved.

SH.19/16: Proposed Charges 2017/18

Whilst it was regrettable, the Chairman of the Board advised that the recommended increases in security charges were as a consequence of a recent spate of marine related crime on the Estuary.

RESOLVED

That the proposed charges (as set out in the appendix to the published Board minutes) be approved for implementation from 1 April 2017.

(b) Overview & Scrutiny Panel – 6 October 2016

(c) Executive – 20 October 2016

E.33/16: Annual Review of Health and Safety Policy

RESOLVED

That the revised Health and Safety Policy be adopted before it is then signed by the Head of Paid Service and the Leader of the Council.

E.34/16(b): Reports of Other Bodies: Overview and Scrutiny Panel – 4 August 2016

O&S.17/16: Task and Finish Group Updates

(a) Partnerships – Update Report

RESOLVED

1. That the Partnership Policy (as outlined at Appendix 1 of the presented agenda report to the Panel) and Guidance (as outlined at Appendix 2 of the presented agenda report to the Panel) be adopted;
2. That the Partnership Register (as outlined at Appendix 3 of the presented agenda report to the Panel) be adopted;
3. That the review and recommendations of the Task and Finish Group (as outlined at Appendix 4 of the presented agenda report to the Panel) be agreed;
4. That partnerships be retained at current financial levels for 2017/18, subject to any financial modifications (as set out in Appendix 4 of the presented agenda report to the Panel) and/or any changes required pursuant to the ongoing reviews into the partnership arrangements with the CAB and CVS;
5. That new, or updated, Partnership agreements be established for 2017/18 onwards establishing clear outcomes relating to Our Plan themes and, where appropriate, the Locality work to ensure co-ordinated delivery for communities; and
6. That alongside this, a further financial and governance review be undertaken to identify the most appropriate delivery options aligned to financial and procurement procedures once a decision on the LACC is confirmed.

E.36/16: Fleet Replacement

RESOLVED

1. That Option 3(a) be adopted as the Fleet Replacement Programme for the Council (as outlined in paragraph 4.4 of the presented agenda report to the Executive);

2. That the contribution to the vehicle replacement earmarked reserve be re-profiled in accordance with Option 3(a) (as shown in Table 6 of the presented agenda report to the Executive) to ensure the budget is aligned to the timing of the vehicle purchases up to March 2022;
3. That £35,000 be utilised from the 2016/17 Capital Programme Contingency Budget to fund the shortfall in 2016/17 (this recommendation is subject to the Option chosen and is based on Option 3(a) being recommended); and
4. That minor amendments to the Fleet Replacement Programme be delegated to the Waste Manager (Operations) and the Section 151 Officer, in consultation with the lead Executive Members for Commercial Services and Support Services.

(d) Development Management Committee – 26 October 2016

(e) Overview & Scrutiny Panel – 3 November 2016

(f) Salcombe Harbour Board – 21 November 2016

SH.27/16: Update on the Local Authority Controlled Company (LACC)

For clarity, Members were advised that the information that had been relayed to the Board in relation to the LACC had been correct at the time of that meeting (21 November 2016).

SH.29/16: Early Repayment of Loans with South Hams District Council

Members noted that the recommended early repayment of loans would equate to a loss of income to the Council of £111,000. Whilst the recommendation was in the best interests of the Harbour Board, it was also noted that the Leader and the lead Executive Member for Support Services had been consulted, and had agreed this approach, prior to the report being prepared.

It was then:

RESOLVED

1. That the early capital repayment of £30,000 of the Residents pontoons loan in 2017/18, to be funded from the Harbour's pontoons Reserve be agreed;
2. That the early capital repayment of £114,000 of the Batson pontoons loan in 2019/20, to be funded from the Harbour's pontoons Reserve be agreed; and
3. That the contribution to the Council's Marine Infrastructure Reserve in 2017/18 be increased from £46,300 to £58,000, to reflect the annual depreciation of the Council's marine assets.

(g) Development Management Committee – 23 November 2016

DM.46/16: Review of Site Inspection Protocol

RESOLVED

1. That the revised Site Inspection Protocol (as presented at Appendix A to the Committee report) be adopted; and
2. That authority to make minor amendments be delegated to the COP Lead Specialist Development Management, in consultation with the Chairman of the Development Management Committee.

(h) Overview & Scrutiny Panel – 24 November 2016

O&S.51/16: Latest Published Executive Forward Plan (b) Allocations Policy and Devon Home Choice Policy Review

Panel Members reiterated the concerns that were raised at this meeting in respect of the service being provided by the Devon Home Choice Partnership.

(i) Licensing Committee – 24 November 2016

L.07/16: Licensing of Taxi Drivers Policy

RESOLVED

That the draft Taxi Driver Licensing Policy (as outlined at Appendix B of the agenda report presented to the Committee) be adopted to come into effect from 1 January 2017.

L.08/16: Taxi Fare Setting Formula and Policy

RESOLVED

1. That the policy and associated formula for setting taxi fares in the South Hams be approved and that approval also be given to the use of the South Hams average annual wage as the basis for this formula;
2. That the draft Maximum Chargeable Fare Setting Policy be adopted; and
3. That the Constitution be amended to delegate to the Community of Practice Lead for Environmental Health authority to use the approved formula to set the cost per mile for taxi fares.

L.09/16: Delegation of Powers for Determinations of Certain Licensing Functions

RESOLVED

That the amendments proposed to the Constitution in relation to the delegation of powers for the determination of licensing decisions, as attached at Appendix A of the report presented to the Committee, subject to inclusion of the following additional responsibility:

'To determine to revoke or suspend a Hackney Carriage / Private Hire Driver or Private Hire Operator Licence.'

L.10/16: Licensing of Pleasure Boats and Pleasure Boatmen

RESOLVED

1. That the South West Regional Ports Association guidelines for the licensing of Pleasure Boats and Pleasure Boatmen licences; and
2. That the Constitution be amended whereby the power to grant, withhold, revoke or suspend Pleasure Boat and Pleasure Boatmen Licences be delegated to the Marine Officer.

(j) Executive – 1 December 2016

E.38/16: Urgent Business

(a) Overview and Scrutiny Panel – 6 October 2016

(ii) O&S.30/16: Parking Arrangements for Vehicle Tax Exempt Motorists

RESOLVED

That the arrangements for disabled vehicle tax-exempt motorists remain unchanged, but that the public consultation in respect of this be repeated.

E.41/16: Council Tax Reduction Scheme

RESOLVED

That no changes be made to the scheme for 2017/18 (i.e. the existing 2016/17 scheme be retained for 2017/18).

E.42/16: Adoption of a UAV/Drone Policy

RESOLVED

1. That the UAV/Drone Policy (as set out in the presented appendix to the Executive meeting) be formally adopted with immediate effect; and

2. That authority be delegated to the COP Lead Assets, in consultation with the lead Executive Member for Customer First to make minor amendments to the Policy as necessary.

E.46/16: Reports of Other Bodies

(b) Overview and Scrutiny Panel – 24 November 2016

O&S.55/16: Task and Finish Group Updates: (e) Permits Review

RESOLVED

That, following the work undertaken by the Permits Task and Finish Group, the parking permits available in the South Hams be amended and that the Off-Street Parking Places Order be amended as follows:

- Full and Commuter permits to be eliminated and replaced with Town Centre, Peripheral and Rural permits which will be limited to specific towns / villages. The cost of permits to be reduced to reflect the new restrictions, with the exception of Business Permits;
- Permits to become 'virtual' (i.e. customers will no longer receive a paper permit), with the exception of Business Permits;
- New permits be limited to one vehicle registration number only, with the exception of Business Permits;
- The availability of permits be limited to 10% of the total number of parking bays available for each category of permit;
- Permits currently issued free of charge to various organisations be ceased;
- Other permits which are not used often will be eliminated (as outlined at Paragraph 5.6 of the presented agenda report to the Panel);
- The Residents' Parking permit to be extended to allow parking from 3.00pm to 10.00am, with an increase in cost to £40, with this amendment being reviewed after one year;
- The cost of permits to be as outlined at Paragraph 5.8 of the presented agenda report to the Panel; and
- All leisure-related permits will be reviewed in partnership with the new leisure contractor, with the exception of permits currently issued to Tone Leisure employees.

(Meeting commenced at 2.00 pm and concluded at 4.40 pm)

Chairman

**SOUTH HAMS DISTRICT
COUNCIL**

9 FEBRUARY 2017

**2017/18
BUDGET PROPOSALS**

2017/18 BUDGET PROPOSALS – FINAL RECOMMENDATIONS

Purpose of the Report

This report provides an update of our overall financial position and details the formal proposals of the Executive to achieve a balanced budget. The minutes of the Executive meeting of 2 February 2017 are included elsewhere on this agenda and provide a more complete picture of the decisions taken.

At the time of writing the report, the Local Government Final Finance Settlement hasn't been announced. The 2017/18 budget proposals contain the provisional figures that were announced in December 2016. Given the timing of the final settlement announcement, it is requested that the Finance Community of Practice Lead (S151 Officer) is given delegated authority in consultation with the Leader of the Council, to update the budget figures if there are any changes from the provisional settlement.

The General Fund Revenue Budget, Medium Term Financial Strategy (MTFS) and the recommendations for the 2017/18 financial pressures and savings are summarised in Appendices A to D of this report. The MTFS has been rolled forward to enable Members to look ahead to future years in considering their spending plans and council tax levels.

Statutory Powers: Local Government Act 1972, Section 151
Local Government Finance Act 1992

RECOMMENDATIONS:-

(The references in the Recommendations below refer to the Appendices in this report or to the relevant Section of the 2017/18 Revenue Budget report presented to the Executive at its meeting on 2 February 2017).

It is RECOMMENDED that:

1. Council Tax is increased by £5 (which equates to a Band D council tax of £155.42 for 2017/18, an increase of £5 per year or 10 pence per week). This equates to a Council Tax requirement of £5,809,541 (as shown in Appendix B))
2. The financial pressures in Appendix B of £1,215,000 be agreed
3. The £10,000 discretionary budget bid for the Citizens Advice Bureau be agreed;
4. The schedule of savings identified in Appendix B totalling £877,800 be agreed;
5. The Collection Fund Surplus of £143,000 as shown in Appendix B be agreed ;

2017/18 BUDGET PROPOSALS – FINAL RECOMMENDATIONS

6. The level of contributions to reserves to be included within the Authority's budget, as set out in Appendix C be agreed
7. to allocate £153,900 of New Homes Bonus funding for 2017/18 to the Community Reinvestment Projects budget for 2017/18. Any under spend from the 2016/17 Community Reinvestment Projects budget of £153,900 is to be transferred into the Capital Programme Reserve.
8. to allocate £50,000 of New Homes Bonus funding to the Joint Local Plan
9. the Council earmarks £3,060 of its allocation of the New Homes Bonus for 2017/18 for the Dartmoor National Park Sustainable Community Fund, with delegated authority to the S151 Officer in consultation with the Leader and the Executive Member for Support Services to agree the final amount transferred. The funds are awarded as a one off payment to Dartmoor National Park, to award projects on an application basis administered by Dartmoor National Park. The following conditions will apply:
 - A. decisions must be taken in consultation with the South Hams District Council local Ward Member(s);
 - B. funding can only be used for capital spending on projects in those parts of Dartmoor National Park which fall within the South Hams District Council Boundaries and enable the Dartmoor National Park to carry out its social economic responsibilities; and
 - C. Dartmoor National Park reports on the progress in the application of, and use of the funds to the Overview and Scrutiny Panel, in time for budget decisions to be made
10. £75,000 of the Budget Surplus Contingency Earmarked Reserve is used to fund five additional case managers within Development Management for a period of one year
11. An income target equivalent to a 2% increase in car parking fees (£37,800) is approved for 2017/18, with consultation with communities as to how this is achieved through the community led tariffs policy.
12. The budget gap of £336,854 is closed by using £287,273 from the Budget Surplus Contingency Earmarked Reserve and £49,581 from the New Homes Bonus Reserve
13. The Council to adopt the principle that the future decision on the Dartmouth Lower Ferry (from the work of the Task and Finish Group) reduces the amount taken from the Budget Surplus Contingency Earmarked Reserve required to balance the budget.

2017/18 BUDGET PROPOSALS – FINAL RECOMMENDATIONS

14. The Council Tax Support Grant paid to Town and Parish Councils is reduced by 9.85% for 2017/18, 2018/19 and 2019/20. This equates to a payment of £91,644 for 2017/18
15. The Council should set its total net expenditure for 2017/18 as shown in Appendix B at £8,346,074
16. The minimum level of the Unearmarked Revenue Reserves is maintained at £1,500,000
17. The level of reserves as set out within the Executive report (2 February 2017) and the assessment of their adequacy and the robustness of budget estimates are noted. This is a requirement of Part 2 of the Local Government Act 2003.
18. Delegated authority is given to the Finance Community of Practice Lead (S151 Officer) in consultation with the Leader of the Council to update the budget if there are any changes to the Government Finance Settlement when the final announcement is made.

Recommendations from the Capital Programme Budget Proposals report for 2017/18 (from Agenda Item 7 on the Executive meeting held on 2 February 2017)

19. To approve the Capital Programme Proposals for 2017/18, which total £2,415,000
20. To remove the 2016/17 capital projects from the capital programme of £295,000 following the budget scouring exercise
21. To use the remaining capital programme contingency from the 2015/16 and 2016/17 programmes, totalling £167,000, to meet the increased costs detailed in Exempt Appendix D of Item 7 Capital Programme Budget Proposals report for 2017/18 (Executive agenda 2 February 2017)
22. To finance the 2017/18 capital programme of £2,415,000 from the funding sources set out in Section 4 of Item 7 Capital Programme Budget Proposals report for 2017/18 (Executive agenda 2 February 2017)

Officer contact:

Lisa Buckle, Finance Community of Practice Lead
lisa.buckle@swdevon.gov.uk 01803 861413

2017/18 BUDGET PROPOSALS – FINAL RECOMMENDATIONS

Part 1: The Executive's considerations in arriving at its final proposals for financial pressures, savings and Council Tax (Executive meeting held on 2th February 2017).

