

Public Document Pack



West Devon
Borough
Council

WEST DEVON COUNCIL - TUESDAY, 11TH DECEMBER, 2012

Agenda, Reports and Minutes for the meeting

Agenda No Item

1. **Summons Letter** (Pages 1 - 6)

2. **Reports**

Reports to Council:

a) Item 4 - Urgent Business - City Deal (Pages 7 - 14)

b) Item 10 - Business Rates Pooling in Devon (Pages 15 - 20)

c) Item 11 - Temporary appointment of a Section 151 Officer to cover for maternity leave
(Pages 21 - 26)

d) Item 12 - Outcomes of the Peer Challenge (Pages 27 - 46)

e) Item 14 - EXEMPT - Future Leisure Provision Post 2014 - A Suggested Way Forward
(Pages 47 - 64)

3. **Minutes** (Pages 65 - 74)

This page is intentionally left blank

Agenda Item 1

Please ask for: Tony Rose
Direct Line/Ext: 01822 813664
email: arose@westdevon.gov.uk
Your ref: AAR/Council.11.12.2012
My ref: AAR/Council.11.12.2012
Date: 3rd December 2012

COUNCIL SUMMONS

You are hereby summoned to attend a Meeting of the **WEST DEVON BOROUGH COUNCIL** to be held at the Council Chamber, Council Offices, Kilworthy Park, **TAVISTOCK** on **TUESDAY** the **11th** day of **DECEMBER 2012** at **4.30 pm**.

Prior to the Meeting, the Reverend Michael Brierley, Priest-in-Charge of Tavistock & Gulworthy has been invited to say prayers.

THE FOLLOWING BUSINESS IS PROPOSED TO BE TRANSACTED.

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

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

Page No.

3. To approve and adopt as a correct record the Minutes of the regular Meeting of the Council held on 2nd October 2012 1
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 motions of which notice has been submitted by Members of the Council in accordance with Council Procedure Rule 15

To consider the following motion submitted by Cllr K A Clish-Green:

“This Council wishes the Secretary of State for Communities and Local Government to note the following:

West Devon Borough Council believes that local people, through their democratically elected local authorities, are the most suitable judges of what development is acceptable in an area and the suitable level of contributions that developers need to make;

West Devon Borough Council opposes:

- The Secretary of State's proposals for the Planning Inspectorate to have powers to override agreements between Councils and developers over the number of affordable housing units allocated to planning applications.
- The Secretary of State's proposals for planning permission – currently required for extensions of more than three or four metres from the rear wall of any home – to only be needed for those reaching beyond 8m for detached homes and 6m for others
- The Secretary of State's intention to override Section 106 of the Town and Country Planning Act of 1990 which will allow developers to immediately appeal to the Planning Inspectorate over the allocation of affordable housing units in any scheme they may be concerned with.
- The Secretary of State's proposals for the Planning Inspectorate to take planning powers away from local authorities which he deems to be slow or of making poor quality planning decisions in determining applications.

This Council notes that the current Coalition government did listen earlier in the year over concerns regarding the National Planning Policy Framework and revised its plans accordingly, so urges the Government to listen to the concerns being expressed by the cross-party LGA;

This council however welcomes other parts of the stimulus package including:

- £300 million to provide 15,000 affordable homes across the country
- An extension of the refurbishment programme to bring an extra 5,000 empty homes back into use
- £280m for First Buy, the shared equity scheme to give a further 16,500 first time buyers the chance to own their own homes
- Up to £10bn of guarantees to housing associations, property management companies and developers which will be able to use the guarantees to secure lower borrowing costs. This will lead to hundreds of thousands of extra rental homes being built.

In conclusion this council resolves to formally write to the Secretary of State for Communities and Local Government, outlining our opposition to the plans.”

8. To consider questions submitted by Members under Council Procedure Rule 21
9. To receive the Minutes of the following Committees, to note the delegated decisions and to consider the adoption of those Minutes which require approval

- (i) **Audit Committee**
Meeting held on 25th September 2012 6
- Meeting held on 13th November 2012 10

Unstarred Minute to agree

Members are recommended to agree:

AC 21 Mid Year Prudential Indicator and Treasury Management Monitoring Report 2012-2013

RECOMMENDED that the report and the changes to the financing of the Capital Programme be noted.

- (ii) **Community Services Committee**
Meeting held on 30th October 2012 12

Unstarred Minute to agree:

Members are recommended to agree:

CS 24 Community-Led Planning Protocol

RECOMMENDED that the Community-Led Planning Protocol presented as Appendix A to the report be approved and adopted subject to the *nota bene* sentence on page 60 being amended to read “The role of Officers *and Members* is to provide...” as the Council’s procedure for managing community-led planning processes within the Borough.

CS 25 The National Planning Framework Review and Future Work

- (iii) **RECOMMENDED** that that the Head of Planning, Economy and Community in consultation with the Strategic Planning Officer Member Group be authorised to publish the interim position statements.

- (iii) **Overview & Scrutiny Committee**
Meeting held on 16th October 2012 20

Unstarred Minute to agree:

Members are recommended to agree:

O&S 18 Draft Member Development Strategy

RECOMMENDED that the draft Strategy (as presented at Appendix B) be adopted.

(iv) Planning & Licensing Committee	
Meeting held on 9 th October 2012	25
Meeting held on 6 th November 2012	45
Meeting held on 4 th December 2012	To follow
(v) Resources Committee	
Special Meeting held on 30 th October 2012	52
Meeting held on 20 th November 2012	54

Unstarred Minute to agree:

Members are recommended to agree:

RC 28 Council Tax Support

RECOMMENDED that Council:

1. Adopt a LCTS for 2013/14 which continues to provide the same level of support to benefit claimants in line with current Council Tax Benefit. This is option 1 (proposed scheme);
2. Remove Second Adult Rebate;
3. Implement the following technical changes to Council Tax:
 - i. Removal of 10% second homes discount
 - ii. Reduction of Class C Exemptions from 6 months to 1 month
 - iii. Reduction of Class A Exemptions from 100% to 50%
 - iv. Apply an empty homes premium of 50% to all homes unoccupied and unfurnished for over 2 years
4. Instruct officers to start a process of review during 2013/14 to monitor the emerging national picture and best practice surrounding LCTS schemes agreed for year 1 to establish an appropriate scheme for year 2.

The Council Tax Support report as presented to the Resources Committee is attached for Members' information at Appendix A. 59

- | | | |
|------------|--|----|
| 10. | To receive the report of the Head of Finance & Audit on Business Rates Pooling in Devon | 68 |
| 11. | To receive the report of the Head of Finance & Audit on the temporary appointment of a Section 151 Officer to cover for maternity leave. | 73 |
| 12. | To receive the report of the Corporate Director (TW) on the outcomes of the Peer Challenge. | 78 |

13. To Order the affixing of the Common Seal
For the information of Members, a list of documents sealed by the Council and witnessed by the Mayor and the Chief Executive during the period 28th September 2012 to 27th November 2012 is attached. 96

PART TWO – ITEMS WHICH MAY BE TAKEN IN THE ABSENCE OF THE PRESS AND PUBLIC ON THE GROUNDS THAT EXEMPT INFORMATION MAY BE DISCLOSED.

The Council is recommended to pass the following resolution:

“**RESOLVED** that under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the Meeting for the undermentioned item of business on the grounds that exempt information may be disclosed as defined in the paragraph given in brackets below from Part I of Schedule 12(A) to the Act.”

