

# West Devon Council



West Devon  
Borough  
Council

<b>Title:</b>	<b>Summons</b>																																													
<b>Date:</b>	<b>Tuesday, 27th March, 2018</b>																																													
<b>Time:</b>	<b>4.30 pm</b>																																													
<b>Venue:</b>	<b>Chamber - Kilworthy Park</b>																																													
<b>Full Members:</b>	<p style="text-align: center;"><b>Mayor</b> Cllr Moody <b>Deputy Mayor</b> Cllr Davies</p> <p><i>Members:</i></p> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">Cllr Baldwin</td> <td style="width: 33%;">Cllr Musgrave</td> <td style="width: 33%;"></td> </tr> <tr> <td>Cllr Ball</td> <td>Cllr Oxborough</td> <td></td> </tr> <tr> <td>Cllr Cann OBE</td> <td>Cllr Parker</td> <td></td> </tr> <tr> <td>Cllr Cheadle</td> <td>Cllr Pearce</td> <td></td> </tr> <tr> <td>Cllr Cloke</td> <td>Cllr Ridgers</td> <td></td> </tr> <tr> <td>Cllr Edmonds</td> <td>Cllr Roberts</td> <td></td> </tr> <tr> <td>Cllr Evans</td> <td>Cllr Sampson</td> <td></td> </tr> <tr> <td>Cllr Hockridge</td> <td>Cllr Samuel</td> <td></td> </tr> <tr> <td>Cllr Jory</td> <td>Cllr Sanders</td> <td></td> </tr> <tr> <td>Cllr Kimber</td> <td>Cllr Sellis</td> <td></td> </tr> <tr> <td>Cllr Lamb</td> <td>Cllr Sheldon</td> <td></td> </tr> <tr> <td>Cllr Leech</td> <td>Cllr Stephens</td> <td></td> </tr> <tr> <td>Cllr McInnes</td> <td>Cllr Watts</td> <td></td> </tr> <tr> <td>Cllr Mott</td> <td>Cllr Yelland</td> <td></td> </tr> <tr> <td>Cllr Moyse</td> <td></td> <td></td> </tr> </table>	Cllr Baldwin	Cllr Musgrave		Cllr Ball	Cllr Oxborough		Cllr Cann OBE	Cllr Parker		Cllr Cheadle	Cllr Pearce		Cllr Cloke	Cllr Ridgers		Cllr Edmonds	Cllr Roberts		Cllr Evans	Cllr Sampson		Cllr Hockridge	Cllr Samuel		Cllr Jory	Cllr Sanders		Cllr Kimber	Cllr Sellis		Cllr Lamb	Cllr Sheldon		Cllr Leech	Cllr Stephens		Cllr McInnes	Cllr Watts		Cllr Mott	Cllr Yelland		Cllr Moyse		
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<b>Interests – Declaration and Restriction on Participation:</b>	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.																																													
<b>Committee administrator:</b>	Member.Services@swdevon.gov.uk																																													

**1. Apologies for Absence**

**2. Confirmation of Minutes**

**1 - 16**

To approve and adopt as a correct record the Minutes of the Meeting of Council held on 20 February 2018

**3. Declarations of Interest**

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

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

**4. To receive communications from the Mayor or person presiding**

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

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

**7. To consider question(s) submitted under Council Procedure Rule 21:**

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

**Motion received from Cllr Mott:**

*"Parishes and groups are being encouraged to develop Neighbourhood Plans along with the support of local communities in order to have a say, under localism, in how their community is shaped for the foreseeable future. This is at great financial cost, be it in money or time to all involved. Indeed we ourselves are in the final throws of completing our own Joint Local Plan with Plymouth and South Hams. The latest instruction from central Government and what appears to be a not so hidden agenda from the Planning Inspectorate seems to show scant regard to localism and local opinion. One person is able to ride roughshod*

*through the process with a manifesto of building regardless of cost to the two main industries of West Devon, namely agriculture and tourism. When an industry not supported by policy uses a quick fix to diversify and build giving views of row upon row of white boxes. Intensive farming not of animals this time but of humans. With this we lose a little more each time of what makes this landscape unique and attractive.*

*I would like to ask this Council's support in writing to our Members of Parliament to express our concerns over the disregard to local expectations and opinions and to support the concerns expressed by Parish Councils who feel that consultation is a waste of time. We deserve a say in how our communities are developed and need reassurance that the principle of localism is still a valid one."*

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

- |   |                |
|---|----------------|
| <b>(a) Standards Committee - 21 November 2017</b>       | <b>17 - 18</b> |
| <b>(b) Council Tax Setting Panel - 21 February 2018</b> | <b>19 - 22</b> |
| <b>(c) Hub Committee - 13 March 2018</b>                | <b>23 - 28</b> |

**Unstarred Minutes to agree**

Members are recommended to agree:

**HC 70 Waste Policies Review**

That Council be **RECOMMENDED** that:-

- 1) the policy updates as recommended by the Waste Working Group, outlined in paragraph 5 of the presented report to the Hub Committee and provided in full at Appendix 1 be approved, subject to inclusion of the minor changes referred to in the minutes of that meeting; and
- 2) those minor changes considered necessary to the terms as highlighted are delegated to the Commissioning Manager (Waste) in consultation with the Lead Member for Commercial Services, Chair of the Waste Working Group.

**HC 71 West Devon Parking Strategy**

That Council be **RECOMMENDED** that:-

- 1) The West Devon Parking Strategy (as presented at Appendix A to the Hub Committee) be adopted; and

- 2) Pay and Display charges be amended in accordance with presented Appendix B to the Hub Committee, excepting Market Street, Okehampton where charges remain unchanged, and presented Appendix C. The changes proposed within Appendix B allow for innovative tariff setting to be tested where sustainable solutions have been brought forward by the advisory Car Parking Strategy Group, and, providing they do not affect the ability to achieve service sustainability, will come back to be presented to Hub Committee.

**10. Waste Review**

Report to follow

**11. Commercial Acquisition Strategy Update**

Report to follow

**12. Treasury Management Strategy**

Report to follow

**13. Pay Policy Statement**

**29 - 50**

**14. Calendar of Meetings 2018/19**

**51 - 54**

**15. Appointment to Joint Local Plan Joint Steering Group and Formal Establishment of the Financial Stability Review Group**

**55 - 60**

**16. Accommodation Report**

**61 - 80**

# Agenda Item 2

At the Meeting of the **WEST DEVON BOROUGH COUNCIL** held in the **COUNCIL CHAMBER, KILWORTHY PARK, TAVISTOCK** on **TUESDAY** the **20<sup>th</sup>** day of **FEBRUARY 2018** at **4.30pm** pursuant to Notice given and Summons duly served.

## Present

Cllr J B Moody – Mayor (In the Chair)

Cllr R E Baldwin      Cllr K Ball  
Cllr W G Cann OBE   Cllr D W Cloke  
Cllr M Davies          Cllr C Edmonds  
Cllr L J G Hockridge   Cllr N Jory  
Cllr A F Leech        Cllr P Kimber  
Cllr B Lamb            Cllr J R McInnes  
Cllr C Mott            Cllr D E Moyse  
Cllr C R Musgrave    Cllr R J Oxborough  
Cllr G Parker          Cllr T G Pearce  
Cllr P J Ridgers      Cllr A Roberts  
Cllr R F D Sampson   Cllr L Samuel  
Cllr P R Sanders      Cllr L Watts  
Cllr J Yelland

Head of Paid Service  
Acting Lead Specialist Legal  
Senior Specialist – Democratic Services  
Section 151 Officer

## CM 49      **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Cllrs R Cheadle, J Evans, D K A Sellis, J Sheldon and B Stephens.

## CM 50      **CONFIRMATION OF MINUTES**

It was moved by Cllr P R Sanders, seconded by Cllr L Samuel and upon the motion being submitted to the Meeting was declared to be **CARRIED** and **“RESOLVED** that the Council agree the Minutes of the Meeting held on 5 December 2017 as a true record.”