1. Over the last six months, the Executive has given the budget very detailed consideration and has undertaken consultation on budget proposals. This process has enabled and informed Members in their consideration of the appropriate level of service provision and council tax levels.
2. The Executive are recommending increasing council tax by £5 and are recommending that Full Council approve this. This would mean the council tax would increase to £155.42 for 2017/18, an increase of £5 per year or 10 pence per week.
3. At a Members' Budget Setting Workshop held on 21 September 2016, there was early support for increasing council tax by the maximum allowable percentage. At this event it was recognised that this measure would increase the base budget for ensuing years and protect the delivery of services and the Council's financial resilience. To balance the budget of £8.3 million, the Council has identified £0.88 million in savings.
4. The Executive also agreed a capital works programme amounting to £2,415,000 and a budget of £153,900 for a Community Reinvestment Projects Fund. The fund will allow towns and parishes to make applications to community capital projects of £5,000 or more where "significant housing development has taken place". Projects could include community buildings, sports facilities, play areas, allotments, gardens or orchards. A report on the Community Reinvestment Projects Fund 2016/17 grant allocations will be presented to the Executive in March 2017.

Part 2: Conclusion

5. The above paragraphs summarise the overall position faced by the Council and the considerations of the Executive in arriving at its final proposals to achieve a balanced budget.
6. The proposed budget will leave the Council on a firm financial footing with a level of reserves which will help us manage the impact of cutbacks in Central Government funding over the coming years.
7. The Council has already had a reduction in Government funding of 40% since 2010. On top of this, the Finance Settlement stated that the Council's funding from Government Grant and Business Rates will reduce by a further 39% between now and 2019/20. By 2018/19 the Council will receive no Government funding (Revenue Support Grant) and the Council will need to be self-sufficient. The Council is currently facing a budget gap in 2018/19 of £0.56 million as shown in Appendix B.

2017/18 BUDGET PROPOSALS – FINAL RECOMMENDATIONS

8. The financial standing of the Council, despite the challenges we face, remains sound and secure. The Council has sufficient reserves and balances to provide financial resilience for 2017/18 and future years. The Council continues to do everything it can to make sure that residents, businesses and front-line services come first. Forward planning has allowed us to ease the pressures on front line services and for those in our community who face financial difficulties.
9. In this financial climate, income generation becomes a key priority area. The Council will continue to maximise its current sources of income through business development, ensuring the maximum utilisation of our assets, identifying new income streams, and actively pursuing all opportunities to increase the resources available and further reduce costs.
10. Strong financial management over many years and the continual drive for efficiency has enabled the Council to accommodate service pressures while still maintaining a low level of council tax. This is a budget to maintain frontline services and the longer term future of the Council. I commend the budget proposals to the Council.

Councillor R J Tucker
Leader of the Council

APPENDICES

Appendix A – Summary of Budget pressures, savings and income generation and contributions to Earmarked Reserves

Appendix B – Summary of Budget Position for the years 2017/18 to 2021/22

Appendix C – Analysis of Contributions to/ (from) Earmarked Reserves

Appendix D – Summary of Revenue Budget for 2017/18

BACKGROUND PAPERS

Executive 2 February 2017 – Item 6 Revenue Budget Proposals 2017/18

Executive 2 February 2017 – Item 7 Capital Budget Proposals 2017/18

Executive 15 September 2016 – Medium Term Financial Strategy 2017/18 to 2021/22

BUDGET PROPOSALS 2017/18 FEBRUARY 2017
(This shows the changes to the existing Base Budget)

APPENDIX A

(These items were as listed in Item 6 of the Revenue Budget Proposals 2017/18 report presented to the Executive on 2 February 2017)

	Yr1 2017/18	Yr2 2018/19	Yr3 2019/20	Yr4 2020/21	Yr5 2021/22
	£	£	£	£	£
BUDGET PRESSURES					
Inflation and increases on goods and services	310,000	270,000	270,000	270,000	270,000
Triennial Pension revaluation	125,000				
Reduction in planning fee income	125,000				
Salaries - provision for pay award at 1%	90,000	90,000	90,000	90,000	90,000
National Living Wage and National Insurance	75,000	50,000	50,000	25,000	25,000
Salaries for Environmental Services manual workers	75,000				
Reduction in recycling income	85,000				
Torr Quarry Transfer Station haulage costs	30,000				
Planning Community of Practice	50,000				
Sherford project team	45,000				
Reduction in Housing Benefit administration subsidy and Council Tax Support Admin Grant	40,000	40,000	40,000		
Reduce saving on waste round review	40,000				
Reduction in treasury management income	25,000	10,000	10,000		
Cost of lease renewal	20,000				
Staff resource - Finance Community of Practice	15,000				
Reduction in other income areas (S106 contribution income, Follaton room hire, pannier market income and Leisure third party income)	95,000				
Specialist resource - Waste and Cleansing options review and delivery reverse a one-off budget in 16/17	(30,000)				
TOTAL BUDGET PRESSURES	1,215,000	460,000	460,000	385,000	385,000

Changes to contributions to Earmarked Reserves

Vehicle Fleet Replacement Reserve	146,000	(197,000)			(13,000)
Contribution to Land and Development Reserve	50,000				
Contribution to IT Development Reserve	50,000				
Contribution to Sustainable Waste Management Reserve	25,000				
Contribution to Planning Policy and Major Developments Reserve	25,000	25,000	25,000		
Transformation Project (T18) - Approved at 11 December 2014 Council Contribution to Strategic Change Reserve to meet pension strain costs	66,000	(75,000)	(150,000)	(60,000)	
Total changes in contributions to Earmarked Reserves	362,000	(247,000)	(125,000)	(60,000)	(13,000)

SAVINGS AND INCOME GENERATION IDENTIFIED

	Yr1 2017/18	Yr2 2018/19	Yr3 2019/20	Yr4 2020/21	Yr5 2021/22
	£	£	£	£	£
Income from fees and charges	TBA				
Savings from re-procurement of contracts	(695,000)	0	(73,000)	(146,000)	(31,000)
Income from commercial developments	0	(95,000)			
Budget scouring savings	(55,000)				
Increase in car parking charges (2%)	(37,800)				
Reduced running costs at Follaton and additional rental income	(20,000)	(20,000)			
Income from business rated domestic properties for trade waste collection	(25,000)				
Trade Waste savings - higher income levels	(25,000)				
Review of car parking permits (Overview & Scrutiny Panel 24/11/16)	(10,000)				
Council Tax reduction scheme - 9.85% reduction in Town and Parish Grant	(10,000)				
TOTAL SAVINGS AND INCOME GENERATION	(877,800)	(115,000)	(73,000)	(146,000)	(31,000)

MEMORANDUM

POSSIBLE FUTURE SAVINGS	Yr1 2017/18	Yr2 2018/19	Yr3 2019/20	Yr4 2020/21	Yr5 2021/22
	£	£	£	£	£
Beach and Water Safety Changes		(25,000)			
Dartmouth Lower Ferry	(100,000)				

Note: These savings have not yet been built into the Budget for 17/18 or 18/19 but are shown for illustration purposes as to possible future savings. These areas are currently being worked upon by officers but are not yet confirmed.

This page is intentionally left blank

Line No.	Appendix B - Council Tax is increased by £5 each year Modelling for the financial years 2017/18 onwards	BASE 2016/17 £	Yr1 2017/18 £	Yr2 2018/19 £	Yr3 2019/20 £	Yr4 2020/21 £	Yr5 2021/22 £
1	Base budget brought forward	8,839,401	8,751,722	8,346,075	8,220,024	8,602,263	8,700,302
2	Budget pressures (as per Appendix A)	1,690,000	1,215,000	460,000	460,000	385,000	385,000
3	Savings already identified (as per Appendix A)	(1,283,800)	(877,800)	(115,000)	(73,000)	(146,000)	(31,000)
4	Reverse T18 contributions to reserves	(1,950,000)					
5	Reduce New Homes Bonus contribution from £969,126 to £500,000 for years 2016/17 to 2019/20 - further reduce to £450,000 in 2020/21	469,126				50,000	
6	Changes in contributions to Earmarked Reserves (App A)	219,000	362,000	(247,000)	(125,000)	(60,000)	(13,000)
7	Contribution to Contingency Reserve (16/17 Budget Surplus)	767,995					
8	Reversal of budget surplus in the following year (assumes budget surpluses are only used to fund one-off investment in the year that they occur and that they do not permanently increase the base budget). Surpluses are used in the next financial year as a saving.		(767,995)			(120,239)	
	Use of Reserves to close 2017/18 Budget gap						
9	Transfer from Budget Surplus Contingency Earmarked Reserve		(287,273)	287,273			
10	Transfer from New Homes Bonus Earmarked Reserve		(49,581)	49,581			
11	Projected Net Expenditure:	8,751,722	8,346,074	8,780,929	8,482,024	8,711,024	9,041,302
	Funded By:-						
12	Council Tax income - Modelling a £5 increase each year	5,566,140	5,809,541	6,068,628	6,332,215	6,600,302	6,872,889
13	Collection Fund Surplus	210,000	143,000	100,000	90,000	90,000	90,000
14	Revenue Support Grant	749,451	245,393	0	0	0	0
15	Localised Business Rates	1,764,500	1,764,799	1,799,510	1,852,597	1,910,000	1,962,000
16	Rural Services Delivery Grant (see 4.4 and 4.5)	405,536	327,451	251,886	327,451	100,000	100,000
17	Transition Grant	56,095	55,890	0	0	0	0
18	Total Projected Funding Sources	8,751,722	8,346,074	8,220,024	8,602,263	8,700,302	9,024,889
	Budget (surplus)/ gap per year						
19	(Projected Expenditure line 11 - Projected Funding line 18)	0	0	560,905	-120,239	10,722	16,413
			Budget Gap	Budget Gap	Budget Surplus	Budget Gap	Budget Gap

Less: Contribution of Budget Surplus to an Earmarked Reserve for one-off investment. (This means a total of £120,239 is available for one-off investment for the five year period)		0	0	120,239	0	0
Resulting Budget Gap		0	560,905	0	10,722	16,413
Actual Predicted Cumulative Budget Gap (Assumes any Budget Surpluses are used for one-off investment in the year they occur and that budget surpluses are used in the following year as a saving - shown in Line 8)		0	560,905	560,905	571,627	588,040

Modelling Assumptions:	<i>An assumption of an additional 450 Band D equivalent properties per year has been included in the TaxBase and modelling above for 2018/19 onwards</i>					
Council Tax (Band D) (Modelling a £5 a year increase)	150.42	155.42	160.42	165.42	170.42	175.42
Council TaxBase	37,003.99	37,379.62	37,829.62	38,279.62	38,729.62	39,179.62

This page is intentionally left blank

ANALYSIS OF CONTRIBUTIONS TO/(FROM) EARMARKED RESERVES

Estimate 2016/17			Estimate 2017/18	
To £	(From) £		To £	(From) £
181,600		Capital Programme	181,600	
16,900		Community Parks & Open Spaces	16,900	
10,000		District Elections	10,000	
87,000		Ferry major repairs & renewals	87,000	
	(500,000)	New Homes Bonus (500,000 plus 49,581)		(549,581)
20,800		Pay & Display Equipment	20,800	
99,000		Pension Fund Strain Payments	99,000	
55,000		Repairs and maintenance	55,000	
219,000		Strategic Change Reserve	285,000	
	(7,000)	Strategic Issues		(7,000)
		Transformation (T18) Reserve		
541,000		Vehicles & Plant Renewals	687,000	
		Land and Development Reserve	50,000	
		IT Development Reserve	50,000	
		Sustainable Waste Management	25,000	
		Planning Policy and Major Developments	25,000	
2,000		Interest credited to reserves	2,000	
767,995		Budget Surplus Contingency Reserve		(287,273)
2,000,295	(507,000)	TOTALS	1,594,300	(843,854)
1,493,295		GRAND TOTAL	750,446	

This page is intentionally left blank

SUMMARY OF REVENUE EXPENDITURE

(Based on council tax being increased by £5 in 2017/18)

Budget 2016/2017		Budget 2017/2018
£	SERVICE EXPENDITURE ANALYSIS	£
2,574,000	Commercial Services	2,906,200
2,158,900	Customer First	1,953,900
2,058,758	Strategy and Commissioning	2,075,758
2,899,769	Support Services	3,092,770
9,691,427	SUB TOTAL BEFORE ACCOUNTING ADJUSTMENTS	10,028,628
	ADJUSTMENTS BETWEEN ACCOUNTING BASIS & FUNDING BASIS UNDER REGULATIONS	
(1,933,000)	Reversal of depreciation	(1,933,000)
(500,000)	Reversal of pension costs (IAS 19)	(500,000)
1,493,295	CONTRIBUTIONS TO/ (FROM) RESERVES	750,446
8,751,722	AMOUNT TO BE FUNDED FROM TAXATION AND NON-SPECIFIC GOVERNMENT GRANTS	8,346,074
	FINANCED BY:	
	Government Grant:	
(749,451)	Revenue Support Grant (RSG)	(245,393)
(1,764,500)	Business Rates	(1,764,799)
(5,566,140)	Council Tax	(5,809,541)
(210,000)	Collection Fund Surplus	(143,000)
(56,095)	Transition Grant	(55,890)
(405,536)	Rural Services Delivery Grant	(327,451)
0	BALANCE - (SURPLUS)/DEFICIT	0
150.42	Band D Council Tax (assumes a £5 increase in council tax in 2017/18)	155.42
37,003.99	Council Tax Base	37,379.62

This page is intentionally left blank

Report to: **Full Council**
Date: **9 February 2017**
Title: **PAY POLICY STATEMENT, REVIEW OF
GROUP MANAGERS SALARY AND PAY AND
REWARD STRATEGY 2017**
Portfolio Area: **Support Services**

Wards Affected: **All**

Relevant Scrutiny Committee: **Overview and Scrutiny Panel**

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

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

Author: **Andy Wilson** Role: **HR Lead Specialist**

Contact: **01803 861154: andy.wilson@swdevon.gov.uk**

RECOMMENDATIONS:

That the Council RESOLVES to:-

- 1. adopt the attached Pay Policy Statement for 2017/18;**
- 2. approve the new salary levels for the Group Managers for Commercial Services and Support Services on the terms as outlined at paragraph 5.2 below; and**
- 3. adopt the attached Pay and Reward Strategy 2017/18.**

1. Executive summary

- 1.1. The report proposes that the Council adopts the draft Pay Policy Statement (attached at Appendix A) and the Pay and Reward Strategy (attached at Appendix B) and agrees the new salary levels for the Group Managers for Commercial Services and Support Services.