14. To receive the report of the Corporate Director (AR) on considering the future Leisure Provision Post 2014 – A Suggested Way Forward (Paragraph 3 – Information relating to the financial or business affairs of any particular person (including the authority holding that information)) 97

Dated this 3rd day of December 2012



Chief Executive

This page is intentionally left blank

NAME OF COMMITTEE	COUNCIL
DATE	11 DECEMBER 2012 (WD)
REPORT TITLE	PLYMOUTH AND PENINSULA CITY DEAL
REPORT OF	CORPORATE DIRECTOR (AR)
WARDS AFFECTED	ALL

Summary of report:

Plymouth City Council and strategic partners within the sub-region have been invited to submit a bid to develop a “City Deal” with the Government which focuses on addressing economic challenges affecting the area.

Financial implications:

At this stage, there are no direct financial implications for either Council. However, if the bid is successful, in future both Councils may have to consider the benefits of partnership funding, including the potential pooling of some resources, to achieve economic outcomes.

RECOMMENDATION (WEST DEVON)

1. **That the Chief Executive be authorised to support the submission to Government of the City Deal Expression of Interest, in consultation with the Leader on behalf of West Devon Borough Council.**

Officer contact:

Alan Robinson, Corporate Director
 tel: 01822 813629;
 email: alan.robinson@swdevon.gov.uk

1. BACKGROUND

- 1.1 On 29 October 2012, twenty cities and their hinterlands were invited to bid for “radical new powers to boost economic growth”. Expressions of Interest must be submitted by 15 January 2013. The cities with the strongest proposals will be invited to negotiate a “Deal” with the Government to achieve key economic outcomes. The Government, at this stage, has not indicated how many bids it expects to take beyond the initial Expression of Interest stage. The Government intends to complete the City Deal negotiations by November 2013.
- 1.2 The time scale for submitting an Expression of Interest is extremely tight as set out in the appendix. As a consequence, this report has been submitted to both Councils as an urgent item to comply with the nationally set deadline.

2. KEY MATTERS FOR CONSIDERATION

- 2.1 Partners that are currently involved in developing the submission include Plymouth City Council (lead agency), Plymouth University, Plymouth Chamber of Commerce and Industry, Devon County Council, Cornwall Council, Heart of the South West LEP and Cornwall and Isles of Scilly LEP. It is anticipated that private sector businesses will be invited to become involved in the partnership.
- 2.2 The City Deal is likely to have a strong urban focus without input from strategic partners representing the rural hinterland. The level of involvement by our two Councils will need to be determined in future. However, it is felt to be beneficial for those communities in the wider economic area if both Councils engage in the formulation of the Expression of Interest. The Government’s imposed deadline has limited the City Council’s opportunity for wider engagement with partners to date.
- 2.3 Initial ideas which might be proposed to ensure that there is a rural dimension to the bid that could secure benefits for communities in South Hams and West Devon are as follows:
 - Support for infrastructure and other investment to help achieve strategic delivery of housing and jobs at Sherford, Language and Tavistock.
 - Across the wider economic area, the bid could include:
 - a housing and employment programme to support rural communities;
 - initiatives to grow the visitor economy by further enhancing the current branding of the coast, moor, countryside and city attractions to boost the local economy, in particular developing the profile of industrial heritage within West Devon, including the World Heritage status of Tavistock and the Tamar Valley.
 - Greater local influence/control over spending on transport schemes (e.g. greater priority for improvements to the A38 to support employment growth at

Langage, linking Tavistock to Plymouth by rail and reducing congestion on the A386).

- Low carbon energy/renewable energy. Although there is sensitivity about the location of wind turbines, there are opportunities for job growth in renewable energy in terms of research/development, manufacturing and distribution through the development of local supply chains.
- Improvements to rural connectivity, including prioritising the provision of superfast broadband in our part of the LEP area, enhancing mobile communication coverage and improving port, rail and road links to markets, particularly in view of the loss of Plymouth airport.
- Adding value to rural produce, including agricultural and fishery products, in tandem with significantly developing a “Made in Devon” brand.

3. LEGAL IMPLICATIONS

- 3.1 None at this stage. However, both Councils will wish to be involved with partners in developing governance arrangements, if the bid is successful, to ensure that the needs of rural communities are taken into account within a “City Deal”.

4. FINANCIAL IMPLICATIONS

- 4.1 None at this stage. However, both Councils will need to consider the value for money of any future commitment of local resources, including staff time and funding.

5. CONCLUSION

- 5.1 The view of both Leaders and senior officers is that the two Councils should support the submission of the Expression of Interest, as the objective of addressing economic challenges across the economic area could benefit rural communities. Even if the bid is not ultimately successful, engaging in the process of preparing the Expression of Interest could provide the catalyst for more effective future joint working within the sub-region.

9. RISK MANAGEMENT

- 8.1 The risk management implications are appended to this report (Appendix 1)

9. OTHER CONSIDERATIONS

Corporate priorities engaged:	Primarily the Economy priority, but there is also potential benefits for Homes and Community Life.
Statutory powers:	General Powers of Competence under the Localism Act 2011
Considerations of equality and human rights:	At this stage, the details of the proposals have not yet been agreed. However, if the Expression of Interest is successful, the partners will need to take into account equality and human rights issues that arise from the City Deal.
Sustainability considerations:	At this stage, the details of the proposals have not yet been agreed. However, if the Expression of Interest is successful, the partners will need to take into account sustainability considerations that arise from the City Deal.
Crime and disorder implications:	At this stage, the details of the proposals have not yet been agreed. However, if the Expression of Interest is successful, the partners will need to take into account crime and disorder implications issues that arise from the City Deal.
Background papers:	None
Appendices attached:	Strategic Risk Assessment Table (Appendix 1) City Deal Timeline (Appendix 2)

STRATEGIC RISKS

No	Risk Title	Risk/Opportunity Description	Inherent risk status				Mitigating & Management actions	Ownership
			Impact of negative outcome	Chance of negative outcome	Risk score and direction of travel			
1	Rural communities do not benefit from the City Deal	The City Deal does not benefit rural communities because South Hams and West Devon Councils have been unable to engage in developing the proposal, particularly in view of the constrained timeframe set by government to reach agreement	4	3	12	↔	Despite time pressures and capacity challenges, prioritise political and senior officers' engagement in developing the Expression of Interest	SH Leader, WD Leader and CD(AR)
2	Uncertain future commitments	No financial implications at this stage. However, potential future partnership funding requirement to achieve agreed economic outcomes	3	3	9	↔	Continue to engage in developing the Expression of Interest and review future resource commitment if the initial bid is successful and detailed proposals are subsequently developed	CD(AR)
3	Current vacuum in strategic liaison across the sub-region	Engagement in the Expression of Interest may provide a catalyst for more effective future joint working	3	3	9	↔	Continue to engage in developing the Expression of Interest and review future governance arrangements if the initial bid is successful and detailed proposals are subsequently developed	CD(AR)

Risk Score 20-25: very high; 12-19: high;

8-12; medium;

<8: low

Direction of travel symbols = ↓ ↑ ↔

This page is intentionally left blank

CITY DEAL TIMELINE

3 December 2012

**City Deal Key Milestones**

Day	Milestone or meeting
Week 1	03 December – 07 December
03 December	Draft Expressions of Interest reviewed by CPU, BIS Local and Government Departments.
Week 2	10 December – 16 December
10 December	Formal feedback received from Cabinet Office on draft Eol
12 December	Second workshop to develop the Expression of Interest at Plymouth University
Week 3	17 December – 21 December
Date TBC	Second Leader's Summit to discuss progress and agree sign off arrangements.
20 December	Submit draft to Cabinet Office for further comment
Week 4	24 December – 30 December
25 December	Christmas Day (Bank Holiday).
Week 5	31 December – 04 January
3 January	Receive Cabinet Office comment
Week 6	07 January - 11 January
10 January	Final draft ready for Leadership sign off
Week 7	14 January 20 January
14 January	Leaders letter of support complete
15 January	Final submission of the Expression of Interest.