## CM 51      **DECLARATION OF INTEREST**

The Mayor invited Members to declare any interests in the items of business to be considered during the course of the meeting. These were recorded as follows:-

Cllrs A F Leech and J Yelland both declared a personal interest in Item 11: ‘Community Governance Review – Okehampton’ (Minute CM 58 below refers) by virtue of being members of Okehampton Town Council and remained in the meeting during the debate and vote on this agenda item;

Cllr G Parker declared a personal interest in Item 10: 'Budget Proposals for 2018/19' (Minute CM 57 below refers) and specifically Appendix F (list of Partnership Funding) by virtue of being the President of the Rotary Club, which was instrumental in the running of the South West Rotary Youth Games and remained in the meeting during the debate and vote on this agenda item;

Cllr J Yelland also declared a personal interest in Item 10: 'Budget Proposals for 2018/19' (Minute CM 57 below refers) and specifically Appendix F (list of Partnership Funding) by virtue of being a volunteer for Citizens Advice and remained in the meeting during the debate and vote on this agenda item;

Cllr N Jory declared a Disclosable Pecuniary Interest in Item 10: 'Budget Proposals for 2018/19' (Minute CM 57 below refers) and specifically Appendix F (list of Partnership Funding) by virtue of being employed by Business Information Point (BIP). In the event of any specific issues being raised in relation to BIP, Cllr Jory advised that he would leave the meeting room at that point and would abstain from the vote on the substantive motion on part 4 of the recommendation;

Cllr M Davies declared a personal interest in Item 10: 'Budget Proposals for 2018/19' (Minute CM 57 below refers) and specifically Appendix F (list of Partnership Funding) by virtue of being a Rotarian and remained in the meeting during the debate and vote on this agenda item;

Cllr M Davies also declared a personal interest in Item 7: 'Public Questions' (Minute CM 54 below refers) by virtue of having previously been a trustee of Okehampton Community and Recreation Association (OCRA) and remained in the meeting during consideration of this agenda item;

Cllr K Ball declared a personal interest in Item 7: 'Public Questions' (Minute CM 54 below refers) by virtue of having previously allocated Devon County Council Locality Fund monies to OCRA and remained in the meeting during consideration of this agenda item;

Cllr K Ball also declared a personal interest in Item 10: 'Budget Proposals' (Minute CM 57 below refers) by virtue of having previously allocated Devon County Council Locality Fund monies to OCRA and the Devon Youth Games and remained in the meeting during consideration of this agenda item; and

Cllr K Ball also declared a personal interest in Item 11: 'Community Governance Review – Okehampton' (Minute CM 58 below refers) by virtue of having attended a meeting with Okehampton Hamlets Parish Council in an individual capacity.

**MAYOR'S ANNOUNCEMENTS**

At his discretion, the Mayor made reference to:-

**(a) West Devon Safe Haven – Mr Angus Colton and Mr David Thompson**

As had been highlighted on the published summons for this meeting, the Mayor informed that he had exercised his discretion to invite Messrs Angus Colton and David Thompson to provide a verbal update on the background and work of West Devon Safe Haven.

In so doing, Messrs Colton and Thompson informed that:-

- a public meeting had been called on 3 February 2017 to discuss the potential to help Syrian refugees in West Devon. At this meeting, over 200 people had attended and it was immediately apparent that there were many local residents who were willing to help. Offers of help at this meeting included:
  - o one landlord offering up the use of a flat in Tavistock;
  - o an attendee offering to purchase properties to house refugees;
  - o one landlord offering up the use of a flat in Okehampton; and
  - o a couple offering £250,000 towards the purchase of properties.
- the total number of Syrian refugee families residing in the Borough would soon increase to 4. The representatives confirmed that those refugee families who were currently living in the Borough were very happy and the organisation would like to be able to offer housing provision for a further 4 families;
- there had been a need for the organisation to formalise itself as a charity. As a result of the momentum gained, it was noted that West Devon Safe Haven had been established six months ago and it was hoped that the organisation would ultimately be self-financing;
- the families were desperate to work and would be grateful for any work experience opportunities. The representatives were of the view that the Council may be able to help in this respect. Also, to help integrate these families into the local community, the representatives informed that they did not have extensive knowledge of local sports provision and clubs and would welcome any input from the Council and its Members;

In conclusion, the representatives informed that the families had been met with care and compassion (and absolutely no animosity) throughout West Devon. Furthermore, the representatives wished to dispel the myth that refugees would not be welcomed by local residents in the Borough.

Members thanked the representatives for their informative presentation and some asked that their contact details be passed on to the organisation outside of this Council meeting.

**CM 53 URGENT BUSINESS**

The Mayor informed that he had agreed for one urgent item to be raised at this meeting that related to a Part 2 matter that would be considered as an additional agenda item 13 (Minute CM 60 below refers).

**CM 54 PUBLIC QUESTIONS**

**Questions Received from Mr Stuart Lord:**

1. *“Would Councillors agree that the results of cuts in services and funding to projects that currently impact positively on activity, social interaction and support maintaining and developing Community Groups, will have a detrimental impact and that the following outcomes are likely?”*

- *Poorer health;*
- *Increased social isolation and decreased confidence;*
- *Increased crime;*
- *Less voluntary opportunities;*
- *Increased mental health issues;*
- *A lack of integrated opportunities for all but in particular new people to areas; and*
- *A loss of community identity.*

1A. *“Is this reduction in support and funding a false economy as councils will have to deal with the long-term effects of more people becoming vulnerable and experiencing issues in Community Life?”*

In reply, Cllr Sanders informed that he would provide a full written response to these questions in due course. However, in the meantime, Cllr Sanders made the following points:-

- Every Member was fully appreciative of the value of the Voluntary Sector, with a number being heavily involved with voluntary organisations. Furthermore, every Member was aware of the difficulties being experienced by voluntary organisations in obtaining funding;
- Since Council Taxpayers trusted Members to spend public monies appropriately, it was his personal view that, in light of the similarly severe budget pressures facing this Council, priority should be given to core and statutory Council services (such as Waste and Housing) as opposed to non-statutory functions, such as providing funding to voluntary organisations.



(NOTE: Mr Lord had given notice of a further four questions (that were outlined on the published summons). Since Mr Lord had now received a formal reply to these questions (that had also been presented to the Hub Committee at its meeting on 6 February 2018), the Mayor informed that he was not willing for these to be considered again at this meeting).

## **CM 55 NOTICES OF MOTION**

It was noted that there were no motions received for consideration at this meeting.

## **CM 56 MINUTES OF COMMITTEES**

### **a. Overview and Scrutiny Committee – 16 January 2018**

It was moved by Cllr J Yelland, seconded by Cllr D E Moyse and upon being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that the Minutes of the 16 January 2018 meeting be received and noted”.

### **b. Audit Committee – 30 January 2018**

It was moved by Cllr M Davies, seconded by Cllr K Ball and upon being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that the Minutes of the 30 January 2018 meeting be received and noted”.

### **c. Development Management and Licensing Committee – 12 December 2017 and 23 January 2018**

It was moved by Cllr P R Sanders, seconded by Cllr A Roberts and upon being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that the Minutes of the 12 December 2017 and 23 January 2018 meetings be received and noted, with the exception of Unstarred Minute DM&L 50”.

In so doing, the Committee Chairman advised that he had been made aware of some discrepancies in the attendance and apologies lists for these meetings that would be corrected at the next scheduled Committee meeting.

In respect of the Unstarred Minute:

#### **i. DM&L 50 Review of Development Management Fees and Charges for 2018/19**

It was moved by Cllr P R Sanders, seconded by Cllr A Roberts and upon being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that that the Fees and Charges as set out in Appendix A of the presented agenda report be approved.”

**d. Hub Committee – 6 February 2018**

It was moved by Cllr P R Sanders, seconded by Cllr L Samuel and upon being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that the Minutes of the 6 February 2018 meeting be received and noted, with the exception of Unstarred Minutes HC 59 and HC 62”.

In respect of the Unstarred Minutes:

**i. HC 59 Revenue Budget Monitoring to December 2017**

It was moved by Cllr P R Sanders, seconded by Cllr L Samuel and upon being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that:

1. The income surplus (of up to £10,000) be transferred into a Support Services Trading Opportunities Earmarked Reserve at the end of the 2017/18 Financial Year. This is expected to be £10,000 and was generated by HR and Finance in providing support to other Councils on their Transformation Programmes;
2. The underspend on the Leisure budget (of up to £57,000) be transferred into the Leisure Earmarked Reserve at the end of the 2017/18 Financial Year; and
3. The additional planning income of £40,000 be transferred into the Planning Policy and Major Developments Earmarked Reserve at the end of the 2017/18 Financial Year.”

**ii. HC 62 Air Quality Strategy**

It was moved by Cllr P R Sanders, seconded by Cllr L Samuel and upon being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that a public statutory consultation be commenced on the proposed Air Quality Strategy (as outlined at Appendix 1 of the presented Hub Committee agenda report).”

**CM 57 BUDGET PROPOSALS FOR 2018/19**

A report was considered that updated Members on the revenue and capital budget position for the year 2018/19.