- 1.2. The Council is required under the Localism Act 2011 to agree and publish a Pay Policy Statement each year.
- 1.3. The Pay Policy Statement sets out the authority's policies for the financial year relating to the remuneration of its chief officers, the remuneration of its median and lowest-paid employees and the relationship between the salary of the Head of Paid Service and the salaries of the median and lowest paid employees.
- 1.4. Under the provisions of the Pay Policy Statement, full Council approval is required to review the salaries of a Chief Officer.
- 1.5. The Pay and Reward Strategy sets out the authority's overall approach to the pay and reward of its staff.

2. Background

- 2.1. Section 38 of the Localism Act 2011 requires local authorities in England and Wales to produce and publish a statutory pay policy statement for 2012/2013 and each financial year thereafter. Once approved, the policy will be published on the Council's website.
- 2.2. The pay policy statement must be approved by a resolution of the Council before it comes into force and each subsequent statement must be prepared and approved before the end of the 31 March immediately preceding the financial year to which it relates.
- 2.3. The Political Structures Working Group recently considered a proposal to re-establish the Council's Personnel Panel. Whilst it was decided not to re-establish the Panel it was recommended that Council received an annual report setting out the Council's Pay and Reward Strategy in conjunction with the annual Pay Policy Statement.

3. Outcomes/outputs

3.1. Pay Policy Statement

- 3.2. The Hutton Report identified that the most appropriate way of measuring pay dispersion within an organisation is the multiple of Head of Paid Service to median earnings. Tracking this multiple will ensure that the Council is accountable for the relationship between the pay of its executives and the wider workforce. Through the pay policy statement, the Council can track this multiple on an annual basis.
- 3.3. If the relationship between the salary of the Head of Paid Service and the lowest paid employee exceeds a factor of 10, the Leader is required by the Localism Act to bring a report to Full Council for consideration.
- 3.4. The annual salary of the Executive Director (Strategy and Commissioning) and Head of Paid Service is £97,868.
- 3.5. The annual median salary of all employees is £19,939.

- 3.6. The annual salary of the lowest paid employee is £15,507.
- 3.7. The relationship between the remuneration of the Head of Paid Service and the median salary of all employees is 4.9.
- 3.8. The relationship between the remuneration of the Head of Paid Service and the salary of the lowest paid employee is 6.31.

3.9. Group Manager Salary Review

- 3.10. Under the terms of the Pay Policy Statement and in accordance with guidance issued by the Secretary of State, the Leader may recommend to Full Council a change in the salary paid to Chief Officers after taking advice from an independent body.
- 3.11. The current senior leadership structure was agreed by Council following the adoption of an Executive Director and Group Manager model as part of the Council's T18 Transformation Programme.
- 3.12. The Customer First Group Manager role has been vacant since January 2016 and interim responsibility for the Localities team has been delegated to the Group Manager for Commercial Services and for the wider Customer First service group to the Group Manager for Support Services. A temporary enhancement to salary was approved by Council until a review of the senior management structure was carried out.
- 3.13. The interim arrangements have not adversely affected service delivery and it is now proposed to confirm the interim arrangements and delete a Group Manager role from the Council's establishment and to confirm a new senior management structure comprising of 2 Executive Directors and 3 Group Managers.
- 3.14. In recognition of the permanent inclusion of additional responsibilities, and in accordance with the Pay Policy Statement, the Leader commissioned an independent body, iESE, to carry out research into the pay levels of comparable roles.
- 3.15. It is difficult to draw direct comparisons because a number of factors influence the level of salary, including the size of the population served, the geographic location, type of authority and the senior management structure, including any shared service arrangements.
- 3.16. The table below shows the senior management structure and associated salaries of a number of local authorities, along with the population served and comparable characteristic. The data is taken from the published Senior Pay Statements in 2016 and do not include on-costs.
- 3.17. The joint population of South Hams and West Devon is 137,000.

Local Authority	Population	Comparable characteristic(s)	Chief Executive Salary pa (£)	Other senior officer salaries pa (£)
South Kesteven DC	138,00	Population and rural district	121,530	3 x Executive Directors (80-100K) and 5 x Executive Managers (70-80K)
Eastleigh DC	137,000	Population	100,000	2 x Corporate Directors (85K), 4 x Head of Service (60K)
East Devon	137,000	Population and Devon district	111,337	Deputy CE (87,822) and 3 x Strategic Lead Officers (60-76K)
Christchurch and East Dorset	137,000	Population and Shared Service	115,000	3 x Strategic Directors (75-83K)
Taunton Deane and West Somerset	147,000	Population and Shared Service	110,000	2 x Strategic Directors (81-86K)

3.18. The data suggests that the current salaries paid to Group Managers are lower than the sample of other second-tier officers and that an increase to reflect additional responsibilities will bring the salaries more in line with the best comparable roles in other organisations.

3.19. After consideration, the Leader recommends that the salary payable to the Commercial Services and Support Services Group Managers be increased to £72,000pa with effect from 1 April 2017. Taken alongside the deletion of the former Group Manager Customer First role, the recommendation provides an annual saving of £51,154. SLT will determine a new title for the Support Services Group Manager role to reflect the new range of responsibilities.

3.20. It is not proposed to change the current salary payable to the Group Manager for Business Development (£61,000pa) because the role has not taken on any additional responsibility following the departure of the Group Manager for Customer First.

3.21. Pay and Reward Strategy

3.22. The Pay and Reward Strategy sets out the Council's approach to the pay and reward of its employees and sets out details of the overall reward philosophy, pay design and structure, applicable rates of pay and other financial and non-financial benefits available to staff.

4. Options available and consideration of risk

4.1. The Council has a legal requirement under the Localism Act 2011 to publish a Senior Pay Policy each year.

5. Proposed Way Forward

5.1. Council is asked to adopt the Pay Policy Statement at Appendix A and publish it on its website to meet its statutory requirements.

5.2. Council is asked to agree to an increase in the salary paid to the Group Managers for Commercial Services and Support Services to £72,000pa with effect from 1 April 2017 to reflect the increased responsibilities permanently allocated following the deletion of the former Customer First Group Manager role.

5.3. Council is asked to adopt the Pay and Reward Strategy at Appendix B.

6. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance	Yes	The Localism Act 2011 requires the Council to adopt and publish a Pay Policy Statement. The Pay Policy Statement required the Leader to make a recommendation to Full Council to change the salary payable to a Chief Officer.
Financial	Y	The increase in salary for the Commercial Services and Support Services Group Managers and the deletion of one Group Manager role provides an annual saving of £51,154.
Risk	N	There are no risks associated with the report, Pay Policy Statement or the Pay and Reward Strategy.
Comprehensive Impact Assessment Implications		
Equality and Diversity	N	There are no Equality or Diversity implications associated with the report, Pay Policy Statement or the Pay and Reward Strategy.
Safeguarding	N	There are no Safeguarding implications associated with the report, Pay Policy Statement or the Pay and Reward Strategy.
Community Safety, Crime and Disorder	N	There is no positive or negative impact on crime and disorder reduction associated with the report, Pay Policy Statement or the Pay and Reward Strategy.
Health, Safety and Wellbeing	N	There are no Health, Safety and Wellbeing implications associated with the report, Pay Policy Statement or the Pay and Reward Strategy.

Other implications	N	There are no other implications associated with the report, Pay Policy Statement or the Pay and Reward Strategy.
--------------------	---	--

Supporting Information

Appendices:

- A: Pay Policy Statement 2017
- B: Pay and Reward Strategy 2017

Background Papers:

- The Localism Act 2011
- Code of Recommended Practice for Local Authorities on Data Transparency (published by the Secretary of State on 29 September 2011)
- Hutton Report (published in March 2011)



PAY POLICY STATEMENT 2017/18

Purpose and scope of the Policy

1. Section 38 of the Localism Act 2011 (the Act) requires local authorities in England and Wales to produce a statutory pay policy statement for 2012/2013 and each financial year thereafter.
2. The pay policy statement must be approved by a resolution of the Council before it comes into force and each subsequent statement must be prepared and approved before the end of the preceding financial year to which it relates.
3. The Council may by resolution amend this pay policy statement at any time during the year, subject to the amended statement being published as soon as is reasonably practicable.
4. The Act requires local authorities to have regard to the guidance issued by the Secretary of State. The guidance draws upon the Code of Recommended Practice for Local Authorities on Data Transparency published by the Secretary of State on 29 September 2011, the commitment in the Coalition Agreement to strengthen councillors' powers to vote on large salary packages for council officers and the recommendations made by the Hutton Report published in March 2011 for promoting fairness in the public sector by tackling disparities between the lowest and highest paid in public sector organisations.
5. The pay policy statement brings together these strands of increasing accountability, transparency and fairness in the setting of chief officer pay.
6. The pay policy must set out the authority's policies for the financial year relating to—
 - 6.1. the remuneration of its chief officers,
 - 6.2. the remuneration of its lowest-paid employees, and
 - 6.3. the relationship between—
 - 6.3.1. (i) the remuneration of its chief officers, and
 - 6.3.2. (ii) the remuneration of its employees who are not chief officers.

7. For the purposes of this pay policy, and in accordance with section 43 (2) of the Act, the following officers are considered to be relevant chief officers and deputy chief officers within scope of the Councils' statutory obligation:
 - Executive Directors (including Head of Paid Service)
 - Group Managers
 - Finance Lead Specialist (s151 Officer)
 - Legal Lead Specialist (Monitoring Officer)
8. The above officers are collectively known as Chief Officers for the purpose of this pay policy statement.
9. In addition, the pay policy sets out the council's overall pay strategy that is applicable to all employees.

Shared Services

10. For the purposes of this pay policy statement, it should be noted that all of the identified chief officers operate under a shared service agreement with West Devon Borough Council and their salary costs are shared on an agreed basis. For the purpose of this pay policy statement, all shared chief officers are shown, notwithstanding the identity of their employing authority.

Executive Director and Group Manager Model

11. With effect from 1 January 2014, South Hams District Council and West Devon Borough Council agreed to adopt interim arrangements for an Executive Director model following the retirement of the Shared Chief Executive on 31 March 2014.
12. The permanent new senior management structure was approved by Full Council as part of the Councils' Transformation Programme and consists of 2 Executive Directors and 4 Group Managers.
13. Since 31 January 2016, the role of Customer First Group Manager has been vacant and duties allocated to the Group Managers for Support Services and Commercial Services under interim arrangements.
14. The salaries of the Senior Leadership Team were agreed by the Council on the recommendation of the Leader after taking advice on comparable salary levels in other organisations.
15. The Executive Director (Strategy and Commissioning) receives an additional special responsibility allowance of £3090pa in respect of carrying out the duties of Head of Paid Service.
16. The Group Managers for Support Services and Commercial Services currently receive an additional responsibility allowance in respect of duties previously carried out by the Group Manager Customer First. This allowance is an interim arrangement and is kept under review whilst the Council considers its long-term

senior management structure.

17. The salaries of the Finance Lead Specialist and Legal Lead Specialist include an additional responsibility allowance, set at 17.5% of their substantive salary, in recognition of carrying out the duties of S151 Officer and Monitoring Officer respectively.

Remuneration for Chief Officers

18. The council has chosen to introduce local arrangements for Executive Directors and Group Managers' pay because it believes that this delivers a better outcome in terms of managing performance and flexibility.
19. The Leader of the Council may recommend to Full Council changes to the remuneration package following a review and after taking independent pay advice from South West Councils or a similar body. Any changes to the remuneration packages will be subject to Full Council approval.
20. Salary increases in relation to cost of living will be made in line with the relevant recommendation of the National Joint Council for Local Government Services (the NJC), the Joint Negotiating Committee for Chief Officers (the JNC) or other relevant national negotiating body for each chief officer.
21. The salary for the relevant chief officers will be 'spot' salaries, that is to say all officers will be paid in accordance with a fixed salary within an agreed range upon appointment and there will be no further incremental progression as a result of seniority, experience or performance.
22. Where possible, salary levels will be consistent with similar organisations, although the Council will retain the right to have due regard to market forces that may affect its ability to recruit and retain high quality officers, whilst balancing this against the need to ensure value for money for residents.
23. The 'spot salaries', including the special responsibility allowances paid to the Head of Paid Service, the Monitoring Officer and the S151 Officer, are the only remuneration for work carried out. At present, there are no additional payments made to chief officers relating to performance or any other matters and no bonus is payable.
24. Additional payments are made by Central Government to officers carrying out additional duties at elections. The determination of the allowance is made by the Government and these payments are not within the scope of this policy. There are no payments made by the Council for election duties.
25. In accordance with the provisions of the Council's Travel and Subsistence Policy, that applies equally to all employees, the relevant chief officers may attract an essential car user lump sum allowance and be reimbursed with business expenses subject to the submission of a claim with receipts. For 2017/18, all of the Chief Officers are designated as casual car users and will not receive an essential car user lump sum allowance.

26. From 1 April 2013, all business mileage will be reimbursed in accordance with the approved HMRC rates, currently 45p per mile. This replaces the previous policy under which business mileage was reimbursed at the higher rate agreed by the NJC, currently 50.5p per mile for essential users and 65p per mile for casual users.

Severance payments

27. Any termination payments payable to the relevant chief officers will be in accordance with the Council's Redundancy and Interests of Efficiency Policy. All such payments are equally applicable to all employees and no additional payments will be made without the express approval of the Full Council. All severance payments are subject to the provisions of the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006, as amended.

Relationship with the remuneration of other employees of the Council

28. The Hutton Report identified that the most appropriate way of measuring pay dispersion within an organisation is the multiple of highest earnings to median earnings. Tracking this multiple will ensure that the Council is accountable for the relationship between the pay of its executives and the wider workforce. Through this pay policy statement, the Council will track this multiple on an annual basis and will publish the following information on its website each year (see Appendix A):

- The level and elements of remuneration to each relevant chief officer
- The remuneration of the lowest paid employees
- The relationship between the remuneration of the Head of Paid Service and the median earnings of all employees
- Other specific aspects of relevant chief officer remuneration

29. Each year the published data will be reviewed by the Leader of the Council and if the multiplier between the highest and the lowest paid employee within the Council exceeds a factor of 10, the Leader shall present a report to the Full Council for consideration.

30. For the purposes of this pay policy statement, the 'lowest paid employees' are identified as those employees carrying out a substantive role within the Council's established workforce with the lowest annual full-time equivalent salary.