This page is intentionally left blank

NAME OF COMMITTEE	Full Council
DATE	11 December 2012
REPORT TITLE	Business Rate Pooling in Devon
Report of	Head of Finance & Audit
WARDS AFFECTED	All

Summary of report:

This report provides information on the new business rates retention scheme which will be introduced from April 2013, the impact on the local authority and the business rates pooling proposal for the Devon region.

Financial implications:

The potential gain to the Devon region from pooling ranges between £2.5 million (over a 5 year period to 2017/2018) to £9.8 million as shown in Section 2.5. If West Devon decided to act alone, then it would be exposed to losses in business rates income of up to 7.5% (the safety net level) of the original baseline funding level of £1.5 million – so exposure to losses would be in the region of £112,500.

RECOMMENDATIONS:

It is recommended that:

- i) West Devon Borough Council agree to be part of a Devonwide pooling arrangement for Business Rates, subject to an outcome to the Finance Settlement (which is due to be announced by the Government in late December) supporting this view.

- ii) Delegated authority is given to the S151 Officer (The Head of Finance and Audit), in consultation with the Senior Management Team, to approve the content of the NNDR1 return (estimate of business rates income) for the Council for 2013-2014, as set out in Section 3.4.

Officer contact:

Lisa Buckle, Head of Finance,
 01803 861413 lisa.buckle@swdevon.gov.uk
 Carolyn Haynes, Chief Revenue Accountant,
 01822 813643 chaynes@westdevon.gov.uk

1. BACKGROUND OF THE BUSINESS RATE RETENTION SCHEME

- 1.1 The way that Councils receive income from Business Rates is changing from 1 April 2013. Business Rates retention is being introduced and authorities will be able to retain a share of any growth that is generated in Business Rates revenue in their areas, as opposed to the current system where all Business Rates revenues go to central Government for distribution. The system will pass back to Government 50% of the Business Rates. Of the 50% that is retained locally, 40% will go to the Billing Authority (West Devon Borough Council), 9% to Devon County Council and 1% to the Fire Authority.
- 1.2 The proposals do not include any changes to the system of business rates, so businesses will not see any change to the way that the business rates are set or how they pay. The business rate-setting powers will remain under Central Government control and the revaluation process will remain unchanged.
- 1.3 The reality is that some authorities earn more in business rates than they used to receive from the current formula grant. While there are other authorities who earn much less. So the Government is levelling the playing field through a mixture of “top-ups” and “tariffs”. At the beginning of the scheme, the government will carry out calculations to ensure that councils with more business rates income than their current baseline funding level will make a tariff payment to government. Similarly, where council’s have greater needs than their business rates income, they will receive a top-up payment from the government. West Devon Borough Council and other Devon Districts will be a Tariff Authorities. Devon County Council, Plymouth and Torbay will be ‘Top Up’ Authorities.
- 1.4 The government will make available safety net payments if a Council’s business rates income falls by a certain amount. This will provide support if, for example a major local employer closes. The safety net will be set at 7.5% and the maximum levy is now 50%. The levy is the amount the Government takes from any business rates growth over the business rate baseline, for each Authority.

2. BUSINESS RATES POOLING

- 2.1 The business rate retention scheme allows authorities to voluntarily form a business rates retention pool. Local authorities within a pool would be treated as a single authority, with all tariffs and all top ups being combined and a single levy rate being applied.
- 2.2 Pooling would significantly reduce each Authorities exposure to Business Rates income volatility and financial risks through loss of direct income if businesses go into decline, as these risks are spread across a much larger pool, hence smoothing out any such volatility. At an early stage the Government encouraged Councils to ‘pool’.
- 2.3 All Devon authorities jointly engaged the consultancy firm Local Government Futures (LGF) to examine the implications of pooling for the Devon Region.

The latest modelling from LGF, following confirmation from the Government of some of the details of the new scheme, shows the following conclusions:-

(Note - this updated modelling has only just been received and any updates to the position will be verbally updated to the Council meeting on 11 December) :-

- 2.4 ***Under each of the three pooling scenarios modelled below, a higher level of resources would be received by the pool, than if the authorities had acted individually.*** The additional resources would allow all of the authorities to receive the amount that they would have received if they had acted individually and also receive an additional amount, due to the benefits of pooling. The gain is due to the average levy rate applied to growth being zero, when the authorities act as a pool.
- 2.5 The potential gain to the Devon region from pooling ranges between £2.5 million (over a 5 year period to 2017/2018) to £9.8 million. Gains in the first year could range between £386,000 and £794,000 as summarised in the table below:-

Scenario	NDR income source	NDR growth	Potential gain from Pooling for the whole Devon region in the 5 years to 2017/18	Potential gain from pooling for the whole Devon region for the first year 2013/14
1	NNDR1 2012/13	0.0% p.a.	£2.503m	£473,000
2	NDR Baseline	Most likely estimates from Districts	£7.708m	£386,000
3	NNDR1 2012/13	Most likely estimates from Districts	£9.806m	£794,000

3. THE DEVON BUSINESS RATES POOLING ARRANGEMENT

- 3.1 The 'Devon Pool' proposes to distribute pooled funds using a "no worse off" basis. Funds will be distributed to each member authority to a position no worse than it would have been had the pool not existed. Clearly this will only be possible if the pooling arrangements result in an aggregate financial position that is no worse than would have been the case had the pool not existed. The membership of the Devon pool consists of the eight District Councils in Devon and Devon County Council, Torbay Unitary and Plymouth Unitary, with Plymouth acting as the Lead Authority for the pool.
- 3.2 Where pooling generates a net gain, the additional resources (above and beyond the 'no worse off' basis) will be distributed in the following proportions:-

50% of the gain will be distributed using each authority's baseline funding level and 50% of the gain will be distributed using NDR baseline. The same proportion would be used if pooling generated a net loss.

- 3.3 If the Council was to enter a pool then there would be no entitlement to safety net funding should a high degree of negative growth be experienced. Current modelling anticipates that business rates growth in Devon will not reach the levels required to put the Pool into a negative funding situation.
- 3.4 The statutory Government Return, the NNDR1, is completed by the Council each year and gives a prediction of the Business Rates income that will be generated. This form is now required to be approved by the Council each year. As this is an arithmetical calculation based on factual figures, it is recommended that Council delegate approval of the figures within this return to the S151 Officer, in consultation with the Senior Management Team (SMT).

4. LEGAL IMPLICATIONS

- 4.1 As per Article 4 of the Council's Constitution, Council is responsible for approving the policy framework and the budget. As funding from Business Rates is a significant part of the funding for the Council's overall revenue budget, any decision on Pooling must be taken by Full Council. Councils will have 28 days from the provisional local government finance settlement (anticipated late December) to withdraw from prospective pools. Any withdrawal at that stage would mean that the whole pool could not proceed for another financial year.

5. FINANCIAL IMPLICATIONS

- 5.1 The potential gain to the Devon region from pooling ranges between £2.5 million (over a 5 year period to 2017/2018) to £9.8 million as shown in Section 2.5. If West Devon decided to act alone, then it would be exposed to losses in business rates income of up to 7.5% (the safety net level) of the original baseline funding level of £1.5 million – so exposure to losses would be in the region of £112,500.