The Leader introduced the report and emphasised the significant financial challenges that were facing the Council and stressed the need for the Council to cut its expenditure whilst increasing its income.

Following the Leader's introduction, the Mayor invited questions from the meeting and reference was made to:-

- the projected income of £180,000 from the reasonable setting of car parking tariffs. In reiterating the view expressed by the Overview and Scrutiny Committee that the additional income projection was ambitious, a Member questioned whether usage levels had been taken into account. In response, it was noted that this matter would be addressed by the Car Parking Strategy Group at its meeting on 6 March 2018;
- the proposal to reduce the size of the Hub Committee. In light of the Hub Committee recommendation being to defer this matter to the Political Structures Working Group, it was not felt appropriate to pre-empt the outcome of this review by recommending any savings at this time;
- the findings of the Financial Stability Member Working Group. It was intended that these findings would be presented to the next Hub Committee meeting on 14 March 2018;
- the proposed closure of the Okehampton office. In the event of this proposal being approved by the Council, it was confirmed that alternative provision would be put in place, with the Council's Locality Service being utilised for this purpose.

In the ensuing debate on this agenda item, reference was made to:-

- (a) part 1 of the recommendation. Such were the severe financial pressures facing the Council, that Members felt that they had little option other than to support the proposal to increase Council Tax by 2.99% (i.e. the maximum increase without triggering a referendum) for 2018/19;

In accordance with statutory legislation, the Mayor then called for a recorded vote on part 1 only of the recommendation (i.e. that Council Tax be increased by 2.99% for 2018/19). The vote was subsequently recorded as follows:-

For the motion (26):                      Cllrs Baldwin, Ball, Cann OBE, Cloke, Davies, Edmonds, Hockridge, Jory, Kimber, Lamb, Leech, McInnes, Moody, Mott, Moyse, Musgrave, Oxborough, Parker, Pearce, Ridgers, Roberts, Sampson, Samuel, Sanders, Watts and Yelland

Against the motion (0):

Abstentions (0):

Absent (5):                                      Cllrs Cheadle, Evans, Sellis, Sheldon and Stephens

and the vote on part 1 was therefore declared **CARRIED**.

- (b) an amendment to part 4 of the recommendation. As was outlined on the published summons, Cllr Leech had given notice of this intention to **PROPOSE** the following amendment at this meeting:

*“That a decision to cut the funding of the following groups should be deferred for twelve months:*

- *Okehampton Community Transport Group;*
- *Tavistock Ring and Ride Group;*
- *West Devon Community and Voluntary Service;*
- *Citizens Advice;*
- *Young Devon; and*
- *South West Rotary Youth Games.*

*This would allow these charities to have the opportunity to find future funding from elsewhere and, if they want to, add their names to the new WDBC Lottery Scheme that may well help to fill any shortfalls in their budgets by the loss of funding from WDBC.”*

To enable for it to be debated, the amendment was subsequently **SECONDED** by Cllr C R Musgrave. A lengthy debate proceeded to take place during which it became apparent that the Chamber was divided in its support and opposition to the amendment.

In support of the amendment, the following points were raised:-

- (i) Some Members reminded those present that the Council had a social conscience that included helping the less advantaged;
- (ii) Some Members cited examples that they considered illustrated a lack of both consultation and advanced warning of the proposed cuts to a number of those partnerships listed;
- (iii) A Member made reference to the additional grant funding that had been received by the Council since the Task and Finish Group had completed its review. As a consequence, the Member was of the view that this would enable for any decisions to reduce these partnership grants to be deferred for twelve months. However, in so doing, the Member did also emphasise that these partners should be made aware at the earliest opportunity that their future funding from the Council was under serious threat;
- (iv) It was felt that a deferral would enable for these partnerships to be encouraged to sign up to the Lottery Scheme. Furthermore, the success of the Scheme (and its impact on these partnerships) could then be reviewed in twelve months' time;

- (v) A number of Members highlighted that some of these partnerships (e.g. Citizens Advice) in fact deflected work away from the Council. As a result, these Members stated that the proposed reduction would indirectly result in a cost increase to the authority;
- (vi) Given that the Council had a projected £327,154 budget surplus in 2018/19, the £10,670 cost of supporting the amendment was not considered to be a significant sum;
- (vii) The reputational damage of making these cuts at this time was considered to be extensive;
- (viii) A Member advised that, such was his strength of feeling in support of the amendment, he felt compromised in his capacity as a Hub Committee Member. As a consequence, the Member confirmed that he would be supporting the amendment and consequently proceeded to tender his resignation from both the Hub Committee and the Joint Local Plan Joint Steering Group;
- (ix) There was felt to be a lack of rationale in the Task and Finish Group's concluding report to justify each of the proposed cuts.

In opposition to the amendment, reference was made to:-

- (i) the work undertaken to reach this point in the Budget setting process. It was noted that a great deal of time and effort had been put in to both the Task and Finish Group review and Member meetings and workshops to compile this report and it was felt to be unfortunate that amendments were now being sought so late in the process. The Chairman of the Task and Finish Group confirmed that one of the key factors in the recommendations generated by the Review was to ensure that the Council was able to set a balanced budget;
- (ii) the need to take difficult decisions now. Some Members emphasised the need to take a more medium term view and highlighted the forecasted £945,177 budget gap that was facing the Council by 2020/21. As a result, there was a need for all Members to begin to take difficult decisions rather than taking the easy option of deferral for twelve months;
- (iii) the Village Halls and Community Projects provision in the Capital Programme. Some Members cited the allocation of £36,000 in the Capital Programme and felt that the merits of this being used as an alternative funding source for partnerships should be investigated;

(iv) the use of public monies. In simple terms, a Member commented that the proposed amendment effectively constituted the giving of Council Tax monies to charities. As a consequence, the Member reiterated that he could not justify the use of public monies to support those charities listed at the expense of service cuts. Furthermore, the Member highlighted that there were numerous other charitable organisations that did not receive funding from the Council and questioned whether this was fair.

The Mayor then called for a recorded vote on the amendment to part 4 of the recommendation, which was recorded as follows:-

For the amendment (13): Cllrs Baldwin, Cann OBE, Edmonds, Hockridge, Lamb, Leech, McInnes, Moody, Musgrave, Parker, Pearce, Ridgers and Sampson

Against the amendment (13): Cllr Ball, Cloke, Davies, Jory, Kimber, Mott, Moyse, Oxborough, Roberts, Samuel, Sanders, Watts and Yelland

Abstentions (0):

Absent (5): Cllrs Cheadle, Evans, Sellis, Sheldon and Stephens

and the vote was (by virtue of the Mayor's Casting Vote) declared **CARRIED**.

With no further debate forthcoming, the Mayor then called for a recorded vote on part 4 of the recommendation, which was declared as follows:-

For the motion (20): Cllrs Baldwin, Ball, Cann OBE, Davies, Edmonds, Hockridge, Kimber, Lamb, Leech, McInnes, Moody, Musgrave, Oxborough, Parker, Pearce, Ridgers, Sampson, Samuel, Sanders and Watts

Against the motion (3): Cllr Cloke, Mott and Moyse

Abstentions (3): Cllr Jory, Roberts and Yelland

Absent (5): Cllrs Cheadle, Evans, Sellis, Sheldon and Stephens

and the vote was therefore declared **CARRIED**.

(c) an amendment to part 5 of the recommendation. In accordance with Council Procedure Rule 16(10), an amendment had been received from Cllr Baldwin that he duly **PROPOSED** that read as follows:-

*'That the Council produce more concise agenda papers, with links to detailed appendices to reduce the quantity of paper used.'*

*In order to compensate for the reduced saving by not moving to totally paperless agendas, free Members lunches are no longer provided.'*

Cllr Pearce subsequently **SECONDED** the amendment and, in the ensuing debate, the following points were raised:-

- (i) Members were reminded that they could still print off paper copies of Committee agenda papers, however this would be at their own personal cost;
- (ii) A number of other Councils had been paperless for a period of time and the transition had been seemingly smooth;
- (iii) There was widespread sympathy expressed for the point that some Committee reports should be far more concise;
- (iv) Some concerns were expressed over both the reliability and functionality of the Council provided iPads;
- (v) Specific assurances were given whereby the Modern.Gov application enabled users to make notes and annotations on Committee agendas;
- (vi) Members were reminded that the proposed saving included provision for the Chairman and Vice Chairman of a Committee to still receive a paper copy of their meeting agendas.