31. The 'median earnings' have been identified by listing all salaries paid to employees in ascending order and finding the salary paid to the employee ranked in the middle of the list.

The Council's overall pay strategy

32. In determining the pay and remuneration of its employees, the council will comply with all relevant employment legislation. This includes the Equality Act 2010, the

Part Time Employment (Prevention of Less Favourable Treatment) Regulations 2000, the Agency Worker Regulations 2010, the Fixed Term Employees (Prevention of Less Favourable Treatment) Regulations 2002 and, where relevant, the Transfer of Undertakings (Protection of Earnings) Regulations. With regard to the Equal Pay requirements contained in the Equality Act, the council ensures that all pay arrangements are fair and transparent through the use of Job Assessment methods.

33. The council takes the following approach to assessing individual and overall pay levels:
- Defining the role – a job description is produced that describes the activities, responsibilities and accountabilities which relate to each job within the council. This helps to ensure that the role and its requirements are fully understood by the individual and the manager and enables the council to assess the performance of its staff and so improve efficiency and effectiveness.
 - Determining the job size – the council has developed its own job assessment technique that enables the direct comparison of jobs across the council in a fair, transparent and consistent way.
34. The council's pay structure is based on the pay spine agreed by the NJC. Employees receive 'cost of living' increases in pay in line with NJC Agreements. There was a 2 year 2% increase agreed with effect from April 2016, with a 1% increase due in April 2016 and April 2017.
35. The terms and conditions of employment for Executive Directors are in accordance with the Joint Negotiating Committee (JNC) for Chief Officers of Local Authorities. In 2016, there was a two-year pay award agreed by the JNC that awarded a 1% increase in April 2016 and a further 1% increase due in April 2017.
36. Using the nationally agreed NJC pay spine, the council determines locally the appropriate grading structure, taking into account the need to ensure value for money in respect of the use of public finances balanced against the need to recruit, retain and motivate employees who are able to provide high quality and efficient services to the community.
37. To encourage employees to develop in their role and to improve their performance, the council has arranged its pay levels within a series of pay grades. Each grade typically contains between 4 and 5 pay levels or increments. Progression through the pay grade is dependent on meeting identified performance targets and is assessed through the council's staff appraisal scheme.
38. The council uses fixed spot salary pay rates for some groups of workers where there is no opportunity for significant improvement in performance related to length of service.

39. From time to time, the council may pay special allowances to an employee in specific circumstances and in accordance with its policy, such as to reward an employee who temporarily takes on additional responsibilities.
40. From time to time, the council may make a one-off merit pay award to an employee in specific circumstances and in accordance with its policy, such as to reward exceptional performance.
41. Subject to qualifying conditions, employees have a right to belong to the Local Government Pension Scheme. The employee contribution rates, which are defined by statute, currently range between 5.5% for those on the lowest incomes to 12.5% for the highest income earners. The Employer contribution rates are set by Actuaries and are reviewed on a triennial basis to ensure the scheme is appropriately funded.
42. The Council's Pay and Reward Strategy contains further information relating to the overall approach to rewarding employees.

Appendix A

1. The levels and elements of remuneration for each Chief Officer are as follows:

Post	Salary (£) per annum	Comments
Executive Director (Strategy and Commissioning) and Head of Paid Service*	97,868	Including a special responsibility allowance of £3090 as Head of Paid Service
Executive Director (Service Delivery and Commercial Development)	94,778	
Group Manager Customer First*		Post vacant
Commercial Services Group Manager*	72,000	Including an interim Responsibility Allowance
Support Group Manager	72,000	Including an interim Responsibility Allowance
Business Development Group Manager*	61,610	
Monitoring Officer* **	49,148	Including a 17.5% Responsibility Allowance
Section 151 Officer*	53,464	Including a 17.5% Responsibility Allowance
* employed by West Devon Borough Council ** 0.9189 FTE		

Please note: All chief officers operate under a shared service agreement with West Devon Borough Council and all salary and associated costs are shared on an agreed basis between the two councils.

The Senior Leadership Team (SLT) consists of the 2 Executive Directors and the 4 Group Managers (including one vacant role) but excludes the s151 and Monitoring Officer.

The total annual salary cost of the SLT at 1 April 2017 is £398, 256.

In April 2016, the cost of the SLT was £444,961, which when adjusted to include the 1% pay increase awarded in April 2016, shows a current saving of £51,154 per annum.

The total salary cost of the previous shared management structure across the two councils in 2010/11 was £1,277,812 pa. This was reduced following major organisational change in April 2011 and the adoption of the interim Executive Director model in January 2014 to £612,340pa. This salary cost includes the Executive Directors and Heads of Service (including s151 Officer) but excludes the Monitoring Officer.

2. The full-time equivalent annual salary of the lowest paid employee is an Administrative Assistant, paid in accordance with spinal column point 11 of the National Joint Council for Local Government Services pay spine, currently £15,507.
3. The annual median salary of all employees £19,939.
4. The Head of Paid Service's salary is a pay multiple of 4.9 times the median earnings.
5. The Head of Paid Service's is a pay multiple of 6.31 times the lowest paid employee.

PAY AND REWARD STRATEGY 2017

Introduction

1. The primary aim of the Councils' Pay and Reward Strategy (PRS) is to attract, retain and motivate staff so that the organisation can perform at its best.
2. The PRS sets out the Councils' overall reward philosophy and the design and implementation of its pay and grading structure, including financial and non-financial benefits.
3. South Hams District Council and West Devon Borough Council have developed a fully integrated and joint approach to pay and reward to all roles across both organisations and the PRS is a joint strategy.



Reward Philosophy

4. A coherent approach to rewarding staff is central to the Councils' commitment to continually improve productivity and to sustain the delivery of excellent services to our customers and communities.
5. Financial and non-financial reward are significant factors in helping the Councils attract and retain the right people and to keep them motivated, performing to the very best of their abilities and receptive to changing environment in which we operate.
6. The Councils' PRS is designed to be fully compliant with all of the statutory requirements, including the Equality Act 2010, the Part Time Employment (Prevention of Less Favourable Treatment) Regulations 2000, the Agency Worker Regulations 2010, the Fixed Term Employees (Prevention of Less Favourable Treatment) Regulations 2002 and, where relevant, the Transfer of Undertakings (Protection of Earnings) Regulations.
7. The Councils believe in the principle of national and local collective bargaining, supports the role of trade unions as representatives of the workforce and is committed to reaching agreement to changes affecting terms and conditions of employment through negotiation and consultation wherever possible.
8. The Councils' draw significant benefits from being a member of the Local Government Association, including the provision of national and regional advice and access to innovation and best practice in employee relations.
9. Through its membership of the National Joint Council for Local Government Services (NJC) and Joint Negotiating Committee for Chief Officers (JNC), the Councils participate in national negotiations on pay and conditions of service.
10. In accordance with its commitment to national collective bargaining and the NJC Agreement (the Green Book), the Councils utilise the nationally agreed pay spine as the basis of its locally designed pay and grading structure.

11. The Councils are fully committed to a fair, open and equitable approach to pay and reward and meets its equal pay responsibilities by using the locally designed Job Level Assessment tool to make sure all roles are allocated the appropriate reward in comparison to other roles in the organisation.
12. The Councils keep the pay and grading structure under review and carry out audits to make sure discrepancies does not arise on the basis of any characteristic protected by the Equality Act 2010.
13. The Councils use its Managing Performance framework, including the WorkPAL appraisal tool, to link performance to reward. Annual increments are only awarded once the line manager has certified that performance and conduct is satisfactory.

Pay Design and Structure

14. In order to reflect and distinguish between the wide range of duties and responsibilities carried out in the organisation, the Councils use 9 hierarchical Levels (or grades). Different roles are allocated to a Level using the Job Level Assessment tool and are considered to be of equal value to other roles in the Level.
15. The design of the grading structure and the associated rates of pay provide a hierarchical framework that enables roles to be rewarded in comparison to other roles.
16. Levels 3 to 9 are built upon the NJC pay spine and each Level has 5 spinal column points. The use of incremental points within each Level is designed to reward higher performance associated with more experience and is a common feature across local government and many other organisations across all sectors of the economy. Where experience is unlikely to lead to an improvement in performance, such as in low or semi-skilled roles, a spot salary is used.
17. Employees with roles within Levels 3-9 are awarded an annual increment in April each year until the top of the Level is reached, subject to satisfactory performance. Each year, line managers are asked to confirm the satisfactory performance of every individual and the Councils retain the contractual right to withhold an increment in the event of unsatisfactory performance, including where performance is affected by unsatisfactory conduct.
18. Where an employee joins the organisation between September 1 and 31 March, an increment will only be payable after 6 months' service. Thereafter, increments will be due in April each year until the top of the Level is reached.
19. Levels 1 and 2 are reserved for members of the Councils' Senior Leadership Team (SLT) and the salaries are based upon a spot salary within a salary range agreed by Full Council. A spot salary is used for SLT because employees appointed to senior roles are considered to be fully competent upon appointment.
20. The salary for people joining the organisation is set at the entry spinal column point of the appropriate Level. In exceptional circumstances, SLT may agree to appoint to a higher point within the Level.

21. The salary for an employee moving to a higher Level following promotion or a regrading will join the new Level at the entry spinal column point.

Rates of Pay

22. The Councils pay and grading structure is attached at Appendix A.
23. The Councils are members of the National Joint Council for Local Government Services (NJC) and Joint Negotiating Committee for Chief Officers (JNC) and participate in national negotiations on pay and conditions of service with the recognised trade unions through its membership of the Local Government Association.
24. The NJC and JNC are committed to an annual review of pay and, from time to time, agree an increase in pay. The Council is contractually committed to implementing this nationally negotiated and agreed increase in pay and applies the changes to its pay structure and to each individual employee's rate of pay.
25. Every role in the organisation is accompanied by a Job Description (JD). The JD is used to determine the appropriate Level within the pay and grading structure using a local Job Level Assessment (JLA) tool.
26. The Councils keep the Level of each role under review and, where there is some evidence that a role has changed, carries out a Job Level Assessment to determine whether a role should be regraded to a higher or lower Level.
27. The JLA tool measures the size of a Role by considering the level of Responsibility carried out, the degree of Discretion exercised, the Resources used or managed and the impact the role has on our customers and communities.
28. The Councils are members of epaycheck, a national pay benchmarking service supported by the LGA. Epaycheck enables the Councils to compare its rates of pay for job families and specific roles with other local government and wider public sector organisations to make sure the rates of pay are competitive and broadly comparable with similar organisations.

Senior and Low Pay

29. The Councils are required to adopt and publish an annual Pay Policy Statement (PPS). The PPS sets out the remuneration of Chief Officers (currently the Executive Directors, Group Managers, Monitoring Officer and S151 Officer) and the rate of pay of the lowest paid member of staff and the median earnings of the workforce.
30. The Councils are required to publish the PPS and it is available on the Council websites.

Other financial and non-financial reward benefits for staff

31. The Councils provide a wide range of financial and non-financial benefits to its staff to help attract and retain the right people. The following list is not exhaustive:

i. Membership of the Local Government Pension Scheme (LGPS)

It is statutory requirement that all employees with more than 3 months service are automatically enrolled into the LGPS. The LGPS is a defined benefit scheme that provides a pension based on career average earnings. The LGPS is a contributory scheme and the employee contribution rate is dependent on income, ranging from 5.5% to 12.5%. The contributions made by the Councils are determined by Actuaries and are reviewed every three years. Employees retain the right to opt out of the scheme.

ii. Bonus Payments

The Councils are actively seeking to remove all historic bonus payments and has successfully consolidated bonus payment previously payable to employees working in Waste and Recycling, Public Convenience, street cleaning and craft workers. There are still bonus payments payable to employees working at the Lower Ferry.

iii. Premium Payments

Under the terms of the NJC Agreement, premium payments are payable when an employee works additional hours (overtime) or outside of normal working hours, such as evenings, weekends and public holidays. All payment are in accordance with the NJC Agreement or local agreements.

iv. Secondments and Acting Up

From time to time, the Councils will need to make interim appointments to cover a short-term demand for a particular role, task or activity. The Councils are committed to providing opportunities for staff to gain experience of different roles and levels of responsibility within the organisation and will offer interim opportunities to staff unless there is a business imperative to make external arrangements.

Where an employee is carrying out a Secondment or is Acting Up, and is expected to carry out the full range of duties of a Role at a higher Level, salary will be paid in accordance with the entry point to the appropriate Level.

Where the employee is expected to carry out some additional duties and/or responsibilities, an additional increment will be awarded within their existing substantive Level.

In exceptional circumstances and with the agreement of SLT, an additional increase in salary may be awarded.

v. Merit Pay and Honorariums

Where an employee undertakes temporary additional responsibilities or performs exceptionally, a payment can be made by SLT in accordance with the Councils' Merit Pay and Honorarium Policy.

vi. Accelerated incremental progression

In exceptional circumstances, SLT may award an accelerated increment to an employee.

vii. Out of Hours Payments

The Council delivers a number of functions, including statutory duties, that need to be accessed out of hours and provides a payment to appropriate employees to deliver the out of hours service in accordance with its Out of Hours Policy.

viii. Market Supplements

Although the Council does not currently pay a market supplement to any employee, it retains the ability to make a market supplement payment where it is demonstrated to SLT that there is a clear business case to support a supplementary payment. Any market supplement should be based on empirical evidence and kept under review.

ix. Membership Professional Fees

The Council is committed to supporting the highest level of professional and technical competence within its workforce and will financially support an employee's membership of a relevant professional body.

x. Relocation Allowance

From time to time, SLT may determine that a relocation allowance should be made available to attract the right candidate to the organisation. All payments will be made in accordance with the Councils' Relocation Policy up to a maximum payment of £5000.

xi. Leave and Flexible working

The Council recognises that it is important for its employees to strike an effective work life balance and operates Annual Leave and Special Leave Policies to make sure employees are able to take appropriate breaks from working for both rest and recreation and to manage unforeseen events in their personal life.