6 OTHER CONSIDERATIONS

Corporate priorities engaged:	All
Statutory powers:	Business Rates Retention Scheme
Considerations of equality and human rights:	None directly related to this report.
Biodiversity considerations:	None directly related to this report.
Sustainability considerations:	None directly related to this report.
Crime and disorder implications:	None directly related to this report.
Background papers:	Resources Committee - 24 th July 2012
Appendices attached:	None

STRATEGIC RISKS TEMPLATE

No	Risk Title	Risk/Opportunity Description	Inherent risk status				Mitigating & Management actions	Ownership
			Impact of negative outcome	Chance of negative outcome	Risk score and direction of travel			
1	Risk of a Member Authority Leaving the Devon Pool	Volatility – if the Council or one of the other Member Authorities chooses not to pool once the Finance Settlement is announced, the full risks associated with business rates income volatility will be held entirely with the Council.	4	4	16	↔	Careful analysis of the financial impact of being in the pool and of being independent.	H of F&A Other Local Authorities
2	Future funding levels (if the Council is exposed to business rates income volatility)	A significant drop in overall funding could result in cuts to services. This could be due to loss of businesses due to the economic climate.	4	2	8	↔	Close monitoring of the changes in business rates throughout the year. Maintaining a healthy level of reserves to mitigate any potential drop in funding.	H of F & A, H of CS & IT
3	Assumptions used for modelling the effects of business rates pooling	Risk of assumptions used for modelling scenarios for pooling turning out to be significantly different to what happens in reality.	5	2	10	↔	Close monitoring of the assumptions used. These have been based on historical patterns of business rates income and predicted growth from informed knowledge.	H of F&A Other Local Authorities

Direction of travel symbols ↓ ↑ ↔

This page is intentionally left blank

NAME OF COMMITTEE	COUNCIL
DATE	11 DECEMBER 2012
REPORT TITLE	HEAD OF FINANCE AND AUDIT (S151 OFFICER) - MATERNITY COVER ARRANGEMENTS
Report of	CHIEF EXECUTIVE
WARDS AFFECTED	ALL

Summary of report:

Under s151 of the Local Government Act 1972, every Local Authority shall make arrangements for the proper administration of their financial affairs and shall secure that one of their officers has responsibility for the administration of those affairs. This report sets out the recommended s151 Officer arrangements for the Council to cover the maternity leave period of Mrs Lisa Buckle.

Financial implications:

The overall costs of the maternity cover arrangements are £13,000 which can be funded by a specific Earmarked Reserve for maternity cover.

RECOMMENDATIONS:

- 1) It is recommended that Mr Daniel Bates be appointed as the officer responsible for the administration of the Borough Council's finances under s151 of the Local Government Act 1972 with effect from 1 January 2013 (the s151 Officer) up until the end of the maternity cover for Mrs Lisa Buckle.

- 2) That Members note that Mrs Jackie Waites (Chief Accountant) will continue to act as the Council's Deputy S151 Officer throughout, as this is a specific duty of the Chief Accountant post.

Officer contact:

Richard Sheard, Chief Executive
01822 813641

1. BACKGROUND

- 1.1 The Council must make arrangements for the proper administration of its financial affairs and shall secure that one of its officers has responsibility for the administration of those affairs, under s151 of the Local Government Act 1972.
- 1.2 The current s151 Officer (Mrs Lisa Buckle) will be on maternity leave from mid January 2013 and this report considers the temporary arrangements to cover the period until the end of the maternity leave.

2. ROLE OF THE S151 OFFICER

- 2.1 The rules governing the authority's financial administration are set out in the Council's Standing Orders, Contracts Procedure Rules and Financial Procedure Rules. These require, amongst other things, that the s151 Officer be responsible for many of the obligations under the rules, including, for example, arrangements for the banking and drawing of cheques in the Council's name, which must bear the name of the s151 Officer.
- 2.2 There are also many other statutory requirements for the s151 Officer, such as:-
 - i) s113 of the Local Government Finance Act 1988 (the "1988 Act"), in that the s151 Officer must be a member of one of a number of specified accountancy bodies. The statutory role must be performed by an "Officer" of the authority.
 - ii) s114 of the 1988 Act significantly extends the Chief Financial Officer's duties. This requires the S151 Officer to write a report to all Members, in consultation with the Monitoring Officer and the Head of Paid Service, if there is, or is likely to be, unlawful expenditure or an unbalanced budget. Section 114 also requires the authority to provide its Chief Financial Officer with such staff, accommodation and other resources as are in their opinion sufficient to allow their duties under that section to be performed. When a decision may involve unlawful expenditure or a loss or deficiency or an unlawful item of account, the Chief Financial Officer must submit their report to the Council. They must also send copies of the report to every Member of the authority and the External Auditor.
 - iii) s2(1) of the Local Government and Housing Act 1989 makes the s151 Officer a statutory chief officer and, therefore, a politically restricted post.
 - iv) Under the Local Government Act 2000, the Chief Financial Officer has a role in advising whether particular decisions are likely to be contrary to the policy framework or budget of the authority.
 - iv) Under the Local Government Act 2003, the Chief Financial Officer is required to report to the authority at the time that the budget is considered and the Council Tax set, on both the robustness of the budget estimates and the adequacy of financial reserves. The Chief Financial Officer also has to ensure that the guidelines and ratios set down for the purposes of the Prudential Capital regime are adhered to once fixed and report to Council if they are going to be infringed.

- 2.3 Mr Daniel Bates qualified with the Chartered Institute of Public Finance and Accountancy in 1996 and has worked in a number of senior finance roles in Local Government, most recently as Head of Finance at Torridge District Council until 2009. Prior to that he worked at West Devon Borough Council as a Principal Accountant and held the post of Assistant Chief Executive with the Council from 2004 to 2007. He works part-time for the Rural Services Network and focuses on the Local Government Financial Settlement with a particular emphasis on rural authorities.
- 2.4 Mrs Jackie Waites qualified with the Institute of Chartered Accountants of England and Wales in 2002. She started with West Devon in June 2006 as the Senior Accountant and became the Chief Accountant in October 2011.
- 2.5 It is recommended that Mr Daniel Bates be appointed as the temporary s151 Officer for three days per week to cover the period of maternity leave and that Mrs Jackie Waites (Chief Accountant) will continue to act as the Council's Deputy S151 Officer.

3. LEGAL IMPLICATIONS

- 3.1 The Section 151 role is categorised under the Local Government Act 2000 as a "statutory Chief Officer". This means that their appointment is the responsibility of the Council. The appointment cannot be delegated to the Head of Paid Service or his nominee. More detail on the statutory nature of the s151 Officer are covered in paragraphs 2.1 and 2.2.

4. FINANCIAL IMPLICATIONS

- 4.1 The overall costs of the maternity cover arrangements are £13,000 which can be funded by a specific Earmarked Reserve for Maternity Cover.

5. RISK MANAGEMENT

- 5.1 The Risk Management implications are shown at the end of this report in the Strategic Risks Template.

6. OTHER CONSIDERATIONS

Corporate priorities:	Customer First, Towards Excellence
Statutory powers:	The statutory powers are set out in Section 2.1 and 2.2 of the report.
Considerations of equality and human rights:	The Council is under a statutory obligation to ensure that appropriate equality consideration is given in the exercise of its services and functions. This means that ensuring that recruitment and selection is based on the skills and abilities needed to do the job, rather than other characteristics. The recommended candidate for the role of S151 Officer reflects a selection based on merit because of their skills, experience and previous experience.