The Mayor then called for a recorded vote on the amendment to part 5 of the recommendation, which was recorded as follows:-

For the amendment (10): Cllrs Baldwin, Cann OBE, Cloke, Lamb, Leech, Moyse, Oxborough, Pearce, Ridgers and Yelland

Against the amendment (15): Cllr Ball, Davies, Edmonds, Jory, Kimber, McInnes, Moody, Mott, Musgrave, Parker, Roberts, Sampson, Samuel, Sanders and Watts

Abstentions (0):

Absent (6): Cllrs Cheadle, Evans, Hockridge, Sellis, Sheldon and Stephens

and the vote on this amendment was therefore declared **LOST**.

With no further debate forthcoming, the Mayor then called for a recorded vote on part 5 of the recommendation, which was declared as follows:-

For the motion (25): Cllrs Baldwin, Ball, Cann OBE, Cloke, Davies, Edmonds, Jory, Kimber, Lamb, Leech, McInnes, Moody, Mott, Moyse, Musgrave, Oxborough, Parker, Pearce, Ridgers, Roberts, Sampson, Samuel, Sanders, Watts and Yelland

Against the motion (0):

Abstentions (0):

Absent (6): Cllrs Cheadle, Evans, Hockridge, Sellis, Sheldon and Stephens

and the vote was therefore declared **CARRIED**.

With no further issues raised, the Mayor then called for a recorded vote on parts 2, 3, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15 of the recommendation and the vote was recorded as follows:-

For the motion (24): Cllrs Baldwin, Ball, Cann OBE, Cloke, Davies, Edmonds, Jory, Kimber, Lamb, Leech, McInnes, Moody, Mott, Moyse, Musgrave, Parker, Pearce, Ridgers, Roberts, Sampson, Samuel, Sanders, Watts and Yelland

Against the motion (0):

Abstentions (0):

Absent (7): Cllrs Cheadle, Evans, Hockridge, Oxborough, Sellis, Sheldon and Stephens

and the vote was therefore declared **CARRIED**.

It was consequently **RESOLVED** that:

- (i) Council Tax be increased by 2.99% for 2018/19 (Band D of £224.91 for 2018/19 – an increase of 13 pence per week or £6.52 per year). This equates to a Council Tax requirement of £4,524,706 (as shown in Appendix B of the presented agenda report));
- (ii) the financial pressures in Appendix A of the presented agenda report £674,500 be approved;
- (iii) the contributions to Earmarked Reserves of £60,000 be approved;
- (iv) the reductions in Partnership Funding levels of £15,330 as set out in Appendix F of the presented agenda report be approved and £10,000 also be approved for crowdfunding;



- (v) the proposed savings and income of £783,930 as shown in Appendix A of the presented agenda report be approved (NB. This includes £180,000 of projected income from the reasonable setting of car parking tariffs (as per paragraphs 6.9 to 6.13 of the presented agenda report));
- (vi) £560,000 of New Homes Bonus funding is used to fund the 2018/19 Revenue Budget (as shown in Appendix A and Appendix C of the presented agenda report);
- (vii) delegated authority be granted to the Section 151 Officer, in consultation with the Leader and Deputy Leader of the Council, to agree the final amount of New Homes Bonus funding for the Dartmoor National Park Sustainable Community Fund for 2018/19;
- (viii) a collection fund surplus of £96,000 be utilised in 2018/19;
- (ix) the 2018/19 budget surplus of £316,484 be transferred into a Future Financial Stability Earmarked Reserve to assist with future financial sustainability (as detailed in paragraph 1.9 of the presented agenda report);
- (x) the Total Net Expenditure of the Council is £7,313,795 for 2018/19;
- (xi) the Council Tax Support Grant paid to Town and Parish Councils be reduced by 8.6% for 2018/19 (as indicated at Appendix A of the presented agenda report). This equates to a payment of £64,744 for 2018/19;
- (xii) the Environmental Health Fees and Charges (as set out in Appendix H of the presented agenda report) be approved. NOTE. The Fees and Charges for car parking are part of recommendation (v);
- (xiii) the 2018/19 Capital Programme projects as per Appendix C of the presented agenda report be approved;
- (xiv) the financing of the Capital Programme is as per Appendix C of the presented agenda report;
- (xv) the level of reserves as set out within this report and the assessment of their adequacy and the robustness of budget estimates be noted. (NB. This is a requirement of Part 2 of the Local Government Act 2003).

**CM 58**

**COMMUNITY GOVERNANCE REVIEW – OKEHAMPTON**

The Council considered a report that presented the latest recommendations from the Political Structures Working Group on the Community Governance Review that was initially instigated following a request by Okehampton Hamlets Parish Council.

In discussion, the following points were raised:-

- (a) The majority of Members felt that the recommendations were a pragmatic way forward at this time. However, the need for an improvement in working relations between the Parish Council and Okehampton Town Council was recognised;
- (b) In what had proven to be a very difficult and contentious issue, a number of Members wished to put on record their particular gratitude and thanks to the Chairman of the Working Group; the Acting Lead Specialist Legal; and the Senior Specialist Democratic Services for their hard work and professionalism during this Review;
- (c) Regardless of the recommendation, a local Ward Member did wish to put on record that he still supported the original request of the Parish Council to increase its size from 8 to 10 Parish Councillors.

It was then moved by Cllr J R McInnes and seconded by Cllr P Sanders and declared **CARRIED** and **RESOLVED** that, in light of the submissions received during Stages 2 and 4 of the Community Governance Review:

- 1. The status quo be maintained (i.e. the size of the Okehampton Hamlets Parish Council is retained at 8 Parish Councillors and there be no adjustments made to the Okehampton Hamlets / Okehampton Town Parish Boundary); and
- 2. The Review therefore be concluded with immediate effect.

**CM 59**

**APPOINTMENT OF ELECTORAL REGISTRATION OFFICER AND RETURNING OFFICER**

The Council considered a report that sought approval to appoint the Group Manager – Commercial Services (Helen Dobby) as the Electoral Registration Officer and Returning Officer for West Devon Borough Council.

It was then moved by Cllr P R Sanders and seconded by Cllr L Samuel and declared **CARRIED** and **RESOLVED** that with immediate effect:

- 1. the Group Manager – Commercial Services (Helen Dobby) be appointed as the Electoral Registration Officer and Returning Officer for West Devon Borough Council; and

2. the Group Manager – Business Development (Darren Arulvasagam) be appointed as the Deputy Electoral Registration Officer for West Devon Borough Council.”

**CM 60**

**URGENT ITEM – PLANNING MATTER**

(Resolved that under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting on the grounds that exempt information is likely to be disclosed as defined in Paragraph 3 of Schedule 12(A) to the Act).

As had been highlighted by the Mayor at the start of the meeting (Minute CM 53 above refers), the Council considered an urgent planning matter.

Following a brief debate, it was then moved by Cllr P R Sanders and seconded by Cllr R F D Sampson and declared **CARRIED** and **“RESOLVED** that the Planning Earmarked Reserve may be utilised to settle any agreed Settlement or Cost Order in the Abbey Meadow Planning Appeal in accordance with terms to be agreed between the Section 151 Officer, Monitoring Officer and Development Management Community Of Practice Lead, in consultation with the Leader of Council.”

(The Meeting terminated at 8.10 pm)

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**Mayor**

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# Agenda Item 9a

At a Meeting of the **STANDARDS COMMITTEE** held at the Council Chamber, Council Offices, Kilworthy Park, Drake Road, **TAVISTOCK** on **TUESDAY** the **21<sup>st</sup>** day of **November 2017** at **10.00am**.

**Present:** Cllr A F Leech – Chairman  
Cllr J Sheldon – Vice-Chairman  
  
Cllr B Lamb Cllr J Yelland

Sue Nightingale - Deputy Monitoring Officer  
Kathy Hoare - Senior Case Manager – Democratic Services

**Apologies received from:** Cllr J Evans

**\*SC 1 ITEMS REQUIRING URGENT ATTENTION**

Following a request, it was agreed that the response letter sent to Marcus Jones, Secretary of State for Communities in regard to sanctions would be circulated to all Members of the Committee.

**\*SC 2 CONFIRMATION OF MINUTES**

The Minutes of the Meeting held on 29 November 2016 were confirmed and signed by the Chairman as a true and correct record.

**\*SC 3 ANNUAL REPORT**

The Monitoring Officer presented the Annual Report to the Members.