The Council also recognises that flexible working practices can help employees manage the work life balance and encourages the use of agile working. The Council's Ways of Working Policy sets out the overall approach to agile working and seeks to find an appropriate balance between the needs of our customers and communities and the ability of employees to structure their working pattern and environment in a manner that supports their personal life.

xii. Salary Sacrifice Schemes

The Council promotes a healthy lifestyle and supports parents with child care costs by offering employees the opportunity to purchase a bicycle for the purpose of cycling to work and child care vouchers through salary sacrifice arrangements that allow the cost to be deducted before national insurance contributions are calculated in accordance with HMRC rules.

xiii. Severance Payments

From time to time, the Council's requirement for particular activities and functions to be carried out can diminish and may result in a redundancy situation. Where a redundancy cannot be avoided, all severance payments are made in accordance with the Council's Redundancy and Interests of Efficiency Policy. The policy is agreed by Full Council and is compliant with the Local Government (Discretionary Payments) Regulations 1996 and Employment Rights Act 1996.

xiv. Sickness absence and pay

The Councils are committed to the well-being of its employees and to providing the right working environment, working practices and healthcare support to help employees to be healthy and able to work. On occasions, however, employees will be unable to attend work due to illness and the Councils adhere to the Green Book Sickness Scheme.

xv. Occupational Health, Counselling and Employee Assistance Programme

The Councils provide access to an Occupational Health Service to help understand what it can do to support employees with longer term sickness absences and to help facilitate an earlier return to work.

The Councils provide access to a range of support networks and advisory services through its partnership with an Employee Assistance Programme and offer an anonymous self-referral service to a Counselling Service to help employees with a wide range of work and non-work related issues.

xvi. Maternity, paternity and parental leave and pay

The Councils adhere to the Green Book Maternity, Paternity and Parental Leave and Pay policies for eligible employees.

xvii. Travel and subsistence expenses

The Councils will reimburse employees for all reasonable and authorised expenditure, including mileage, occurred on Council business in accordance with the Travel and Subsistence Policy.

APPENDIX A – PAY AND GRADING STRUCTURE with effect from 1 APRIL 2017

SPINAL COLUMN POINTS 2016-2017 (WEF 01/04/2017)					
T18	Previous	SCP	ANNUAL SALARY	MONTHLY RATE	HOURLY RATE
	Scale 1	6	15,014	1251.17	7.78
		7	15,115	1259.58	7.83
		8	15,246	1270.50	7.90
		9	15,375	1281.25	7.97
		10	15,613	1301.08	8.09
		11	15,807	1317.25	8.19
9	Scale 2	12	16,123	1343.58	8.36
		13	16,491	1374.25	8.55
	Scale 3	14	16,781	1398.42	8.70
		15	17,072	1422.67	8.85
		16	17,419	1451.58	9.03
8	Scale 4	17	17,772	1481.00	9.21
		18	18,070	1505.83	9.37
		19	18,746	1562.17	9.72
		20	19,430	1619.17	10.07
		21	20,138	1678.17	10.44
7	Scale 5	22	20,661	1721.75	10.71
		23	21,268	1772.33	11.02
		24	21,962	1830.17	11.38
		25	22,658	1888.17	11.74
6	Scale 6	26	23,398	1949.83	12.13
		27	24,174	2014.50	12.53
	SO 1	28	24,964	2080.33	12.94
		29	25,951	2162.58	13.45
		30	26,822	2235.17	13.90
N/A	SO 2	31	27,668	2305.67	14.34
		32	28,485	2373.75	14.76
5	A1 / M1	33	29,323	2443.58	15.20
		34	30,153	2512.75	15.63
		35	30,785	2565.42	15.96
		36	31,601	2633.42	16.38
		37	32,486	2707.17	16.84
4	A2 / M2	38	33,437	2786.42	17.33
		39	34,538	2878.17	17.90

		40	35,444	2953.67	18.37
		41	36,379	3031.58	18.86
		42	37,306	3108.83	19.34
		43	38,237	3186.42	19.82
N/A	A3 / M3	44	39,177	3264.75	20.31
		45	40,057	3338.08	20.76
		46	41,025	3418.75	21.26
3	M4 (47-49) A4 (47-51)	47	41,967	3497.25	21.75
		48	42,899	3574.92	22.24
		49	43,821	3651.75	22.71
		50	44,914	3742.83	23.28
		51	46,043	3836.92	23.87

**MINUTES OF A MEETING OF
THE EXECUTIVE
HELD AT FOLLATON HOUSE ON THURSDAY, 15 DECEMBER 2016**

Members in attendance:			
* Denotes attendance			
∅ Denotes apologies for absence			
∅	Cllr H D Bastone	*	Cllr R J Tucker
*	Cllr R D Gilbert	∅	Cllr L A H Ward
∅	Cllr M J Hicks	*	Cllr S A E Wright

Also in attendance and participating		
Item 6	E.50/16	Cllrs Baldry, Birch, Brazil, Green, Hodgson and Pennington
Item 7	E.51/16	Cllrs Brazil, Green, Hodgson, Pearce and Pennington
Also in attendance and not participating		
Cllrs Bramble, Brown, Cuthbert, Foss, Hitchins, Holway, Hopwood, Pringle, Rowe, Smerdon, Steer and Vint		

Officers in attendance and participating		
All items		Head of Paid Service, Executive Director (Service Delivery and Commercial Development) and Specialist – Democratic Services

E.47/16 MINUTES

The minutes of the Executive meeting held on 1 December 2016 were confirmed as a true record and signed off by the Chairman.

E.48/16 DECLARATIONS OF INTEREST

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

E.49/16 PUBLIC QUESTION TIME

In accordance with Executive Procedure Rules, the following questions had been submitted:

Question received from Cllr Hodgson:

1. Please could the Committee confirm the current position with the Devolution Bid:

- as Somerset are in 'Special Measures';
- since the Chancellor's Autumn Statement only provided 1/3 of the monies applied for by the Devon and Somerset LEP; and
- questions now arising regarding the involvement of LEP's in allocation and spending of public funds?

In response to this question, the Leader advised that he and the Head of Paid Service had attended a recent meeting of the authorities who were involved in the Heart of the South West (HotSW) Devolution Bid. During this meeting, all authorities had indicated that they were still intending to progress the Bid. The success of the Bid may depend on whether or not an elected Mayor was included in the Bid. The fact that Somerset County Council may be in special measures did not impact on the Bid at this stage. In respect of the LEP, the Leader advised that their focus was on economy and growth and LEP Members had the same requirements as local authorities did regarding the need to declare and register interests.

Question received from Cllr Hodgson:

2. Why has SHDC not been involved to date with discussions about Devon as a Unitary Authority, should this be pursued instead of a combined authority with Somerset?

In reply, Cllr Tucker informed that there had been no discussions about a Unitary Authority in Devon and no other authorities were discussing Unitary Devon to the best of our knowledge.

Question received from Georgina Allen:

3. If our Devolution Bid falls through, does that mean that our housing quota will change?

Cllr Tucker responded that the LEP had ideas in respect of housing numbers but these could not be enforced. Moreover, the housing numbers were dictated by need and the numbers within the Joint Local Plan.

E.50/16

BUDGET PROPOSALS REPORT 2017-18

Members were presented with a report that asked for consideration of budget proposals for 2017-18, and the outcomes of the Members' Budget Workshop, prior to requesting views of the joint meeting of the Overview and Scrutiny Panel and the Development Management Committee in January 2017 on the budget issues contained within the report.

The Leader introduced the report, and in doing so highlighted particular areas of interest. He advised Members that there would be no debate today, but he or the s151 Officer would respond to any questions.

Members then asked a number of questions on specific parts of the report and also advised of proposals that would be brought forward to the Overview and Scrutiny Panel meeting on 19 January 2017 when the detail of the budget would be debated. Members concluded by thanking the s151 Officer and the Finance Business Partner for their hard work in producing a comprehensive draft budget report.

It was then:

RESOLVED

That the Budget Proposals report for 2017-18 and the outcomes of the Members' Budget Workshop be considered, prior to requesting the views of the joint meeting of the Overview and Scrutiny Panel and the Development Management Committee in January 2017 on the budget issues contained within the report.

E.51/16 CAPITAL BUDGET PROPOSALS FOR 2017/18 TO 2019/20

Members were presented with a report that set out the Capital Bids to the 2017/18 Capital Programme totalling £2,525,000 and a suggested way that the Bids could be funded.

The Leader introduced the report, and the Executive Portfolio Holder for Support Services highlighted the revised way that the appendices were presented. Members queried the amount set aside for electric car points, and local Ward Members noted the Salcombe Harbour Office refurbishment project and how it could contribute to income generation. Members then had a discussion on play parks and devolving them to town and parish councils.

It was then:

RESOLVED

That the views of the joint meeting of the Overview and Scrutiny Panel and the Development Management Committee be sought on the following:

1. The Capital Programme proposals for 2017/18, which total £1,485,000 (presented Appendix A refers)
2. The Capital Programme proposals for 2017/18, which total £1,040,000 (presented Exempt Appendix B refers)
3. The removal of the 2016/17 capital projects from the capital programme, as detailed in presented Appendix D, following the budget scouring exercise
4. The use of the remaining capital programme contingency from the 2015/16 and 2016/17 programmes, totalling £167,000, to meet the increased costs as detailed in exempt Appendix D of the presented agenda report

5. To finance the 2017/18 capital programme of £2,525,000 from the funding sources set out in Section 4 of the presented agenda report.

(Meeting commenced at 10.00 am and concluded at 11.15 am)

Chairman

**MINUTES OF A MEETING OF THE AUDIT COMMITTEE
HELD AT FOLLATON HOUSE, TOTNES ON THURSDAY 12 JANUARY 2017**

Members in attendance * Denotes attendance ∅ Denotes apology for absence			
*	Cllr I Bramble	∅	Cllr J T Pennington (Vice-Chairman)
*	Cllr J Brazil	*	Cllr K R H Wingate (Chairman)
*	Cllr J A Pearce		

Members also in attendance:
Cllrs J Birch, J P Green, M J Hicks, T R Holway, R J Tucker, R J Vint and S A E Wright

Item No	Minute Ref No below refers	Officers and Visitors in attendance
All Items		Group Manager – Support Services and Customer First; Section 151 Officer; Devon Internal Audit Partnership Manager; KPMG Director and Senior Specialist – Democratic Services
5	A.25/16	Group Manager – Commercial Services; Group Manager – Business Development; Support Services Specialist Manager and Monitoring Officer

A.23/16 MINUTES

The minutes of the meeting held on 22 September 2016 were confirmed as a correct record and signed by the Chairman.

A.24/16 DECLARATIONS OF INTEREST

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

A.25/16 LOCAL AUTHORITY CONTROLLED COMPANY RISK AND GOVERNANCE

The Committee considered a report that provided it with an overview of the current position for the Local Authority Controlled Company (LACC) project in respect of risk and governance.

In discussion, reference was made to:-

- (a) the considerations of the LACC Joint Steering Group (JSG). The Committee noted that the JSG would be making its final recommendations on whether or not a LACC should be set up by the Council and West Devon Borough Council at its meeting on Monday, 16 January 2017.

The Committee proceeded to ask that its concerns in relation to the following matters be taken into account during the JSG deliberations on 16 January 2017:

- pension implications. In stressing the importance of not under estimating the pension implications, Members raised a number of related concerns including:
 - o the potential recruitment difficulties arising from new employees being on a different scheme;
 - o a different scheme also being a disincentive to university graduates. In expanding upon the point, a Member cited a recent study that had concluded that current pension schemes were a major factor in graduates deciding to take up employment opportunities in the public sector; and
 - o the inability for the Council, in the event that a LACC was unsuccessful, to be able to bring its services back in-house due to the increased pension costs;
 - Reserved Matters. A Member felt that there was an omission in the current Reserved Matters whereby, as currently drafted, there would be a lack of ability or control for the Council to hold the LACC to account over a poor performing service. As a consequence, the Leader gave an undertaking to the Committee that this matter and the proposed extent of the powers delegated to a Joint Shareholder Committee would be carefully considered before the JSG made its final recommendations;
 - the lack of a detailed Business Plan. The Committee was strong in its views that the JSG was not in a position to make any recommendations to approve the establishment of a LACC without the production (and consideration) of a detailed Business Plan that included evidence based financial projections;
 - the impact of any potential additional partners joining the LACC at a later date and any future changes to the local government structure in the county; and
 - the inclusion on the Risk Register of a clear and defined exit strategy;
- (b) state aid implications. In the event of an unforeseen cost pressure arising from a service area, Members were advised that the relationship between the Council and the LACC would be very similar to the current arrangements with external contractors;
- (c) the Teckal exemption arrangements. Officers confirmed that the exact details relating to the Teckal exemption proposals would be included in the report presented to the JSG;

- (d) the timing of this meeting. Some Members felt it to be regrettable that this Committee meeting was taking place prior to the JSG making its final recommendations;
- (e) the role of the Internal Audit service. In the event of a recommendation being made for a LACC to be established, the Committee requested that further consideration be given to whether or not Internal Audit officers should be employed by the LACC or the Council;
- (f) the degree of risk. Some Members were of the view that the extent of the risks involved in establishing a LACC were so great that they were unwilling to support the concept.

It was then:

RESOLVED

That the progress of the Joint Steering Group in respect of Risk and Governance matters (as identified in the presented agenda report) be noted.

A.26/16

KPMG REPORT – ANNUAL AUDIT LETTER AND CLOSURE OF THE AUDIT LETTER

The Committee received the Council's Annual Audit Letter that summarised the key findings arising from the work that KPMG had carried out at the Council for the year ended 31 March 2016.

In discussion, reference was made to:-

- (a) the definition of 'Value For Money' (VFM). A Member queried with the External Auditor the issuing of an unqualified VFM conclusion when considering that the Council had to find additional monies for extra transitional resources during the year. In reply, the External Auditor in attendance advised that there was a common misunderstanding around the definition of VFM in this respect. For clarity, the External Auditors were not responsible for ensuring the delivery of VFM, but were focusing on ensuring that the Council had adequate arrangements in place to ensure the control of expenditure was appropriate;
- (b) cost allocations between the Council and West Devon Borough Council. When questioned, the External Auditor advised that it was recognised that there was a significant audit risk related to cost sharing between the two Councils. As a consequence, this had been a key area of focus for the External Auditors. As the debate continued, the Committee formally requested receipt of an annual report for its consideration that outlined the methodology and mechanisms that were being used to calculate the cost allocations between the two Councils.

It was then:

RESOLVED

1. That the content of the Annual Audit Letter and the Closure of the Audit Letter (as circulated in the presented agenda) be noted; and
2. That the Committee be in receipt of an annual report that outlined the methodology and mechanisms that were being used to calculate the cost allocations between the Council and West Devon Borough Council.