Biodiversity considerations:	None
Sustainability considerations:	None
Crime and disorder implications:	None
Background papers:	None
Appendices attached:	None

STRATEGIC RISKS TEMPLATE

No	Risk Title	Risk/Opportunity Description	Inherent risk status				Mitigating & Management actions	Ownership
			Impact of negative outcome	Chance of negative outcome	Risk score and direction of travel			
1.	Statutory requirement to have s151 Officer.	There are risks set out in Section 2 of not having a nominated s151 Officer of the Council. These are that the Council would not meet its statutory requirements with the various legislation as detailed in Section 2.	5	2	10	↔	Employment of temporary cover as set out in this report.	Head of Finance and Audit

Page 25

Direction of travel symbols ↓ ↑ ↔

This page is intentionally left blank

NAME OF COMMITTEE	COUNCIL
DATE	11 DECEMBER 2012
REPORT TITLE	PEER CHALLENGE
Report of	CORPORATE DIRECTOR (TW)
WARDS AFFECTED	ALL

Summary of report:

The report summarises the findings of the Local government Association (LGA) Peer challenge team and advises Members on the actions the Senior Management Team (SMT) will now take to consider and implement some of the recommendations.

Financial implications:

There are no specific financial implications arising as a direct consequence of this report.

RECOMMENDATIONS:

That the Council:

1. Notes the content of this report and instructs Officers to issue a letter of thanks to the LGA for the opportunity it has provided to take an external look at the current progress and performance of the council.

2. Endorses the approach that SMT and the political leadership are taking, specifically to use this opportunity to review progress against the ambitions set out in the corporate blueprint, Shared Services and Beyond and to develop an action plan to encompass the suggestions highlighted through the Peer Challenge

Officer contact:

Tracy Winser Corporate Director
Ext 1389 tracy.winser@swdevon.gov.uk

1. BACKGROUND

- 1.1 During October 2012 both West Devon Borough Council (WDBC) and South Hams District Council (SHDC) welcomed the LGA to undertake an on-site Corporate Peer Challenge. Corporate Peer Challenges are free and have been designed to assist the continuous improvement approach adopted across local government. The peer challenge is delivered and managed by the sector for the sector.
- 1.2 It was agreed to request the team to focus on three particular themes. These were:
- a. To test the will and commitment of the two councils (Members and staff) to the shared services programme and how it may be developed and to consider the financial basis for shared service delivery and capacity (leadership and organisational) to progress this
 - b. Review the internal transformation process
 - c. Review and comment on the progress that the two councils have made on 'localism and working arrangements with the voluntary/community and business sectors and town and parish councils.
- 1.3 During the on site visit the team met with or held telephone interviews with around 100 people including a cross section of members, staff, Parish and Town council representatives, local newspaper editors and representatives from business, community and partner organisations.

2. ISSUES FOR CONSIDERATION

- 2.1 The Corporate Peer Challenge Final Report is attached in full as Appendix A. It has been published on the council's website and shared both internally and externally with the organisations who contributed. Overall the findings were very positive and provide an independent endorsement of the Councils approach and work to date.
- 2.2 In particular the team were impressed by the external feedback they received and considered both councils to be extremely well thought of by the majority of partners.
- 2.3 They noted the high level of savings shared services had delivered and also commented upon the progress made in creating shared corporate and operational priorities along with a high level of 'shared ownership' from staff and Members across the two councils.
- 2.4 The team found that the two councils work well together, whilst maintaining their own identities, with a good understanding of their similarities and differences. They considered both councils to be well run both politically and managerially and to be generally delivering good quality services, dealing well with the financial challenges to date. Overall they felt both councils could face the future with some confidence.
- 2.5 However the team also highlighted a number of suggestions which they consider might help improve and develop the effectiveness and capacity required to

deliver future ambitions and plans and these can be seen on page 11 and 12 of their Report, repeated at Appendix A.

2.6 Senior Management Team's preliminary view is that the Review endorses our approach providing a strong platform for the two organisations to move forward positively to face the future major challenges, primarily the financial challenge.

2.7 In the short term, over the next four months:

- Members will be engaged fully to bridge the imminent budget gap for 2013/14 through the budget process and at the time of the Peer Review the budget material was being formulated.
- The scrutiny function will be reviewed to ensure it is productive and robust. Scrutiny Chairs from both councils have already met since the Peer Challenge to consider future actions.
- The leadership training we were already discussing with the Training Partnership will be pursued.
- Partners in the Connect Partnership will be engaged in reviewing its efficiency and effectiveness, with a focus on how they might further our approach to localism

2.8 Whilst these short term measures are being undertaken, we will also be thinking more deeply about how we can best use our capacity and resources; how we can sharpen up our performance culture and rationalise the 2015 Transformation Programme and Service Blueprints by simplifying processes and systems. This will take time and will need the full engagement of all elected Members after the Chair/Vice Chairs (West Devon) and Executive (South Hams) have given their consideration.

2.9 In addition as part of the peer challenge process there is an offer of continued activity to support our progress and the LGA have offered up to 12 free days of support to assist us. Their suggestion is that we use this offer, in particular to assist with our 2015 agile working project which is most welcome and will be pursued

3. LEGAL IMPLICATIONS

3.1 There are no legal implications arising as a direct consequence of this report.

4. FINANCIAL IMPLICATIONS

4.1 There are no financial implications arising as a direct consequence of this report.

5. RISK MANAGEMENT

5.1 The Risk Management implications are shown at the end of this report in the Strategic Risks Template.

6. OTHER CONSIDERATIONS

Corporate priorities engaged:	All
Statutory powers:	As set out in the council's constitution and Financial Procedure Rules
Considerations of equality and human rights:	No specific issues
Biodiversity considerations:	No specific issues
Sustainability considerations:	No specific issues
Crime and disorder implications:	No specific issues
Background papers:	Shared Services and Beyond (WD- Strategies and Resources -25 January 2011) (SH Executive - 27 January 2011)
Appendices attached:	Peer Challenge Report attached as Appendix A

STRATEGIC RISKS TEMPLATE

No	Risk Title	Risk/Opportunity Description	Inherent risk status			Mitigating & Management actions	Ownership
			Impact of negative outcome	Chance of negative outcome	Risk score and direction of travel		
1	Approach to report	That the report is not adequately considered to assist in our continuous improvement activities	3	3	9 ⇄	SMT and Leaders responsibility to ensure that appropriate time and opportunities are given to ensure this takes place	SMT
2	Reputational	Those who took part in the process feel it was not worthwhile	3	2	6 ⇄	Appropriate communication plan put in place and resulting action plan published.	SMT
3	Impact on Resources	Ambitious action plan and timetable developed that cannot be adequately resourced	4	2	8 ⇄	Careful prioritisation of actions and regular review of plans	SMT

Page 31

Direction of travel symbols ↓ ↑ ⇄

This page is intentionally left blank

Richard Sheard
Chief Executive

South Hams District Council

Follaton House, Plymouth Road, Totnes

West Devon Borough Council

Kilworthy Park, Tavistock

2 November 2012

Dear Richard

South Hams and West Devon councils - Corporate Peer Challenge

On behalf of the peer team, I would like to say it was a pleasure to be invited into South Hams District and West Devon Borough Councils to deliver the recent peer challenge. The team felt privileged to be allowed to conduct its work with the support of you and your colleagues who were open and engaged with the process.

You asked the peer team to provide an external view of the two councils and give recognition, where appropriate, of progress made; and supportive challenge and feedback on how you are prepared to meet future issues and opportunities for South Hams and West Devon.

You also asked the team to provide specific feedback on:

- Progress on shared services and future opportunities
 - To test the will and commitment of the two councils (Members and staff) to the shared services programme and how it may be developed
 - Consider the financial basis for shared service delivery and capacity (leadership and organisational) to progress this
- Review the internal transformation process
- Review and comment on the progress that the two councils have made on 'Localism' and working arrangements with the voluntary/community and business sectors and town and parish councils.