Answering questions raised by Members, the Monitoring Officer confirmed that:

- Only one formal complaint was upheld this year that had been resolved on 2<sup>nd</sup> November;
- A monthly update would be given to the Chairman of the Committee on any complaint received that had moved to the stage of an Independent Person interview and upheld;
- Parish & Town Councils had the power to deal with their own dispensations;
- A training event for Parish & Town clerks/councillors in regard to standards would be arranged in the New Year and led by the Monitoring Officer;
- Officers time was taken up dealing with calls regarding complaints of which most were not classified as a complaint but more of a disagreement to a decision or enquiries about Personal and Disclosable Pecuniary Interests. In response, the Committee requested some indication of the time spent on calls and enquires and would raise this with the lead Hub Committee Member for Customer First;
- Recommendation for the annual meeting of the Standards Committee to revert back to a date in March.

It was then **RESOLVED** that:

1. The Annual Report be agreed;
2. The Monitoring Officer will update the Chairman on a monthly basis if any complaint moves to the stage of an IP assessment;
3. The Monitoring Officer will contact all Parish and Town Clerks with a date for a training session on the purpose and content of West Devon's Code of Practice in the New Year; and
4. That the wording 'dual-hatted' in the section on general dispensations to Borough Councillors in the Annual Report is changed to 'multi-hatted'.

(The Meeting terminated at 10.40 am)

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**Chairman**

**MINUTES OF THE MEETING OF THE COUNCIL TAX SETTING PANEL  
HELD AT KILWORTHY PARK, TAVISTOCK ON WEDNESDAY 21 FEBRUARY  
2018**

**MEMBERS**

\* Cllr P R Sanders - Chairman

\* Cllr R Oxborough

\* Cllr R F D Sampson

\* Cllr J Moody

\* Denotes attendance

Officers in attendance:

Finance Community of Practice Lead and Senior Case Manager –  
Democratic Services

Apologies for absence:

Cllr L Samuel for whom Cllr R Oxborough substituted.

**CTSP.1/17 DECLARATIONS OF INTEREST**

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

**CTSP.2/17 DECLARATION OF THE COUNCIL TAX BASE AND INDIVIDUAL TAX BASES FOR TOWNS AND PARISHES: 2018/2019**

Consideration was given to a report that calculated and set out the Council Tax for 2018/19, having taken into account the precepts as notified from Devon County Council, Devon and Cornwall Police and Crime Commissioner, Devon and Somerset Fire and Rescue Authority, and the Town and Parish Councils.

Members considered the detail of the report and the COP Lead Finance brought the key elements to Members attention.

During discussion, it was clarified that the increase was 2.99% for 2018/19, which resulted in a rise of £6.52 for an average Band D property.

It was then:

**RESOLVED**

1. That it be noted that in December 2017 the Senior Leadership Team, under delegated authority from full Council, approved the Council Tax Base for the year 2018/19:

- (a) for the whole Council area as 20,117.85 in accordance with regulation 3 of the Local Authorities (Calculation of Council Tax Base)(England) Regulations 2012; and
- (b) for dwellings in those parts of its area to which a Parish Precept relates in accordance with regulation 6 of the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012 (as outlined at Appendix A of the presented agenda report);
2. That the Council Tax requirement for West Devon Borough Council's own purposes for 2017/18 (excluding Parish precepts) is calculated at £4,524,706 (as outlined at Appendix B of the presented agenda report);
3. That the following amounts are calculated by the Council for the year 2018/19 in accordance with Sections 31 to 36 of the Local Government Finance Act 1992 and the Localism Act 2011 (as outlined at Appendix B of the presented agenda report):
- (a) £26,961,385 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (2) of the Act taking into account all precepts issued to it by Parish/Town Council (Gross expenditure including parish precepts);
- (b) £21,071,877 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A (3) of the Act (Total income including Business Rates and Council Tax surplus);
- (c) £5,889,508 being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council in accordance with Section 31A (4) of the Act as its Council Tax requirement for the year (Item R in the formula in Section 31B of the Act (Council Tax requirement including parish precepts);
- (d) £292.75 being the amount at s(c) above (Item R), all divided by the Council Tax base (1(a) above) in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (Average Band D Council Tax for West Devon Borough Council and parishes);
- (e) £1,364,802 being the aggregate amount of all special items (Parish Precepts) referred to in Section 34(1) of the Act (as per the attached Appendix C – Parish Precepts);
- (f) £224.91 being the amount at 3(d) above less the result given by dividing the amount at 3(c) by the Council Tax base (1(a) above), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the



year for dwellings in those parts of its area to which no Parish precept relates (Band D Council Tax for West Devon Borough Council only).

4. That it be noted the County Council, the Police and Crime Commissioner and the Fire Authority have issued precepts to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each of the categories of dwellings as shown below:

Precepting authority	Valuation Bands							
	A £	B £	C £	D £	E £	F £	G £	H £
Devon County Council's tax requirements	87.46	1,035.37	1,183.28	1,331.19	1,627.01	1,922.83	2,218.65	2,662.38
Police & Crime Commissioner's tax requirements	125.52	146.44	167.36	188.28	230.12	271.96	313.80	376.56
Devon & Somerset Fire & Rescue Authority's tax requirements	56.01	65.34	74.68	84.01	102.68	121.35	140.02	168.02

5. That the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the amounts of Council Tax for the year 2018/19 for each of the categories of dwellings shown at **Appendix D (total of all valuation band council taxes for West Devon Borough Council including parishes, county, police and crime commissioner and fire authority)**;
6. That the Council concluded that the basic amount of Council Tax for West Devon Borough Council for 2018/19 is not excessive in accordance with principles approved under Section 52ZB Local Government Finance Act 1992 (see calculation at **Appendix B**).

(Meeting commenced at 2.00pm and concluded at 2.11pm).

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Chairman

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# Agenda Item 9c

At a Meeting of the **HUB COMMITTEE** held at the Council Chamber, Council Offices, Kilworthy Park, Drake Road, **TAVISTOCK** on **TUESDAY** the **13<sup>th</sup>** day of **MARCH, 2018** at **2.00pm**

**Present:** Cllr P R Sanders – Chairman  
Cllr L Samuel – Vice Chairman

Cllr C Edmonds	Cllr N Jory
Cllr C Mott	Cllr J Moody
Cllr R Oxborough	Cllr R F D Sampson

**In attendance:** Executive Director (Service Delivery and Commercial Development)  
Section 151 Officer  
Group Manager Commercial Services  
Commissioning Manager Waste  
Senior Specialist Waste Strategy and Commissioning  
Operational Manager Environment Services  
Senior Specialist Environment Services  
CoP Lead Development Management  
Group Manager Business Development  
CoP Lead Assets  
Specialist Democratic Services

#### **Other Members in attendance:**

Cllrs Cheadle, Cann OBE, Lamb, Leech, Moyse, Musgrave, Pearce, Sellis, and Yelland

#### **\*HC 65      DECLARATIONS OF INTEREST**

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

Cllr N Jory declared a personal interest in agenda item 6: Lead Member Update, by virtue of Cllr Oxborough mentioning the Business Information Point and Cllr Jory being employed by the Business Information Point. As the agenda item was an update item with no decisions being made, Cllr Jory remained in the room for this item.

#### **\*HC 66      URGENT BUSINESS**

Since this was the first Hub Committee meeting following the resignation of Cllr Parker from this Committee, Members formally noted this position. In terms of the future arrangements, the Chairman confirmed that the Political Structures Working Group had been tasked with reviewing the future structure of the Hub Committee. A report would be presented in due course.

#### **\*HC 67      MINUTES**

The Minutes of the Hub Committee meeting held on 6 February 2018 were confirmed and signed by the Chairman as a correct record.

#### **\*HC 68      LEAD MEMBER UPDATE – CLLR OXBOROUGH**

Cllr Oxborough updated the Committee on his area of responsibility including the following:

- Awards of the Rate Relief Panel
- General Business Rate Relief and the split awarded to organisations;

- Rural economy and the need to understand the impact of Brexit;
- Employment and the importance of creating opportunities;
- Okehampton business centre;
- Teenage market and the current planning for a new event; and
- Business Information Point

Cllr Oxborough agreed to circulate further details. The Leader asked if he could include any feedback from businesses regarding the rate relief process.

## HC 69

### **2018/19 TREASURY MANAGEMENT STRATEGY**

Members were presented with a report that sought approval and recommendation to Council of the 2018/19 Treasury Management and Investment Strategies together with their associated prudential indicators.

The Lead Member for Resources and Performance introduced the report and the s151 Officer responded to questions of clarity.