A.27/16

APPOINTMENT OF AN EXTERNAL AUDITOR

Members gave consideration to a report that sought a recommendation from the Committee to the Council regarding the arrangements for the future appointment of external auditors.

In discussion, the following points were raised:-

- (a) The Committee was advised that the vast majority of local authorities in Devon were opting into the appointing person arrangements made by the Public Sector Audit Arrangements (PSAA). Whilst accepting that the alternative option would enable the Council to have greater control and influence, it was also acknowledged that it would be far more expensive and resource intensive;
- (b) In respect of the hope that the Council would obtain a more competitive fee for its External Auditor, it was noted that, on average across the United Kingdom since 2013, external audit fees had dropped by 55%.

It was then:

RECOMMENDED

That the Council be **RECOMMENDED** to opt into the appointing person arrangements made by the Public Sector Audit Arrangements (PSAA) for the appointment of external auditors.

A.28/16

UPDATE ON PROGRESS ON THE 2016/17 INTERNAL AUDIT PLAN

A report was considered that informed Members of the principal activities and findings of the Council's Internal Audit team for 2016/17 to 1 December 2016 by:

- providing a summary of the main issues raised by completed individual audits; and
- showing the progress made by Internal Audit against the 2016/17

annual internal audit plan, as approved by the Committee on 24 March 2016 (Minute A.38/15 refers).

In discussion, reference was made to:-

- (a) additional temporary resource. The Committee was informed that, at no cost to the Council, an additional temporary resource would be supporting the Internal Audit Service in the next few weeks to deliver three specific pieces of work on the 2016/17 Internal Audit Plan;
- (b) an audit opinion whereby 'improvements are required'. In such instances, it was noted that Internal Audit officers would discuss their findings with both operational and senior managers, who would be required to provide a response and an action plan. Furthermore, it would be a requirement for the action plan to include the name of an officer who would be responsible for improvements and a target date for implementation.

When questioned further, Members noted that any fundamental weaknesses that were found during an audit would be immediately reported to the Council's Senior Leadership Team, with the Audit Committee retaining the ability to call senior officers to account at a future meeting;

- (c) the stores (stock control and security) audit. For clarity, it was confirmed that the initial audit in this respect had now been revisited and improvements had since been made to improve the security at the depots;
- (d) the Development Control audits. Officers confirmed that these audits were to commence imminently and it was anticipated that the findings would be reported to the Audit Committee meeting in June 2017.

It was then:

RESOLVED

That the progress made against the 2016/17 internal audit plan, and any key issues arising, be noted.

(Meeting commenced at 10.00 am and finished at 11.25 am)

Chairman

This page is intentionally left blank

MINUTES OF THE MEETING OF THE DEVELOPMENT MANAGEMENT COMMITTEE HELD AT FOLLATON HOUSE, TOTNES, ON WEDNESDAY, 18 JANUARY 2017

Members in attendance			
* Denotes attendance			
∅ Denotes apology for absence			
*	Cllr I Bramble	*	Cllr J M Hodgson
*	Cllr J Brazil	*	Cllr T R Holway
*	Cllr B F Cane	*	Cllr J A Pearce
*	Cllr P K Cuthbert	*	Cllr R Rowe
*	Cllr R J Foss (Vice Chairman)	*	Cllr R C Steer (Chairman)
*	Cllr P W Hitchins	*	Cllr R J Vint

Other Members in attendance:

Cllrs Baldry, Bastone, Birch, Green, Tucker and Wright

Officers in attendance and participating:

Item No:	Application No:	Officers:
All agenda items		COP Lead Development Management; Planning Specialists, Deputy Monitoring Officer and Specialist Democratic Services

DM.47/16 MINUTES
The minutes of the meeting of the Committee held on 23 November 2016 were confirmed as a correct record and signed by the Chairman.

DM.48/16 URGENT BUSINESS
The Chairman advised that application **0771/16/OPA**: Outline planning application for planning permission to erect up to 65 dwellings (including market, affordable and retirement housing), landscaping and associated works – Land at SX791 430, to rear of Green Park Way, Chillington had been deferred from the agenda following publication.

DM.49/16 DECLARATIONS OF INTEREST
Members and officers were invited to declare any interests in the items of business to be considered and the following were made:

Cllr J M Hodgson and Cllr R J Vint both declared a personal interest in application **1623/16/FUL**: Construction of a new three storey private residence on a brownfield site currently occupied by three garages on a site on the outskirts of Totnes – Garages 1-3 adjacent to 1A Christina Park, Totnes by virtue of knowing one of the objectors. They remained in the meeting for the duration of this item and took part in the debate and vote thereon;

Cllr R C Steer declared a personal interest in application **1648/16/FUL**: Application for a small tension to existing beach café building to provide storage and toilet facilities for staff – Beachhouse Café, South Milton Sands, South Milton by virtue of a family member working for the tenant. He remained in the meeting for the duration of this item and took part in the debate and vote thereon.

DM.50/16 **PUBLIC PARTICIPATION**

The Chairman announced that a list of members of the public who had registered their wish to speak at the meeting had been circulated.

DM.51/16 **PLANNING APPLICATIONS**

The Committee considered the details of the planning applications prepared by the Planning Case Officers as presented in the agenda papers, and considered also the comments of Town and Parish Councils together with other representations received, which were listed within the presented agenda reports, and **RESOLVED** that:

1879/16/HHO **Kynance, Higher Broad Park, Dartmouth**

Parish: Dartmouth

Householder application for proposed extension to ground floor, remodelling and raising of roof height

Case Officer Update: An error in the report was corrected, Sunderlands Loft should have read Sutherlands Loft

Speakers included: Ward Members: Cllrs Bastone and Rowe

Recommendation: Conditional Approval

Committee Decision: Conditional Approval

Conditions:

1. Time Limit
2. Accordance to plans
3. Materials to match existing
4. Remove PD
5. Contaminated land
6. Obscure Glazing
7. Construction Management Plan

1623/16/FUL Garages 1-3 adjacent to 1A Christina Park, Totnes

Parish: Totnes

Construction of a new three storey dwelling

Case Officer Update: N/A

Speakers included: Objector – Ms Anna Ali; Supporter – Mr Rud Sawers; Ward Members – Cllrs Birch, Green and Vint

Recommendation: Conditional Approval

Committee Decision: Conditional Approval

Conditions:

1. Time limit
2. Accordance with plan
3. Land affected by contamination
4. Surface water drainage in accordance with submitted details
5. Details and samples of external materials
6. All windows in east elevation to be obscure glazed
7. No external lighting
8. Details of tree planting along northern boundary of the site
9. Remove PD rights
10. Construction Management Plan

0745/16/FUL Land at Westerland, Totnes Road, Marldon

Parish: Marldon

Retrospective change of use from Agricultural to Equestrian. Plot 1, Field subdivided with fencing and two stables on skids, for horses and two areas fenced for dog exercising and training use and new access provision

Case Officer Update:

1. Additional LoR raising following issues:
 - a. Business use of track will cause a nuisance
 - b. No way of controlling use of existing access points
 - c. Wildlife report failed to identify presence of slow worms on site
2. Officer has spoken with PROW officer, Mr Rowlands at DCC who confirmed he had no objection to the proposal
3. Proposed changes to conditions:
 - a. Condition 3 to read 'Vehicular access to the site by users of the hereby approved equestrian and dog training facilities shall only be made via the new access as shown on drawing number 1038.004 and not by any other access. Reason: In the interest of highway safety.'

- b. Additional Condition: Within four months of the date of this decision a traffic management plan shall be submitted to and agreed in writing by the LPA to agree how access to and from the site will be managed. The Traffic Management Plan shall be implemented within four months of the date of their decision and maintained in perpetuity. Reason: In the interest of highway safety.'

Speakers included: Objector – Mrs Shirley Gilberts: Supporter – Mr Les Snodgrass: Parish Council Representative – Cllr Gordon Page: Ward Member – Cllr Pennington

Recommendation: Conditional Approval

Committee Decision: Conditional Approval with conditions to be amended to require the width of the new access to be increased to 8m, the details of which shall be previously agreed with the LPA.

Conditions:

1. In accordance with plans
2. Details of entrance gate to be submitted and approved within 4 months and implementation of new access within 4 months, unless otherwise agreed
3. Restriction on use of existing access
4. In accordance with ecology report
5. Maintain access to public footpath
6. No mud or rocks on highway
7. The means of construction and drainage of all hard surfaced area and buildings including the new access track shall be submitted to and approved in writing by the LPA and then provided in accordance with the approved details within four months of the date of this application, unless otherwise agreed in writing by the LPA
8. Within four months of the date of this decision a traffic management plan shall be submitted to and agreed in writing by the LPA to agree how access to and from the site will be managed. The Traffic Management Plan shall be implemented within four months of the date of their decision and maintained in perpetuity

3230/16/COU 5 - 9 Victoria Road, Dartmouth

Parish: Dartmouth

Change of use from retail (Class A1) to coffee shop (Mixed A1/A3 Class)

Case Officer Update: N/A

Speakers included: Objector – Mr Roger Purvey; Supporter – Mr Paul Williams; Ward Member – Cllr Rowe

Recommendation: Conditional Approval

Committee Decision: Conditional Approval

Conditions:

1. Standard Time Limit
2. Approved Plans
3. Noise Mitigation Measures
4. Hours of Operation
5. Access via Main Entrance

3204/16/FUL

5 - 9 Victoria Road, Dartmouth

Parish: Dartmouth

Modifications to shopfront and installation of 1 air conditioning unit on side wall

Case Officer Update: N/A

Speakers included: Objector – Mr Phil Townsend; Supporter – Mr Paul Williams; Ward Member – Cllr Rowe

Recommendation: Conditional Approval

Committee Decision: Conditional Approval

Conditions:

1. Standard Time Limit
2. Approved Plans
3. Noise Mitigation Measures
4. Air Conditioning Operation Hours
5. Access via Main Entrance

3205/16/ADV

5 - 9 Victoria Road, Dartmouth

Parish: Dartmouth

Advertisement consent for 1 x fascia sign and 1 x projecting sign

Case Officer Update: N/A

Speakers included: Supporter – Mr Paul Williams; Ward Member – Cllr Rowe

Recommendation: Conditional Approval

Committee Decision: Conditional Approval

Conditions:

1. Accord with plans
2. Standard advert condition – maintenance
3. Standard advert condition – public safety
4. Standard advert condition – tidy site after removal
5. Standard advert condition – permission of site owner required
6. Standard advert condition – security

1372/16/FUL Land at the Fairway, Newton Ferrers

Parish: Newton Ferrers

Construction of 5no. DDA compliant dwellings and change of use of land

Case Officer Update: 3 new LoRs received, raising the following issues:

1. High level of objection
2. Not an identified site in emerging JLP or Neighbourhood Plan

Speakers included: Objector – Mr Rob Hudson; Supporter – Mr Andy Coughlan; Parish Council Representative – Cllr Caroline Adams; Ward Member – Cllr Baldry

Recommendation: Delegated authority to be given to the COP Lead Development Management to grant Conditional Approval in consultation with the Chairman and Vice Chairman of Development Management Committee and subject to the satisfactory completion of a Section 106 Agreement

Committee Decision: Delegated authority to be given to the COP Lead Development Management to grant Conditional Approval in consultation with the Chairman and Vice Chairman of Development Management Committee and subject to the satisfactory completion of a Section 106 Agreement

Conditions:

1. Time
2. Accords with plans
3. Details of levels to be provided and agreed
4. Details of surface water drainage to be submitted to and approved in writing by the LPA
5. Recommendations on Extended Phase 1 Habitat Survey and Ecological Appraisal to be adhered to.
6. No external lighting unless details previously agreed with LPA
7. Requirement for heavy metal soil sampling
8. Unsuspected contamination
9. Pre-commencement - Construction Management Plan
10. East facing dormer windows to be obscure glazed and fixed shut.
11. Materials to be agreed
12. Hard and soft landscaping to be agreed and implemented

13. Tree and hedgerow protection measures during construction to be agreed
14. Details of any retaining walls to be agreed
15. Construction details of estate road, footways, verges etc to be agreed and provided.
16. Removal of PD – roof extensions and means of enclosure
17. Pre-commencement – LEMP
18. Highway, parking and turning to be laid out prior to occupation
19. All off site highway improvement works shall be complete prior to the occupation of the first dwelling
20. No mud, stones, water or debris shall be deposited on the public highway

2992/16/FUL The Rough, Devon Road, Salcombe

Parish: Salcombe

Demolition of existing house and building of new dwelling with associated works

Case Officer Update: N/A

Speakers included: Supporter – Mr Phil Pawsey; Ward Members –
Cllrs Pearce and Wright

Recommendation: Conditional Approval

Committee Decision: Conditional Approval

Conditions:

1. Time
2. Accords with plans
3. Details of materials to be agreed
4. Natural roof slates to be used
5. Details of hard and soft landscaping to be agreed including boundary treatment
6. Details of drainage to be agreed
7. Recommendations of Ecology Report to be adhered to.
8. Windows indicated as obscure to be retained as such
9. Permitted Development rights removed – extensions, roof alterations.
10. 1.8m privacy screen to be provided on north east end of first floor balcony

3599/16/VAR

Combe Cottage, Slapton, Kingsbridge

Parish: Slapton

**Application for variation of condition of granted planning application 44/1852/13/F.
To replace drawings SN:11:52A & 53B and SN:55,56,57**

Case Officer Update: N/A

Speakers included: Supporter – Mr Phil Pawsey; Parish Council Representative – Cllr Graham Burton: Ward Member – Cllr Foss

Recommendation: Delegation to Community of Practice Lead in consultation with the Chairman and Vice Chairman of DM Committee to grant Conditional Approval subject to the signing of a Deed of Variation to the Section 106 Agreement

Committee Decision: Delegation to Community of Practice Lead in consultation with the Chairman and Vice Chairman of DM Committee to grant Conditional Approval subject to the signing of a Deed of Variation to the Section 106 Agreement

Conditions:

1. Time
2. Accords with plans
3. Timescale for laying out private and public open space
4. Landscaping scheme to be implemented
5. Landscaping to be maintained
6. Materials to be agreed
7. Landscaping and Biodiversity Management and Maintenance Plan, including a detailed tree protection plan and arboricultural method statement to be approved and implemented.
8. Means of enclosure, including details of proposed pedestrian gate to Carr Lane and future maintenance
9. Details of drainage to be agreed pre-commencement
10. Agreed drainage to be implemented and completed prior to construction of house above slab level

1648/16/FUL

Beachhouse Café, South Milton Sands, South Milton

Parish: South Milton

Application for a small extension to existing beach café building to provide storage and toilet facilities for staff

Case Officer Update: N/A

Speakers included: Supporter – Mr Richard Snow; Ward Members – Cllrs Pearce and Wright

Recommendation: Conditional Approval

Committee Decision: Conditional Approval

Conditions:

1. Time limit
2. Accord with plans
3. Foul drainage
4. Surface water drainage
5. Removal of structures within yard

3542/16/VAR Ferris Builders Yard (Plot 1), Bay View Estate, Stoke Fleming

Parish: Stoke Fleming

Application variation of condition numbers 2, 3 and 4 following grant of planning permission 51/2045/03/F to allow changes to approved plans

Case Officer Update:	N/A
Speakers included:	Objector – Mrs Jill Wallis; Supporter – Mr Douglas Ferris; Ward Member – Cllr Hicks (statement read out)
Recommendation:	Conditional Approval
Committee Decision:	Conditional Approval

Conditions:

1. Accord with plans
2. Floor levels and roof ridges to accord with approved details
3. Parking to be provided for each dwelling prior to occupation
4. Removal of PD rights
5. Hardsurfacing and means of enclosure to be provided prior to occupation
6. Unsuspected contamination

DM.52/16 PLANNING APPEALS UPDATE

Members noted the list of appeals as outlined in the presented agenda report and the COP Lead Development Management responded to questions and provided more detail where requested.