To do this the peer team considered the ability, resilience and capacity of the council to deliver its future ambitions by looking at:

- Understanding of the local context and priority setting
- Financial planning and viability
- Leadership and governance
- Capacity to deliver

It is important to stress that this was not an inspection. Peer challenges are improvement-focused and tailored to meet councils' needs. They are designed to complement and add value to a council's own performance and improvement plans. The peers used their experience and knowledge of local government to reflect on the information presented to them by people they met, things they saw and material that they read.

This letter amplifies the feedback that was presented at the end of our recent onsite visit. In presenting this the peer challenge team has done so as fellow local government officers and members, not professional consultants or inspectors. Our intention is to provide recognition of the progress the two councils have made in recent years while also stimulating debate and thinking about future challenges.

Key conclusions

The two councils have made very positive progress on collaborative working arrangements. This began in 2007 but was accelerated in 2010, with the appointment of the current Chief Executive for the two councils, and the subsequent decision that all services would be shared by the end of 2011.

The establishment of a Joint Steering Group, to progress shared working, and the corporate blueprint 'Shared Services and Beyond', adopted in March and April 2011, provided the framework. Besides the substantial financial efficiencies obtained by shared services the process has enabled the councils to develop shared corporate and operational priorities, along with a high level of 'shared ownership' from staff and Members across the two councils.

The two councils work very well together. They have a good understanding of their similarities and differences and have worked well to retain distinctive organisational identity while making good progress in melding shared services. The councils are well run (politically and managerially) and are generally delivering good quality services. There are positive relationships between politicians and senior staff.

The councils are extremely well thought of by the majority of external partners. In early 2011 the councils embarked on a series of listening and dialogue events with town and parish councils, with representatives of the business sector and the voluntary and community sector. This engagement informed the development of the Connect Partnership, the councils' approach to Localism and a commitment to ongoing dialogue with these sectors via South Hams Voice and West Devon Voice.

The councils have dealt with financial challenges well to date and have a positive track record. They can face the future with some confidence. This is supported by good governance and risk management arrangements. However, there is a looming budget gap for the two councils, particularly for West Devon, from 2013 -2014 and succeeding years. Members will need to lead on the councils' intentions to bridge this gap and work with SMT to ensure that future planned savings are clearly directed to address this.

Both councils are ambitious and this has been an important driver for the success of shared services. Part of this ambition has been a commitment to not cut 'front line' services but this position may be difficult to sustain. Shared services have achieved

financial efficiencies but a consequence is reduced staff resources and service managers now working across two sites, rather than one. It was clear to the peer challenge team that this has stretched organisational capacity. As the councils move forward with their transformation programme, this will need to be managed more effectively.

The recent journey

Leadership and governance

It was evident to the peer challenge team that there are strong officer and Member working relationships. These extend to positive relations between political groups and between the councils and the trade unions. The Chief Executive's style is open and inclusive and gains wide respect. These elements are important features that have facilitated the commitment made in 2007 and the changes that have followed. This shows a climate of care and trust that will be important in the delivery of future change.

Throughout the change of the last five years it is noteworthy that the identities of the two councils have not been compromised. Both councils were clear from the outset their intention to retain separate organisational identities. This has been achieved even though both organisations have made a full commitment to making the partnership work.

The governance arrangements across the two councils appear sound. Governance arrangements have a heightened importance for two councils committed to shared services while retaining separate council identities. This will need continuous monitoring in a fast changing environment, where governance can subtly shift. For example, the Joint Steering Group (JSG) was originally established by the two councils to oversee the shared services programme. Given the progress made on this the JSG is now giving more attention to the transformation programme.

The two councils have good political decision-making arrangements. South Hams operates the Cabinet model while West Devon continues with the committee system. The latter has recently moved from three to two principal committees for a trial period.

Both councils are highly ambitious. Part of this is shown in the commitment to collaboration, where a driver was to gain savings to avoid the need to make service reductions. To date this has been largely successful but the peer challenge team believe that in the future this ambition may need to be even more pragmatic. With a significant financial gap looming for both councils and more public spending pressures projected, cuts to services will need to be considered unless a structured approach to meeting this challenge is devised. This point was made to the peer challenge team in a number of interviews with one stating that there was a "dissonance" between the ambition of Members and what the officers' capacity could actually deliver with existing resources. Future political decision-making will be required to prioritise objectives to enable difficult decisions to be made.

The peer challenge team wondered if the scrutiny function could be strengthened. The team did not investigate this too deeply but formed the impression that the function could be more productive and robust to perform an even more important role for the two councils. Possible areas for future activity could include joint scrutiny challenge of specific shared services and to review the two councils' performance management arrangements and their

use of performance indicators. If the scrutiny function were able to assume an enhanced role the benefit would be to support both councils in making difficult decisions in the future.

Member leadership development is an area that could be beneficial. The two councils and their staff have undergone significant change in a quickly changing environment. Change will be a feature for the future and leading Members could benefit from leadership training to provide them with the additional skills to work in a changing environment.

Working in partnership and supporting communities

Partners were positive of the two councils' willingness to engage. This is very encouraging at time when partnership working for local government is becoming increasingly important to combine resources and generate capacity. It is also consistent with the role of local government undertaking an active community leadership role.

There is evidence of intervention to support local communities in need. The closure of food processing plants in 2011 in Okehampton led West Devon and partners to establish 'Okehampton Works' to enable the provision of food banks for families, counselling for those made redundant, skills training etc. We had no doubt that South Hams would take a similar community leadership role if a comparable problem arose in its area.

There is a strong commitment to encourage local solutions. This is evident by the partnership vehicle Connect Partnership – 'Connecting with communities' – formerly the Local Strategic Partnerships for each council, that is working across the two councils. It is also exemplified by the TAP (Town and Parish) initiative with funding from Devon County Council and the two councils to support local community initiatives. This 'localist' approach is supported by a commitment to community engagement that is directed by the councils' Community Engagement Strategy.

One area that the councils may need to be watchful is partner buy-in into the Connect Partnership. This is a very ambitious programme and important for the councils' priority to progress Localism. A number of partners told the peer challenge team that it seemed to them to be the councils' agenda, rather than a partner agenda, that some partners didn't feel engaged and that the agenda was too diffuse and insufficiently focused on the big issues of importance. The councils are intending to review the Connect Partnership and that would be an opportune time to check with partners on areas for adjustment.

Financial planning

Strategic financial planning information is good and provides sound data to develop financial targets during a time of change. There is a proactive approach to financial modelling to update the Medium Term Financial Strategy (MTFS). The short-term financial planning arrangements are sound and have been confirmed by auditors' unqualified opinion of the councils' accounts and their arrangements to secure value for money. The MTFS has good layout and makes a clear connection between councils' priorities and resources to ensure that these are aligned.

However, in 2013 – 2014 there is a budget gap for each council and this continues in succeeding years. By 2016 – 2017 the cumulative gap will be £4.7m for South Hams and £4.1m for West Devon. The challenge is more acute in West Devon because of its relative

lack of revenue reserves. These are significant gaps and are unlikely to be resolved by the shared service model alone, adopted by the two councils to date.

The councils intend to bridge the budget gap by net budget savings achieved from the 2015 transformation programme, with this delivering 10 per cent and the services' blueprints another 15 per cent. The peer challenge team wondered if the current programme plans and efficiency targets are realistic and deliverable and believe that these will require keen challenge from senior managers, Members and Scrutiny.