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

- 1) The Prudential Indicators and limits for 2018/19 to 2020/21 contained with Appendix A of the presented report be approved;
- 2) The Minimum Revenue Provision (MRP) statement contained within Appendix A which sets out the Council's policy on MRP approved;
- 3) The Treasury Management Strategy for 2018/19 and the treasury prudential indicators 2018/19 to 2020/21 contained within Appendix B be approved; and
- 4) The Investment Strategy 2018/19 Appendix C and the detailed criteria included in Appendix D (and the counter party list shown in Appendix E) be approved.

## HC 70

### **WASTE POLICIES REVIEW**

Members were presented with a report that sought approval of policy updates recommended by the Waste Working Group, following a review of current practice in conjunction with industry best practice.

The Lead Member for Commercial Services introduced the report and advised of minor corrections. Officers confirmed that the procurement process was proceeding and evaluation of tenders was in process.

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

- 1) the policy updates as recommended by the Waste Working Group, outlined in paragraph 5 of the presented report and provided in full at Appendix 1 be approved, subject to inclusion of the minor changes referred to in the minutes above; and
- 2) those minor changes considered necessary to the terms as highlighted are delegated to the Commissioning Manager (Waste) in consultation with the Lead Member for Commercial Services, Chair of the Waste Working Group.

HC 71

## WEST DEVON PARKING STRATEGY

Members were presented with a report that requested consideration of the West Devon Parking Strategy as proposed and recommended for approval by the West Devon Parking Strategy Group. The report further sought approval to amend the Pay and Display charges in accordance with the schedule presented at Appendix B, and permits presented at Appendix C, provided as a result of discussion with the Car Parking Strategy Group.

The Lead Member for Commercial Services introduced the report. There was some discussion regarding the first recommendation, and minor changes were proposed to the document and accepted. In respect of the second recommendation, the Lead Member advised the meeting of the views of the Car Parking Strategy Group who were not in support of the recommendation in any form which suggested tariff increases. The Lead Member suggested an amendment to the original recommendation and this was **PROPOSED, SECONDED** and on being put to the vote declared **CARRIED**.

Members had a detailed discussion regarding the requirement to meet the wider costs associated with car parks such as elements of the maintenance of the public realm which support the car parking service in town and village centres. The Lead Member made reference to the invaluable work carried out by the Car Parking Strategy Group, and, in response to questions raised, confirmed that car park charges needed to be regularly monitored and reviewed.

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

- 1) The West Devon Parking Strategy (presented at Appendix A) be adopted; and
- 2) Pay and Display charges be amended in accordance with presented Appendix B, excepting Market Street, Okehampton where charges remain unchanged, and presented Appendix C. The changes proposed within Appendix B allow for innovative tariff setting to be tested where sustainable solutions have been brought forward by the advisory Car Parking Strategy Group, and, providing they do not affect the ability to achieve service sustainability, will come back to be presented to Hub Committee.

\*HC 72

## IMPLICATIONS OF THE COUNCIL BEING DESIGNATED FOR PLANNING PERFORMANCE – QUALITY OF DECISIONS

Members were presented with a report that set out the background to the possibility that the Council could be designated by the Secretary of State with respect to its performance against the criteria for quality of decision making for Major planning applications in 2018 and 2019. The report further set out the possible consequences to the Council should designation be confirmed.

The Lead Member for Customer First introduced the report. The CoP Lead Development Management responded to questions of clarity and confirmed that the biggest issue for West Devon BC was the low number of major applications that were presented to the authority for determination. Following discussion, it was suggested that Members may wish to raise with their local MPs the impact of a strict 10% cut off where an authority deals with a low number of Major planning applications each year.

It was then:

**RESOLVED**

That the potential risks to the Council of designation in respect of quality of Major planning application decisions be noted.

**HC 73**

**FINANCIAL STABILITY UPDATE**

*(Paragraph 3 – Information relating to the financial or business affairs of any particular person (including the authority holding that information))*

Members were presented with a report that set out the findings, conclusions and recommendations of the Financial Stability Group.

The Lead Member for Assets introduced the report in his role as Chairman of the Group.

It was then **RESOLVED** that:

- a) The contents of the report be noted and its use as the basis for Member workshops to discuss the Medium Term Financial Strategy to take place as soon as possible in the next financial planning cycle be approved;
- b) Council be **RECOMMENDED** to formally approve the establishment of a Financial Stability Review Group to:
  - a. Oversee and coordinate activity to reduce costs and generate income as set out in the report and as identified in future;
  - b. Act as a forum for generating and developing ideas for reducing costs and generating income;
  - c. Link the ideas and activities of Members and officers in this area; and
  - d. Report to Hub Committee as appropriate.

**HC 74**

**KILWORTHY PARK – ACCOMMODATION REPORT**

*(Paragraph 3 – Information relating to the financial or business affairs of any particular person (including the authority holding that information))*

Members were presented with a report that looked at the options for improving the financial position associated with Kilworthy Park.

The Lead Member for Assets introduced the report.

It was then:

**RESOLVED** that the Council be **RECOMMENDED**:

that officers, in consultation with the Lead Member for Assets should investigate and promote the most beneficial use of the Kilworthy Park site in accordance with the principles set out in the presented report.

(The meeting terminated at 5.55 pm)



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Report to: **Council**  
Date: **27 March 2018**  
Title: **Pay Policy Statement and Pay and Reward Strategy 2018**  
Portfolio Area: **Support Services**

Wards Affected: **All**

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

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

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](mailto:andy.wilson@swdevon.gov.uk)**

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## **RECOMMENDATIONS:**

- 1. That the Council RESOLVES to adopt the attached Pay Policy Statement for 2018/19; and**
- 2. That the Council RESOLVES to adopt the attached Pay and Reward Strategy 2018/19.**

### **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).
- 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. Following the implementation of the Council's T18 Transformation Programme and the associated changes in approach to pay and reward, a Pay and Reward Strategy is prepared to be considered in conjunction with the 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. With effect from 18 February 2018, the interim annual salary of the Executive Director (and Head of Paid Service) is £108,726pa, including a special additional responsibility allowance following the resignation of the Executive Director for Strategy and Commissioning. The interim salary arrangements are effective from 18 February 2018 until May 2019.
- 3.5. The annual median salary of all employees is £27,394.
- 3.6. The annual salary of the lowest paid employee is £15,238.
- 3.7. The relationship between the remuneration of the Head of Paid Service and the median salary of all employees is 3.57.

3.8. The relationship between the remuneration of the Head of Paid Service and the salary of the lowest paid employee is 6.42.

### 3.9. Pay and Reward Strategy

3.10. 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 Pay Policy Statement 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 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 requires the Leader to make a recommendation to Full Council to change the salary payable to a Chief Officer.
Financial	Y	The joint interim savings following the resignation of the Executive Director for Strategy and Commissioning, taking into account the cost of the special responsibility allowance for the remaining Executive Director, Group Manager for Customer First, Group Manager for Business Development and S151 is £67,373pa (£33,686pa for each Council).
Risk	N	There are no risks associated with the report, Pay Policy Statement or the Pay and Reward Strategy.
<b>Comprehensive Impact Assessment Implications</b>		
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 2018/19

B: Pay and Reward Strategy 2018/19

#### **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)



**West Devon  
Borough  
Council**

## **PAY POLICY STATEMENT 2018/19**

### **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 tacking 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
  - Section 151 Officer
  - 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 South Hams District 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, West Devon Borough Council and South Hams District 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.
14. Following the resignation of the Executive Director for Strategy and Commissioning and Head of Paid Service with effect from 18<sup>th</sup> February 2018, further interim arrangements were approved by Council until the election of a new administration in May 2019. The Council resolved to jointly set aside £53,000pa with South Hams District Council (£26,500 per Council) of the interim savings to finance interim senior management arrangements.
15. Under the interim arrangements, the Executive Director for Service Delivery and Commercial Development will be the sole Executive Director and will take on additional responsibilities, including the role of Head of Paid Service. In recognition, the Executive Director will receive a special responsibility allowance of £13,000 per annum, including the £3000 per annum allowance payable to the

Head of Paid Service.

16. The Group Manager for Customer First and Support Services will take on interim additional responsibilities and act as a deputy to the Executive Director and will receive a special responsibility allowance of £8000pa from 18<sup>th</sup> February 2018 until the interim arrangements end in May 2019. This allowance also includes recognition of the additional duties as the Council's Senior Information Risk Officer.
17. The Group Manager for Business Development will take on interim additional responsibilities, including becoming the Council's Data Protection Officer, and will receive a special responsibility allowance of £2000pa from 18<sup>th</sup> February 2018 until the interim arrangements end in May 2019.
18. The S151 Officer will take on interim additional responsibilities and become Group Manager for Strategic Finance and S151 Officer and will receive a special responsibility allowance of £8,474pa until the interim arrangements end in May 2019.
19. The role of Executive Director for Strategy and Commissioning will remain vacant during the interim period.
20. 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.
21. The salary of the Monitoring Officer includes an additional responsibility allowance, set at 17.5% of their substantive salary, in recognition of carrying out the duties of the Monitoring Officer.