DM.53/16 PERFORMANCE INDICATORS

The COP Lead Development Management introduced the latest set of performance indicators related to the Development Management service.

It was then:

RESOLVED

That the latest set of performance indicators be noted.

(Meeting commenced at 10.00 am and concluded at 6.15 pm)

Chairman

Voting Analysis for Planning Applications – DM Committee 18 January 2017

Application No:	Site Address	Vote	Councillors who Voted Yes	Councillors who Voted No	Councillors who Voted Abstain	Absent
1879/16/HHO	Kynance, Higher Broad Park, Dartmouth	Conditional Approval	Cllrs Holway, Cane, Rowe, Steer, Foss (5)	Cllrs Hodgson, Bramble (2)	Cllrs Cuthbert, Pearce and Vint (not being present for the Officer presentation) (3)	Cllrs Brazil, Hitchins (2)
1623/16/FUL	Garages 1-3 adjacent to 1A Christina Park, Totnes	Refusal	Cllrs Hodgson, Rowe and Vint (3)	Cllrs Steer, Foss, Cane, Cuthbert, Holway, Pearce, Bramble (7)	(0)	Cllrs Brazil, Hitchins (2)
1623/16/FUL	Garages 1-3 adjacent to 1A Christina Park, Totnes	Conditional Approval	Cllrs Steer, Foss, Cane, Cuthbert, Holway, Pearce, Bramble (7)	Cllrs Hodgson, Rowe and Vint (3)	(0)	Cllrs Brazil, Hitchins (2)
3215/16/FUL	Land at Westerland, Totnes Road, Marldon	Conditional Approval	Cllrs Foss, Steer, Hitchins, Bramble, Holway (5)	Cllrs Cane, Rowe, Hodgson (3)	Cllrs Cuthbert, Pearce and Vint (not being present for the Officer presentation) (3)	Cllr Brazil (1)
3230/16/COU	5 – 9 Victoria Road, Dartmouth	Conditional Approval	Cllrs Steer, Foss, Hitchins, Bramble, Holway, Rowe, Cuthbert, Cane, Pearce (9)	Cllrs Hodgson, Brazil, Vint (3)	(0)	(0)
3204/16/FUL	5 – 9 Victoria Road, Dartmouth	Conditional Approval	Cllrs Steer, Foss, Hitchins, Bramble, Holway, Rowe, Cuthbert, Cane, Pearce (9)	Cllrs Hodgson, Brazil, Vint (3)	(0)	(0)
3205/16/ADV	5 – 9 Victoria Road, Dartmouth	Conditional Approval	Cllrs Steer, Foss, Hitchins, Bramble, Holway, Rowe, Cuthbert, Cane, Pearce, Vint (10)	Cllr Brazil (1)	Cllr Hodgson (1)	(0)

1372/16/FUL	Land at The Fairway, Newton Ferrers	Conditional Approval	Cllrs Steer, Foss, Hitchins, Bramble, Holway, Rowe, Cuthbert, Cane (8)	Cllrs Hodgson, Vint, Brazil, Pearce (4)	(0)	(0)
2992/16/FUL	The Rough, Devon Road, Salcombe	Conditional Approval	Cllrs Steer, Bramble, Rowe, Holway, Cuthbert (5)	Cllrs Pearce, Hodgson (2)	Cllrs Brazil, Cane, Foss, Vint (4)	Cllr Hitchins (1)
3599/16/VAR	Combe Cottage, Slapton, Kingsbridge	Refusal	Cllrs Foss, Hodgson, Brazil, Vint, Pearce (5)	Cllrs Steer, Bramble, Rowe, Cuthbert, Holway, Cane (6)	(0)	Cllr Hitchins (1)
3599/16/VAR	Combe Cottage, Slapton, Kingsbridge	Conditional Approval	Cllrs Steer, Bramble, Rowe, Cuthbert, Holway, Cane (6)	Cllrs Foss, Hodgson, Brazil, Vint, Pearce (5)	(0)	Cllr Hitchins (1)
1518/16/FUL	Beachhouse Café, South Milton Sands, South Milton	Conditional Approval	Cllrs Steer, Bramble, Rowe, Cuthbert, Holway, Cane, Foss, Hodgson, Brazil (9)	Cllr Bramble (1)	Cllr Pearce (1)	Cllr Hitchins (1)
3542/16/VAR	Ferris Builders Yard (Plot 1), Bay View Estate, Stoke Fleming	Conditional Approval	Cllrs Hodgson, Vint, Rowe, Cane, Holway, Cuthbert, Steer (7)	Cllrs Pearce, Bramble, Brazil, Foss (4)		Cllr Hitchins (1)

This page is intentionally left blank

**MINUTES OF THE JOINT MEETING OF THE
OVERVIEW & SCRUTINY PANEL AND THE DEVELOPMENT MANAGEMENT
COMMITTEE HELD AT FOLLATON HOUSE, TOTNES ON
THURSDAY, 19 JANUARY 2017**

Panel Members in attendance:			
* Denotes attendance		∅ Denotes apology for absence	
*	Cllr K J Baldry	*	Cllr T R Holway
*	Cllr J P Birch	*	Cllr N A Hopwood
*	Cllr J I G Blackler	*	Cllr D W May
*	Cllr I Bramble	*	Cllr J A Pearce
*	Cllr J Brazil	∅	Cllr J T Pennington
*	Cllr D Brown	∅	Cllr K Pringle
*	Cllr B F Cane	*	Cllr R Rowe
*	Cllr P K Cuthbert	*	Cllr M F Saltern (Chairman)
*	Cllr R J Foss	*	Cllr P C Smerdon
*	Cllr J P Green	*	Cllr R C Steer
*	Cllr J D Hawkins	*	Cllr R J Vint
*	Cllr P W Hitchins	*	Cllr K R H Wingate (Vice Chairman)
*	Cllr J M Hodgson		

Other Members also in attendance:
Cllrs H D Bastone, R D Gilbert, R J Tucker and S A E Wright

Item No	Minute Ref No below refers	Officers in attendance and participating
All		Head of Paid Service, Executive Director (Service Delivery and Commercial Development), Group Manager – Commercial Services, Operational Manager (Environment Services), Section 151 Officer and Senior Specialist – Democratic Services

OSDM.1/16 DECLARATIONS OF INTEREST

Members and officers were invited to declare any interests in the items of business to be considered during the course of the meeting and these were recorded as follows:-

Cllr J P Green declared a Disclosable Pecuniary Interest in Item 5: 'Review of Fees and Charges for 2017/18' (Minute OSDM.2/16 below refers) specifically in relation to the proposed fee for Acupuncture, Tattooing, Ear-piercing and Electrolysis by virtue of his wife being an acupuncturist. In the event of this particular fee being debated, Cllr Green advised that he would then leave the meeting during the discussion and he abstained from the vote on the recommendation;

Cllr J D Hawkins declared a Personal Interest in Item 5: 'Review of Fees and Charges 2017/18' (Minute OSDM.2/16 below refers) by virtue of being a member of the Dartmouth Royal Regatta Committee and remained in the meeting during the debate and vote on this agenda item; and

Cllrs R J Foss and P C Smerdon both declared a Personal Interest in Item 5: 'Review of Fees and Charges 2017/18' (Minute OSDM.2/16 below refers) by virtue of having a private water supply and remained in the meeting during the debate and vote on this agenda item.

OSDM.2/16 **REVIEW OF FEES AND CHARGES 2017/18**

The meeting considered a report that set out proposals for fees and charges for all services for 2017/18.

In discussion, reference was made to:-

- (a) the findings of the Events Task and Finish Group. It was confirmed that the Group would be presenting its final recommendations in the upcoming months. As a principle, a Member proceeded to emphasise his opposition to the Council continuing to offer an exemption for events on its land that were being held for charity events;
- (b) play area inspections. Officers confirmed that the play area inspections service was subject to open competition, with other providers also able to bid to undertake these works. However, it was also noted that the proposed increase in charges (from £100 + VAT to £130 + VAT) was still a very competitive price;
- (c) car parking charges. A number of Members expressed their disappointment at the lack of related information that had been made available to this meeting. As a consequence, Members felt that it was difficult to be able to make a recommendation on car parking charges without being in receipt of modelling work in relation to factors such as: comparative analysis figures; the projected impact of different percentage price increases; and the proposed increases shown in monetary value. In response, Members were reminded of the 'Community-led tariff' approach that had been adopted by the Council. This approach enabled Members to agree an income target for the whole district, with a consultation exercise then being undertaken with local communities around how their allotted proportion of the total income could be best achieved.

Nonetheless, based upon the information provided, some Members were of the view that they could not recommend any increase in car parking charges and the following motion was **PROPOSED** and **SECONDED** as follows:

'That car parking charges be frozen for 2017/18.'

In discussion, some Members felt that this motion was too restrictive at this time and, such was the budgetary pressures facing the Council, that it was incumbent that consideration was given to increasing car park charges.

When put to the vote, this motion was declared **LOST**.

A further motion related to car parking charges was then **PROPOSED** and **SECONDED** as follows:

'That further modelling work be undertaken (and presented to the Executive meeting on 2 February 2017) on car park charges being increased by either 1% or 2%.'

Having been invited to express their views, officers confirmed that they were confident that both the 1% and 2% increase options were achievable.

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

In addition, a Member asked that consideration be given to any increased income that was generated from car park charges being used to upgrade the appearance of the car parks. Taking this point a step further, officers also gave a commitment to investigate the merits of installing electric charging points and solar energy schemes at Council owned car parks.

Finally on car parking charges, during the community consultation exercise, a Member reiterated the importance of Economic Impact Assessments being undertaken as part of this process;

- (d) the fee structure for the planning pre-application service. A Member criticised the current service and warned against the service review from recommending any increases in charges. In contrast, another Member hoped that the review would recognise the importance of the service and conclude that there was a need to increase resources in this regard, with charges then being increased accordingly;
- (e) benchmarking proposed charges. In response to a Member expressing particular interest in the proposed charges for Dinghy Parking, the Head of Paid Service confirmed that benchmarking information relating to the proposed charges would be circulated to Members following this meeting;
- (f) the commercial waste charges. It was noted that the proposed delegated authority arrangements to set the Commercial Waste charges was being recommended to ensure that the service had the ability to react to the pricing strategies of market competitors.

It was then:

RECOMMENDED

That the Executive **RECOMMEND** to Council that:-

1. the proposed fees and charges set out for Parks, Open Spaces and Outdoor Sports be approved;

2. the proposed Environmental Health Charges review be approved;
3. the ongoing work of the Dartmouth Lower Ferry Task and Finish Group in relation to income generation opportunities be noted, in advance of assessment at a later date;
4. the planned review of the pre-application service (including the fee structure) be noted, with the outcome of this review being presented to a future Overview and Scrutiny Panel meeting;
5. further modelling work be undertaken (and presented to the Executive meeting on 2 February 2017) on car park charges being increased by either 1% or 2%; and
6. delegated authority be granted to the Group Manager for Commercial Services, in consultation with the lead Executive Member, to set the Commercial Waste charges, once all the price modelling factors are known.

OSDM.3/16 **BUDGET PROPOSALS 2017-18**

Members considered a report that asked for consideration of the draft Budget proposals for 2017-18 and that presented the outcomes of the recent Members' Budget Workshop.

In presenting this agenda item, the Section 151 Officer tabled an additional paper that outlined a summary of the changes to the report that had been initially considered by the Executive at its meeting on 15 December 2016 (Minute E.50/16 refers).

In discussion, reference was made to:-

- (a) the 2017/18 Local Government Finance Settlement. Having been informed that the provisional settlement for the Council would see funding reduced by a further 39.3% between now and 2019/20, a number of Members expressed their deep frustrations at this announcement. In acknowledging these concerns, the Section 151 Officer advised that she had compiled a strongly worded consultation response letter to the Department for Communities and Local Government, which she would ensure was circulated to all Members. When questioned, the Section 151 Officer advised that many district councils were in the same position as the Council whereby they would be in receipt of no Revenue Support Grant from Central Government by 2018;

- (b) the Development Management service. A Member stated that, such was the reputational damage incurred through the service currently being provided by Development Management, that a further detailed review should be undertaken by the Overview and Scrutiny Panel. In reply, other Members referred to the improved performance figures that were being monitored monthly by the Development Management Committee and the Overview and Scrutiny Panel already being committed to a review of progress being made on the Peer Review Action Plan.