We were not persuaded that the councils have fully acknowledged the extent of this budget gap and, in particular, the scale of change activity likely to be required to successfully bridge it. Certainly the gap each financial year may appear less threatening than the above cumulative figures but the scale of the financial challenge can be gauged by appreciating how these figures compare to the entire savings achieved by the two councils on shared services since 2007. Members will need to collectively take ownership for the budget gap and work with SMT to ensure that future planned savings are clearly directed to bridge this.

We were made aware of some of the options for savings that are under consideration while on site. Some of these have implications for service delivery and staff. We think that this is a time for tough decisions and that it is unrealistic to avoid these, as this will only store up even bigger challenges for the future.

It might be understandable if the councils were to consider the New Homes Bonus (NHB) as an option to bridge the funding gap. We believe that this would be a mistake for two reasons. First, there is no certainty that NHB will continue into the future, in its current form or at all. Where authorities use NHB to bridge financial gaps, and become reliant upon this, they would be found wanting should that funding come to an end. Second, there is good reason to expect that the councils might choose instead to use a proportion of NHB for their priorities, for example these could be linked to the Localism agenda. The team were made aware that both councils are looking to develop a New Homes Bonus strategy by the end of November which would seek to address these issues.

The councils have made good preparatory arrangements for the impact of the Welfare reforms. The impact of the reduction in Council Tax Support is anticipated to be in order of between £500k and £600k and, as in other parts of the country, a number of vulnerable people will be adversely affected. There was good evidence of a county-wide approach to dealing with the reduction. The next stage of the councils' preparations might be to engage with other partners, for example Citizens Advice Bureaux and housing associations, who are working with a similar constituent base, to develop further joint support arrangements.

Performance management

Service performance is generally good overall and this is no mean achievement, given the resources reduction in recent years, when performance might have been expected to dip. The review team identified from the information provided, and through reviewing performance reports to the council's respective scrutiny committees, that some performance is below target and not aligned with what other councils are achieving. Development management and the processing of benefit claims are examples. The other is legal services that has recently been subject to a separate external review.

The two councils have agreed to commit additional resources to clear the planning applications backlog and also to review business processes to avoid problems recurring. Both councils need to be clear whether under-performance in specific services is an issue or not, with this to be ascertained by comparative performance checks, and by determining at what levels service performance should be set. If it is felt to be an issue, then the councils will need to develop time-bound plans to secure improvements.

The performance culture needs further development. The peer challenge team did not pick up a strong corporate lead on performance. We did recognise that to some extent this was inevitable with the two councils focused on establishing shared services.

Certainly work has been conducted on developing Key Performance Indicators (KPIs) that are more relevant to the two councils than the former national performance indicators, as well as a balanced scoreboard. These are reported to SMT, Executive/Resources Committee and to Scrutiny. However, the peer challenge team did not find a strong follow through on evaluating performance from corporate to service levels and a relative absence of strong Member interest in reported performance or challenging what was being done in response to poor performance.

More focus on performance management from SMT and Members would be beneficial. For example, there are clear service outliers from the two councils, compared to other councils, which could be used to stimulate internal discussion. It would also be useful to compare performance levels across the two councils – we did not find any evidence that this is currently done in any systematic way. It may be expected that performance levels will vary across the two councils due to different resource inputs and different circumstances. However, there could be an opportunity in some service areas to bring performance into closer alignment for the benefit of service users.

Capacity

It is clear that the two councils have taken out a significant quantity of managerial resource, without major impact upon services. This has been an important aspect of the savings achieved to date and has been achieved with some aplomb. Inevitably the reduction in resource has required new ways of working and one of these is an increase in multi-skilling, for example housing officers dealing with benefits enquiries. This may be an area for further development to ensure that service capacity can be enhanced.

Although systems reviews have taken place in different teams with the objective of improving efficiency the peer challenge team saw no evidence of a coordinated or corporate approach to the utilisation of a distinct methodology, such as systems thinking or lean working. Instead it appeared ad hoc. The councils certainly recognise that this will be important to gain future efficiencies and it may be helpful to consider how this could be more co-ordinated. A corporate programme of service reviews could provide a structured approach and align resources to priority projects.

The recent changes have seen reductions in staffing levels and this has led to some capacity issues. Part of this might be attributed to the ambition of the two councils wanting to do 'more with less' but it is also clear that in some parts of the two councils staff have

lost capacity and feel stretched. Many staff raised capacity as an issue with the peer challenge team.

Related to this were staff saying that there had been a significant reduction in the visibility of management. Again this is not surprising when senior managers are working across the two principal worksites of Follaton House and Kilworthy Park. This is made more difficult by the travelling time from one site to the other which can take nearly one hour. The councils will need to consider if there are smarter ways of working across the two councils, although both have invested well in technology to support distance working, for example video links.

Staff capacity is an important area to be managed by the two councils to provide services to a desired standard and to provide organisational resilience for future change.

Shared Services

The two councils have jointly progressed some excellent work on shared services and generated significant quantifiable savings, being £2.15m for each council since 2007 and annual savings in excess of £600k. The context of this can be appreciated with these annual savings equating to a council tax increase of 11 per cent for South Hams and 14.5 per cent for West Devon.

At the same time the peer challenge team found no evidence that service performance has suffered as a result of shared working. However, there were no obvious examples where the team saw improved performance either. This could be due to the understandable priority of the two councils on driving shared services with less emphasis given to service performance. This would tally with the separate observation in this letter on the need to strengthen performance management arrangements.

The programme of developing shared services arrangements has been supported by the generally positive approach taken by Members from both councils. They have clearly enabled the process to go forward by looking ahead to the wider benefits from shared services and have put these ahead of parochial interests.

The point was made to the peer challenge team several times that it was more 'shared management' than shared services and that many services were little changed with separate teams in South Hams and West Devon, joined by shared managers. The team were also told that many services were operating separate business processes, systems and practices. This might be expected in the relatively short time since senior and middle managers became shared (April and October 2011) but it may be that the next phase might look to unite and consolidate business processes. This could be productive: to gain further service efficiencies; to develop capacity leading to service improvements; and to move beyond the 'shared management' of services.

The peer challenge team do not feel that efficiency savings have yet been maximised and this was supported by views within the councils that expressed that to date the focus had been on 'low hanging fruit' and recognition that the next phase would be more difficult. If the two councils want to progress further efficiency savings then they will need to be clear on where these can be obtained and then to prioritise so that resources can be put to realising these benefits. There could raise some big questions for the two councils to

consider. For example, significant efficiencies could be derived by the two councils moving to one site. This may be a difficult political decision in the short term but consideration could be given to the evaluating the benefits of combining back office services and co-location of some services.

On the same point the two councils will need to consider whether they have the appetite to develop shared contract and service arrangements. For example, the current West Devon waste contract ends in 2017. The two councils should begin giving consideration on whether they will bring the two services together at that time, which from experience would achieve significant savings provided that there is a largely common specification across the two council areas. For South Hams there is the additional consideration of whether it is really committed to achieving best value or whether it prefers to maintain its in-house operation

More imminently, the leisure contracts come up with West Devon in 2014 and South Hams in 2016. If they were to be let as one contract then it is likely that significant savings could be achieved, not least because the peer challenge team did not consider that the existing contracts for either council offered good value. Political decisions will need to be taken on whether this next phase of shared services would be acceptable.

It is clear that the drivers for shared services in 2007 are different to those in 2010 and 2012. This is an obvious but important point for the two councils to recognise. The new drivers need to be understood and used to inform the future shared services programme.