### **Remuneration for Chief Officers**

22. 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.
23. 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.
24. 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.
25. 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.

26. 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.
27. The 'spot salaries', including the special responsibility allowances paid to the Head of Paid Service, Group Manager and the Monitoring 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.
28. 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.
29. 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 2018/19, all of the Chief Officers are designated as casual car users and will not receive an essential car user lump sum allowance.
30. 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**

31. 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**

32. 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
33. 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.
34. 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.
35. 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**

36. 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.
37. 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.
38. 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 1% increase payable from April 2017. Advanced national negotiations are underway to agree a pay settlement for April 2018.

39. The terms and conditions of employment for Executive Directors are in accordance with the Joint Negotiating Committee (JNC) for Chief Officers of Local Authorities. There was a 1% increase payable from April 2017. Advanced national negotiations are underway to agree a pay settlement for April 2018.
40. 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.
41. 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.
42. 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.
43. 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.
44. 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.
45. 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.
46. 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	Vacant	Vacant from 18 <sup>th</sup> February 2018. Previous salary was £98,847
Executive Director (Service Delivery and Commercial Development)*	£108,726	Including a special interim responsibility allowance of £13,000pa payable from 18 <sup>th</sup> February 2018 to May 2019.
Commercial Services Group Manager	£72,720	
Customer First and Support Services Group Manager*	£80,720	Including a special interim responsibility allowance of £8000pa payable from 18 <sup>th</sup> February 2018 to May 2019.
Business Development Group Manager	£64,226	Including a special interim responsibility allowance of £2000pa payable from 18 <sup>th</sup> February 2018 to May 2019.
Monitoring Officer **	£53,447	Including a 17.5% Responsibility Allowance
Interim Group Manager for Strategic Finance and Section 151 Officer*	£64,226	Including a special interim responsibility allowance of £8474pa payable from 18 <sup>th</sup> February 2018 to May 2019.
* employed by South Hams District Council ** 0.9189 FTE		

**Please note:** All chief officers operate under a shared service agreement with South Hams District 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 (one vacant), the 3 Group Managers and the S151 Officer, but excludes the Monitoring Officer. Previously, the s151 Officer was not considered part of the SLT.

The total annual salary cost of the SLT at 31 March 2018 is £390,839. This cost is shared with South Hams District Council.

In April 2017, the cost of the SLT was £451,720 (adjusted to include the salary of the s151 Officer for comparative purposes).

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 a Caretaker/Cleaner, paid in accordance with spinal column point 11 of the National Joint Council for Local Government Services pay spine, currently £15,807 pa.
3. The annual median salary of all employees £27,668pa.
4. The Executive Director's salary is a pay multiple of 3.93 times the median earnings.
5. The Executive Director's salary is a pay multiple of 6.87 times the lowest paid employee.

# PAY AND REWARD STRATEGY 2018

## 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 principal 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 have access to a national pay benchmarking service supported by the LGA. The database 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.

### **Gender Pay Gap**

31. Under the provisions of the Equalities Act 2010 (Gender Pay Gap Information) Regulations 2017 all organisations that employ more than 250 employees are required to publish annually a report showing the gender pay gap. Although West Devon Borough Council currently employs less than 250 employees, it will publish the data in accordance with the Regulations.

32. The information will be published on the Council's websites and, in the case of South Hams District Council, the government's gender pay gap website.

### **Other financial and non-financial reward benefits for staff**

33. 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, craft workers and at the Dart 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. Under the terms of individual contracts of employment (and in accordance with the NJC provisions), overtime pay is normally only payable to officers on Level 6-9. Officers at Level 1 – 5 are offered time off in lieu if they work additional hours.

#### **IV. Special Responsibility Allowances, 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, or, where the employee is at the top of the Level, SLT will determine an appropriate salary uplift.

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. Commercial Delivery or Community Benefit Supplement**

From time to time, the Councils can deliver product(s) and / or services to third parties or external organisations in order to generate a commercial return and can also be responsible for the delivery of externally funded services that can have a significant benefit on the communities we serve.

From time to time, SLT may agree to award a Commercial Delivery or Community Benefit Supplement to an employee(s) where it considers the success of the commercial venture or externally funded project will be enhanced in accordance with the agreed policy.

#### **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.

In exceptional circumstances, the Council may offer a financial incentive to attract candidates to apply for hard to fill vacant posts. In the past 12 months, a 'golden handshake' of £5000 was offered to attract candidates to apply for roles as a Planning Specialist, although no suitable candidate was identified and no payment made.

#### **XI. 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.

#### **XII. 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.

### **XIII. Volunteering**

The Council encourages and supports its employees to do voluntary work. It can help the Councils build relationships and improve its reputation within the local community and can directly support initiatives that enhance the communities in which we live and work.

By volunteering, employees can share their talent for the benefit of the community, learn new skills and encounter new experiences. Volunteering can help enhance a person's self-esteem and improve their health and well-being.

In accordance with the agreed policy, an employee may be granted up to 3 days paid leave and unlimited unpaid leave per year to carry out voluntary work.

### **XIV. Salary Sacrifice Schemes**

The Council promotes a healthy lifestyle and working parents 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. From April 2018, an employee wishing to join a child care voucher scheme must enrol on the new government Tax-Free Childcare scheme. For employees already registered, we can continue to offer child care vouchers through our payroll.

### **XV. 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.

### **XVI. 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.

### **XVII. 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.

**XVIII. 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.

**XIX. 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
		31	27,668	2305.67	14.34
N/A	SO 2	32	28,485	2373.75	14.76
		33	29,323	2443.58	15.20
5	A1 / M1	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
		38	33,437	2786.42	17.33
4	A2 / M2	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
	A3 / M3	43	38,237	3186.42	19.82
N/A		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
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

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Report to: **Council**

Date: **27 March 2018**

Title: **Calendar of Meetings**

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

Wards Affected: **All**

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

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

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

Author: **Kathryn Trant** Specialist - Democratic Services

Contact: **Email: [kathryn.trant@swdevon.gov.uk](mailto:kathryn.trant@swdevon.gov.uk)**

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## **RECOMMENDATION**

**That Council be RECOMMENDED that the calendar of meetings for 2018-19 as presented at Appendix A be approved.**

### **1. Executive summary**

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

### **2. Background**

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

### **3. Outcomes/outputs**

- 3.1 Set out at Appendix A is the draft calendar of meetings for 2018-19.
- 3.2 In drawing up the calendar of meetings, a number of parameters are set which include:
- Constitutional requirements which, for some bodies, sets the number and frequency of meetings to be held annually

- The wishes of Members that Tuesdays are seen as Member days and therefore as many meetings as possible are arranged to take place on this day;
- The wishes of Members to avoid clashes with meetings of other organisations and events where possible;
- The wishes of Members to avoid meetings during school holidays where possible;
- Financial timescales and requirements
- The significant impact of the Borough Council elections in May 2019
- The wish of Members to ensure, where possible, two weeks between Overview and Scrutiny Committee dates and Hub Committee dates

3.3 It should be noted that the calendar only lists those meetings which can or need to be programmed (for constitutional, financial or other reasons). Meetings of other Council bodies such as task and finish groups arising from the work of the Overview and Scrutiny Committee can be programmed on an ad-hoc basis.