A Member also expressed the view that the adopted T18 Model was not conducive to the Development Management service. Whilst officers acknowledged that the new Model had not initially worked as intended for the service, this was now being rectified. For example, the current practice whereby Specialists had still been validating planning applications would cease within the next two weeks;

- (c) the additional planning resources. Since the Development Management service was already under immense pressure, some Members questioned whether the proposed additional resources would be sufficient. In response, it was noted that the Senior Leadership Team had considered this matter in great depth and the proposed increases in resource represented their best predictions of future service need to ensure that performance improvements are maintained. Nonetheless, some Members were of the view that there was a requirement for more resources in the service and a motion was **PROPOSED** and **SECONDED** as follows:

‘That an additional cost pressure to that proposed in the draft budget papers of £50,000 be added to reflect a permanent increase to the staffing establishment for dedicated Development Management service resource for South Hams District Council.’

In support of the motion, some Members reiterated the massive resource pressures being suffered by the service. In contrast, other Members felt that the predictions of the Senior Leadership Team should be trusted.

When put to the vote, the motion was declared **LOST**.

An alternative motion was then **PROPOSED** and **SECONDED** as follows:

‘That a cost pressure of £50,000 be added to reflect a permanent increase to the staffing establishment for an additional planning specialist and an additional Case Manager for Planning Enforcement. (NOTE: this cost reflects the Council’s share of the cost for these shared staffing posts with West Devon Borough Council).’

When put to the vote, the motion was declared **CARRIED**.

- (d) increasing the Council Tax for 2017/18. Whilst regrettable, there was unanimous support amongst Members to recommend that Council Tax be increased by £5 for 2017/18. Such was the extent of the ongoing budget reductions from central government, that Members reluctantly felt it to be absolutely essential for the Council Tax Base to be built up as much as possible;
- (e) mitigating against Climate Change and flooding. Having raised it at the recent Budget Workshop, a Member asked that consideration be given to measures being put in place to mitigate against climate change and flooding;
- (f) business rates. It was noted that a Business Rates Revaluation had been undertaken that would come into effect from 1 April 2017. The Section 151 Officer confirmed that this would result in the financial impact on the Council being cost neutral, with no increase in income to the Council. In reply to a question, it was also confirmed that a large Business Rates appeal for the Council was still ongoing;
- (g) Commercial Services. The meeting was advised that there may be some additional budgetary pressures arising from legislative changes to Commercial Services. If this was the case, then it was confirmed that these would be reported to the Executive at its meeting on 2 February 2017. With regard to the projected £125,000 savings generated by the waste round review, a Member questioned why these were no longer attainable. In reply, officers stated that the initial figures had been based upon a desktop exercise undertaken by consultants that had since proven to be unachievable. As a consequence, the Waste and Recycling Task and Finish Group was currently looking at future service options with a view to reporting its findings to the Overview and Scrutiny Panel during the upcoming months;
- (h) the reduction in planning fee income. It was noted that the main reason that income had reduced was attributed to the extensive reduction in large scale renewable energy related planning applications. Officers proceeded to confirm that this trend was consistent throughout the South West region;
- (i) the Budget Scouring savings. The Section 151 Officer confirmed that these savings had been identified through meetings between the relevant budget holder and their respective finance business partner and all parties were confident that the identified savings would be achieved. However, the Section 151 Officer did also inform that these meetings had also identified some budget pressures;
- (j) town and parish councils being in receipt of paper copies of plans. Whilst all clerks had been notified of the intention for paper copies of plans to no longer be posted to them, a Member requested an update as to whether this was still to take effect. In response, officers gave a commitment to provide an update to Members on this matter after the meeting;

- (k) the recent Member Survey. All Members were urged to complete the recently published Survey to help the Council inform its work in bringing forward and prioritising income and efficiency initiatives;
- (l) the £777,402 that had been transferred into an Innovation Fund. Members were reminded that these monies (with the exception of £20,500) had already been committed to invest to earn projects (as outlined at paragraph 10.6 of the presented agenda report);
- (m) the T18 Programme payback period. Whilst acknowledging that the Programme had delivered the required savings, the request was made for a report to be presented on this matter to a future Overview and Scrutiny Panel meeting;
- (n) the recommendations of the Joint Steering Group on the Local Authority Controlled Company (LACC). In the event of the Council approving the recommendations regarding the LACC, a Member questioned what informal consideration had been given to alternative options. In reply, the Leader advised that more information would become apparent at the Executive meeting on 2 February 2017;
- (o) the balance in the 2016/17 Budget Surplus Contingency Earmarked Reserve. There was unanimous support amongst the meeting for the balance (amounting to £287,273) to be used to fill the 2017/18 Budget gap, thereby enabling time to identify future saving and/or income generation opportunities;
- (p) income generation opportunities from renewable energy sources. The majority of Members repeated their earlier views whereby it would now be timely to revisit potential income generation opportunities from means such as Solar PVs on car parks and Council owned buildings and electric charging points in Council car parks. Moreover, requests were made for the Panel to give consideration to the future use of Follaton House and officers agreed to give consideration to the merits of conducting a feasibility study on the development of small scale employment units for the use of small businesses.

It was then:

RECOMMENDED

That the Executive **RECOMMEND** to Council that:-

1. Council Tax for 2017/18 be increased by £5;
2. a cost pressure of £50,000 be added to reflect a permanent increase to the staffing establishment for an additional planning specialist and an additional Case Manager for Planning Enforcement. (NOTE: this cost reflects the Council's share of the cost for these shared staffing posts with West Devon Borough Council); and

3. a temporary increase be made to the staffing establishment of five Case Managers for a twelve month period, with the majority of these staff (in the short term) working within the Development Management service (NOTE: the £75,000 cost of this temporary resource to be funded from the Budget Surplus Contingency Earmarked Reserve).

OSDM.4/16 **CAPITAL BUDGET PROPOSALS FOR 2017/18 TO 2019/20**

Members considered a report that set out the Capital Bids to the 2017/18 Capital Programme totalling £2,525,000 and a suggested way that these Bids could be funded. The report highlighted that all items in the proposed Capital Programme were based on budget estimates and would be subject to the normal project appraisal procedures.

In light of Members wishing to discuss elements of the exempt appendices, it was then:

RESOLVED

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

In discussion on the exempt appendices, the following points were raised:-

- (a) There was widespread opposition expressed amongst Members to the proposed Council Chamber refurbishment project being undertaken at this time. As a consequence, it was **PROPOSED** and **SECONDED** that

'The proposed Council Chamber refurbishment project should be removed from the list of proposed capital projects.'

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

- (b) Officer confirmed that the Market Square, Totnes Project would be undertaken in consultation with the town council.

Once all Members were content that they had no further issues to raise in exempt session, it was then

RESOLVED

That the public and press be readmitted to the meeting.

In discussion on the report, particular reference was made to:-

- (i) Private Sector Renewals (including Disabled Facilities Grants). A Member urged the Council to be firm in its negotiations to ensure that the Council did not have to use any of its own Capital contributions. In response, it was noted that the Council was being firm and it was hoped that a further update in this regard would be available in time for the Executive meeting on 2 February 2017;
- (ii) Affordable Housing. A number of Members expressed their strong support and emphasised the importance of the proposal to include an annual contribution of £230,000 towards affordable housing provision.

It was then:

RECOMMENDED

That the Executive **RECOMMEND** to Council that:-

1. the Capital Programme project proposals for 2017/18 (as outlined at Appendix A of the presented agenda report) be approved;
2. the Capital Programme project proposals for 2017/18 (as outlined at Exempt Appendix B of the presented agenda report) be approved, subject to the removal of the Council Chamber refurbishment project at Follaton House, Totnes;
3. following the Budget Scouring exercise, the capital projects for 2016/17 (as detailed in Exempt Appendix D of the presented agenda report) be removed from the Capital Programme;
4. the remaining Capital Programme contingency monies from the 2015/16 and 2016/17 programmes (totalling £167,000) be used to meet the increased costs detailed in Exempt Appendix D of the presented agenda report); and
5. the 2017/18 Capital Programme of £2,525,000 (less the £110,000 for the Council Chamber refurbishment) be financed from the funding sources that are set out in Section 4 of the presented agenda report.

(Meeting started at 10.00 am and concluded at 12.25 pm)

Chairman

This page is intentionally left blank

**MINUTES OF THE MEETING OF THE
OVERVIEW & SCRUTINY PANEL
HELD AT FOLLATON HOUSE, TOTNES ON
THURSDAY, 19 JANUARY 2017**

Panel Members in attendance:			
* Denotes attendance		∅ Denotes apology for absence	
*	Cllr K J Baldry	*	Cllr D W May
*	Cllr J P Birch	∅	Cllr J T Pennington
*	Cllr J I G Blackler	∅	Cllr K Pringle
*	Cllr D Brown	*	Cllr M F Saltern (Chairman)
*	Cllr J P Green	*	Cllr P C Smerdon
*	Cllr J D Hawkins	*	Cllr K R H Wingate (Vice Chairman)
*	Cllr N A Hopwood		

Other Members also in attendance:
Cllrs I Bramble, J Brazil, B F Cane, J M Hodgson, T R Holway, R J Tucker, R J Vint, J A Pearce, R C Steer and S A E Wright

Item No	Minute Ref No below refers	Officers in attendance and participating
All		Head of Paid Service, Executive Director (Service Delivery and Commercial Development) and Senior Specialist – Democratic Services
8	O&S.62/16	Specialist – Performance and Intelligence and Contact Centre Manager

O&S.58/16 MINUTES

The minutes of the meeting of the Overview and Scrutiny Panel held on 24 November 2016 were confirmed as a correct record and signed by the Chairman.

O&S.59/16 DECLARATIONS OF INTEREST

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

O&S.60/16 PUBLIC FORUM

In accordance with the Public Forum Procedure Rules, the following six questions had been received for consideration during this agenda item:

Questions received from Cllr Birch:

1. *Are officers and/or Executive Members in discussions and/or correspondence with any potential developers in respect of the possible development of any of the Council owned car parks within South Hams?*
2. *When did officers and/or Executive Members first meet with the developer mentioned in the Council's press release dated 19 December 2016 to discuss and/or receive a presentation concerning the proposed development of car parks within South Hams?*
3. *Which Executive Members were present?*
4. *Which car parks were mentioned in the discussion and/or presentation?*
5. *What was the outcome of the discussion/presentation and were there further presentations and/or discussions? If so when?*
6. *Were there any reports and/or correspondence prepared or received following the presentation mentioned at Question 2 above?*

In response to these questions, Cllr Tucker advised that:-

- An initial meeting had been held on 9 November 2015. The meeting had taken place following an approach from a Developer and was attended by Council officers and Cllrs Hicks and Ward. During this meeting, it became apparent that all Council owned car parks were of potential interest to the Developer;
- A further meeting was held in Modbury on 14 March 2016 between Cllr Ward (as local ward Member) and the Developer specifically on future development proposals in that parish;
- On 12 May 2016, a telephone conference call was held during which the Developer was informed that the Council was not willing to take the discussions any further;
- A report was presented to the Overview and Scrutiny Panel at its meeting on 7 April 2016 entitled 'Income Generation Proposals' (Minute O&S.100/15 refers) which made reference to these proposals. Cllr Tucker confirmed that a copy of this report and appendices would be sent to Cllr Birch; and
- Following the initial meeting, the particular car parks that the Developer had inspected were: Shadycombe Car Park, Salcombe; the Nursery Car Park, Totnes; and Modbury.

O&S.61/16 **LATEST PUBLISHED EXECUTIVE FORWARD PLAN**

The Panel was presented with the most recently published Executive Forward Plan.

In so doing, the Panel was advised that there was a likelihood that two further items would be included on the Executive agenda for its meeting on 2 February 2017 that related to a possible Asset Disposal and a Section 106 Expenditure matter.

O&S.62/16 **PERFORMANCE DASHBOARDS**

The Panel considered a report that presented a new method to present performance information. In so doing, it was intended that the new display information would ensure that performance was presented in a more easy to understand way.

In discussion, the following points were raised:-

- (a) The Panel expressed its support for the retention of the existing format of performance reporting whereby detailed reports are formally presented on a quarterly basis;
- (b) The key indicators of interest to the Panel being in relation to the:
 - Development Management Service;
 - Customer Contact Centre;
 - Revenue and Benefits service;
 - Number of Complaints;
 - Time taken to pay invoices;
 - Number of missed bin collections.
- (c) In respect of missed bins, Members requested that detailed comparative information be presented in the future to enable for the success of the new In-Cab technology to be gauged;
- (d) At a future meeting, the Panel specifically requested that they be in receipt of a report that outlined exactly how the Revenue and Benefits service operated;
- (e) Members again asked that their thanks be passed on to the Customer Contact Centre staff for the demonstrable service improvements. In recognising that the number of calls and visitors had reduced, Members hoped that the new Council website (scheduled to go live in the upcoming weeks) would further assist with the Channel Shift agenda. Following earlier guarantees, the Panel was assured that Members would be given the opportunity to test the new website before it went live;
- (f) A Member expressed his belief that the covalent system was particularly impressive.

It was then:

RESOLVED

That the performance dashboards have been reviewed and the comments (as outlined above) be taken into account during the preparation of future quarterly performance reports.

O&S.63/16 TASK AND FINISH GROUP UPDATES

(a) Dartmouth Lower Ferry

The Chairman advised that the next Group meeting was to be held on 1 February 2017 and it was hoped that a concluding report would be presented to the next Panel meeting on 23 February 2017.

(b) Waste and Recycling

It was noted that a meeting had been held on 16 January 2017 and the Group was now focusing on drafting a report that outlined potential future service options.

(c) Events Policy

The Group Chairman advised the Panel that its next meeting would be taking place on Thursday, 2 February 2017.

O&S.64/16 ACTIONS ARISING / DECISIONS LOG

The contents of the latest version of the Log was presented and subsequently noted with no further issues or comments being raised.

O&S.65/16 DRAFT ANNUAL WORK PROGRAMME 2016/17

In consideration of its Annual Work Programme, the Panel noted that a number of requests had been made during the course of both this meeting and the earlier Joint meeting with Members of the Development Management Committee. As a consequence, the Panel requested that officers meet with the Panel Chairman and be given delegated authority to update the Work Programme accordingly.

With regard to the future use of Follaton House, it was noted that current heating inefficiencies should be included in this project. On this specific aspect, Members recalled that a commitment had been previously given for Cllrs Hopwood and Wingate (who both had expertise in this area) to be fully involved in discussions with officers. However, the point was made that there had been no such dialogue held with them to date.

(Meeting started at 12.30 pm and concluded at 12.55 pm)

Chairman