#### **4. Options available and consideration of risk**

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

#### **5. Proposed Way Forward**

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

#### **6. Implications**

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

#### **Supporting Information**

**Appendix A** Calendar of meetings 2018-19



WEST DEVON DRAFT CALENDAR OF MEETINGS 2018/19

Committee	May 18	June 18	July 18	Aug 18	Sept 18	Oct 18	Nov 18	Dec 18	Jan 19	Feb 19	Mar 19	Apr 19	May 19	June 19	July 19	Aug 19	Sept 19
WD Council May – 11am Others – 4.30pm	22		24		25			4		12	26		21		23		17
WD CTSP 2.00pm										19							
WD Hub – all at 2.00pm		5	10		11	16	20		29		19	16		4	16	10	
WD O&S – all at 2pm	8 *	26	31 *		4	2	6 *		15	26 *		2		11	9		3
WD Audit		19 2.00pm	24 10.00			9 2.00pm			22 2.00pm		12 2.00pm			25 2.00pm	23 10.00		
WD Standards Cttee											5						
WD Reserve dates		4	2*	6	3*	1	5*	3	7*	4	4*	1		3*	1		2*
WD Planning Briefing at 10 am	1	5	3/31		4	2/30	27		8	12	12	9	Th 23	18	16	20	
WD Site Inspections	10	14	12	9	13	11	8	6	17	21	21	18	30	27	25	29	
WD Planning Cttee – all at 10.00am	15	19	17	14	18	16	13	11	22	26	26	23		4	2/30		3

Notes:

WD Informal Council dates – would use selected WD Reserve dates shown with \*

\* dates for O&S are programmed for between 4 and 6 weeks after quarter end to allow presentation of PIs (up until May 19)

Planning Committee for WD at 4 weekly intervals except May-June18 half term/Aug-Sept18/Jan 19/Feb 19 half term/June 19 election/Sept 19

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Report to: **Council**

Date: **27 March 2018**

Title: **APPOINTMENT TO JOINT LOCAL PLAN  
JOINT STEERING GROUP AND FORMAL  
ESTABLISHMENT OF THE FINANCIAL  
STABILITY REVIEW GROUP**

Portfolio Area: **All**

Wards Affected: **All**

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

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

Author: **Darryl White**  
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**- Democratic**  
**Services**

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## **RECOMMENDATION**

**That the Council RESOLVES, with immediate effect and for the remainder of the 2017/18 Municipal Year, that:**

- **Cllr G Parker be appointed to serve on the Joint Local Plan Joint Steering Group;**
- **the Conservative Group vacancy on the Hub Committee remain unfilled pending the outcome of the Political Structures Working Group review;**
- **approval be given to the formal establishment of the Financial Stability Review Group with Cllrs R Cheadle, M Davies, C Edmonds, N Jory, R Oxborough and J Yelland being appointed to serve on this Group; and**

- |   |
|---|
| <ul style="list-style-type: none"><li>- <b>the draft Terms of Reference for the Financial Stability Review Group (as detailed at Appendix A) be approved.</b></li></ul> |
|---|

## **1. Executive summary**

- 1.1 Members will be aware that, at the last Council meeting on 20 February 2018, Cllr Graham Parker tendered his resignation from both the Hub Committee and the Joint Local Plan Joint Steering Group (Minute CM 57 refers).
- 1.2 In light of these two vacancies, this report provides an update on the latest position.
- 1.3 This report also seeks to formally establish the Financial Stability Review Group and approve appointments to this Group and its Terms of Reference.

## **2. Background**

### **Joint Local Plan Joint Steering Group**

- 2.1 By definition, the Council's two appointed representatives on the Joint Local Plan Joint Steering Group are not subject to political balance provisions;
- 2.2 As a result, both Group Leaders have been invited to submit their nominations to fill this vacancy;
- 2.3 Following this invite, Cllr Parker has been nominated by the Leader of Council to be re-appointed on to the Steering Group. No other nominations have been forthcoming.

### **Hub Committee**

- 2.3 As part of the Budget setting process, the Council has tasked the Political Structures Working Group with undertaking a review of the Hub Committee size and roles and responsibilities in time for the start of the 2018/19 Municipal Year;
- 2.4 Since the Hub Committee vacancy is the entitlement of the Conservative Group, the Leader of the Council has been invited to put forward a nomination;
- 2.5 The Leader has confirmed his wish to leave this vacancy unfilled pending the outcome of the Working Group review that is due to be considered at the Annual Council meeting on 17 May 2018;

## **Financial Stability Review Group**

- 2.6 At its meeting on 13 March 2018, the Hub Committee considered an agenda item titled: 'Financial Stability Update' (Minute HC 73 refers);
- 2.7 In so doing, the Committee noted the contents of the report and approved its use as the basis for Member workshops to discuss the Medium Term Financial Strategy as soon as possible in the next financial planning cycle;
- 2.8 The Committee also recommended that the Council formally approve the establishment of a 'Financial Stability Review Group to:
- *Oversee and coordinate activity to reduce costs and generate income as set out in the report and as identified in the future;*
  - *Act as a forum for generating and developing ideas for reducing costs and generating income;*
  - *Link the ideas and activities of Members and officers in this area; and*
  - *Report to the Hub Committee as appropriate.*
- 2.9 As a Review Group, political balance provisions do not need to be applied for any appointments to serve on this Group. Both Group Leaders have been contacted and the following nominations have been received:-
- Conservative Group: Cllrs Davies; Jory, Oxborough and Yelland; and
  - Independent Group: Cllrs Cheadle and Edmonds.
- 2.10 To underpin the work of this Review Group, a draft set of Terms of Reference has been developed and is attached at Appendix A.

## **3. Options available and consideration of risk**

- 3.1 Whilst the Annual Council meeting is only two months away, there are a number of key milestones before this time that necessitate the need for the vacancy to be filled on the Joint Steering Group;
- 3.2 Such are the complexities associated with the Joint Local Plan, that the proposal to re-appoint Cllr Parker will ensure both continuity and that his experience and expertise are fully utilised;
- 3.3 The establishment of the Financial Stability Review Group is considered by the Hub Committee to be a means of examining all aspects of the Council's finances in order to ensure that the authority has a sustainable and secure future and is able to continue to deliver services to residents.

#### 4. Implications

Legal/Governance		The Council Constitution requires that all such appointments are determined by the full Council.
Financial		The recommendation to retain a vacancy on the Hub Committee will result in a saving of one Special Responsibility Allowance (£3,856 per annum).
Risk		There are no additional risks directly related to this report.
Comprehensive Impact Assessment Implications		
Equality and Diversity		There are no equality and diversity implications directly related to this report.
Safeguarding		There are no safeguarding implications directly related to this report.
Community Safety, Crime and Disorder		There are no community safety or crime and disorder implications directly related to this report.
Health, Safety and Wellbeing		There are no health, safety and wellbeing implications directly related to this report.
Other implications		N/A

#### **Supporting Information**

##### **Appendices:**

A: Financial Stability Review Group – Draft Terms of Reference

##### **Background Papers:**

Council Constitution;  
Hub Committee agenda and minutes – 13 March 2018; and  
Political Balance Provisions.

## Financial Stability Review Group: Draft Terms of Reference

### Main Objectives:

- To examine all aspects of the Council's finances in order to ensure that West Devon Borough Council has a sustainable and secure future and is able to continue to deliver services to residents;
- To re-examine all Council expenditure to ensure that best practice is employed and value for money achieved;
- To promote and support the implementation of new ideas, especially in the area of income generation; and
- To make recommendations, in the first instance, to the Hub Committee.

### Method:

To establish a cross party group which will work in 2 co-ordinated but distinct sub groups:

1. **Budget Team:** to critically examine Council expenditure budgets with a view to applying zero based budgeting techniques and making savings where possible; and
2. **Income Team:** to review the use of existing Council assets and to generate and develop new income streams.

### Principles:

1. Unless there is a compelling reason otherwise, statutory services should be protected and, if possible, improved;
2. We recognise the commitment of Council staff, and the importance of a skilled and motivated workforce in ensuring a sustainable future, and, therefore, current staffing levels should be maintained. Changes to staffing levels will only be considered if there are compelling operational reasons or as a last resort after other all options have been reviewed.
3. The views and opinions of staff members at all levels, especially those administering the budget at the sharp end, will be sought. This is to primarily be a "bottom up" review rather than a "top down" imposition;
4. No line of expenditure is to be considered sacrosanct or protected;
5. Reductions in expenditure and the development of new income streams will be risk assessed. However, in order to ensure a sustainable future, it is accepted that the Council will, almost certainly, have to accept higher levels of risk than has previously been the case;
6. We recognise the importance of shared services in saving costs and ensuring the Council's survival to this point. Wherever possible we will continue to work with South Hams, or other partner organisations, in order to both protect what has been achieved and to develop new ideas that will benefit both parties;
7. Responding to the budget challenge is both vital and urgent. Members and officers should resolve to progress this review, and act on its recommendations, thoroughly, quickly and innovatively; and
8. Leadership from both members and senior officers is vital through this difficult period. The progress of this project should therefore be open and transparent and communicated widely.

**Approval and Composition of the Group**

The Council, at its Annual Meeting, will determine whether the Group continues to operate for the forthcoming Municipal Year and (any) consequent appointments to serve on the Group.



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