Internal transformation

The councils have understood that ongoing small scale service change programmes are unlikely to meet the future savings required and have committed to a 'Shared services and beyond transformation programme', detailed in a 'Blueprint', approved in March and April 2011. The key focus for this programme is to "transform the way we work" by 2015 and aims to achieve a saving of 10 per cent on the councils' net budget.

The 2015 programme has adopted good methodologies for project management and governance and has identified a range of key projects to achieve objectives. However, they have also included many low level, business as usual type projects within the programme which arguably dissipates its strategic focus. For example, the Blueprint identified more than 30 separate projects, with this reduced to 16 active projects.

The peer challenge team believe that this is still too many and provides insufficient focus. It also carries the risk of consuming a high level of scarce staff resources. Senior managers acknowledge that progress on the programme projects is still at an early stage. This presents an opportunity to reflect where the programme has got to and resetting it so that there is clarity of project focus, objectives and outcomes, underpinned by proportionate project management principles.

The councils' MTF identifies significant budget savings for the next four years. The strategy outlines the sources of savings coming from two principal work streams:

Service blueprints – charged with delivering 15 per cent efficiencies

- Each service area has been asked to develop a service review programme to run through to 2015
- These will consider how changing business processes will yield the required efficiencies while preserving or enhancing service levels.

The 2015 transformation programme – charged with delivering 10 per cent efficiencies

The principal projects designed to deliver savings are currently identified as:

- Agile Working
- Asset Review.

This strategy may have the potential to bridge the looming budget gap. However, each work stream is at a very early stage and there is no empirical view on the ability of the initiatives, within the two work streams, to deliver their savings targets.

An alternative strategy for delivering the internal change and savings agenda could involve a change in emphasis for savings to be achieved from this programme. This could lead to, for example, reducing the service blueprints' target to a level that would provide a focus on continuous improvement rather than step change. This could include rationalisation of business processes, systems and practices across the shared services of the two councils. It could also involve increasing the 2015 transformation programme target to a level which is sufficient to not only close the budget gap but to exceed it by an appropriate level.

The benefits of this approach can be summarised as:

- Providing a clear stretch programme target which will give greater 'tension' and add urgency and momentum to the programme
- This tension will focus attention on key decisions and the true cost/benefit issues behind them
- It would provide some 'breathing space' for service areas which are currently struggling with capacity and/or performance
- Capacity could be significantly improved through a more effective process of prioritisation and/or sequencing of initiatives
- Allowing the councils to take advantage of significant windfall opportunities as they arise during the next several years, for example combining the waste and leisure contracts mentioned above and harmonisation of existing procurement/contract activity
- The combination of the reduced shared service savings and windfall savings, along with early 'quick wins' from transformation projects, should provide the councils with sufficient savings to manage the budget gap. An example of possible quick wins could be via the Asset Review. This has identified that currently South Hams spends £700k per annum on the provision of 50 public conveniences. The councils could question this, along with other assets and services provided, to ask: what service is needed, who could/should provide this, options for efficiency savings etc.

The peer challenge team found some internal confusion on the current twin track approach of service blueprints, targeted to deliver 15 per cent savings, and the transformation programme, targeted to deliver 10 per cent net budget savings, by 2015. The team believe that the councils would benefit from a single approach that would provide clarity on what the councils are seeking to achieve; instil confidence that targets are deliverable; and would consolidate changes already introduced on shared services.

Localism

Both councils have made a commitment to progressing new ways of working made available by the Localism Act 2011. The councils see this as an important opportunity to engage with other public, voluntary and community and private sectors to ensure that there is engagement with these sectors on future service delivery, partnership working to meet community needs and as part of the councils' wider transformation programme.

This commitment is supported by high levels of volunteering and public involvement across the two areas. For example South Hams was fourth and West Devon first nationally in the percentage of people volunteering in the Place Survey 2008. This suggests a natural propensity for residents and communities to be involved in community initiatives.

The evidence of this commitment is clear from: the visibility of the Chief Executive with partners; from established working relationships with Devon County Council which led to the TAP initiative; good working arrangements with town and parish councils, the voluntary and community sector, Citizens Advice Bureaux, Dartmoor National Park Authority etc. Feedback to the peer challenge team was that stakeholders have noticed perceptible improvements in their relationships with the two councils over the last 18 months.

There are a number of structures in place to support this engagement, for example Voice forums that deliver targeted communications to the sectors of Business, town and parish councils and the voluntary sector, with this to be extended to Young People and the Community. The Connect Partnership is also a significant partnership vehicle that came into being after an extensive round of council-arranged listening and dialogue events with partners. This is underpinned by a Community Engagement Strategy and a more detailed annual Community Engagement Action Plan.

To support this commitment the councils have developed a Localisation strategy. This sets out a flexible model to "influence the service within existing resources; raise additional money locally for an enhanced service; or investigate the feasibility of devolving services to town or parish councils ..." This approach has been responsive to the perception that the councils might be regarded with some suspicion in transferring asset/service responsibilities to town and parish councils, along with the concomitant financial costs. Instead the localisation model emphasises a 'win, win, win' approach.

The peer challenge team believe that this flexible model is well suited to taking forward the options provided by Localism. Future success might require a longer-term Localism programme so that partner relationships can be developed, along with the trust that is necessary, and a clearer understanding by all of what Localism may mean and what this might look like in different scenarios. Inevitably this will require sustaining relationships by continuing engagement and communications.

However, the ambiguity of the Localism Act could be given more shape by the two councils with them taking a lead on what this might look like for South Hams and West Devon. This would provide a focus and clarity for partners that is currently lacking.

This would be important so that the two councils can provide leadership for their communities but will be imperative to ensure that this can be aligned to the financial challenges that both councils face. For example, how will the councils respond to the requests for support to develop neighbourhood plans without affecting other planning service priorities? This is a live issue with the councils having five frontrunner neighbourhood pilots. It was clear from talking to these pilots that there was considerable uncertainty on the respective roles of the pilots and the two councils in supporting these. The two councils are trialling a 'Parish planning support service' but they may need to consider other arrangements that can balance advice, support and communications from already stretched resources to the pilots. This at the same time as encouraging relative autonomy for the pilots to shape their plans in the way they choose, within the parameters of plan viability.

A related point is about resource capacity to support key Localism initiatives. A number of town and parish councils told the peer challenge team that they found it more difficult to access the councils' services than they used to. This is despite the councils introducing designated Link Officers to work with clusters of town and parish councils. This again highlights the stretched capacity of the two councils – referred to already in this letter.

Providing shape for Localism will also be important so staff can understand the direction being taken and that concerns of increased workloads/reduced capacity can be addressed. It will also be important to be clear on what role partners might have and this will assist partners to better understand the choices available to them. The Connect Partnership, which involves a significant range of partners, presents a potentially important vehicle to progress the councils' Localism programme.

Moving forward - suggestions for consideration

Based on what we saw, heard and read we suggest you consider the following actions to build on the councils' undoubted successes. These are things we think will help you improve and develop the effectiveness and capacity to deliver your future ambitions and plans.

1. Members need to lead on the councils' intentions to bridge the imminent budget gap and work with SMT to ensure that future planned savings are clearly directed to this.
2. Continue to manage the capacity of the councils' staff that has become stretched due to reduced resources and shared management across the two council sites.
3. Evaluate the opportunities for multi-skilling as a means to maintain and enhance staff capacity.
4. Assess whether the scrutiny function could be strengthened to be more productive and robust and to assume an even more important role for the two councils. This would support the councils in making difficult decisions in the future.
5. Arrange for leading Members to be provided with leadership training to equip them with the additional skills to be effective in a quickly changing environment.

6. Ensure that the performance culture is developed further and that there is a strong corporate lead on performance.
7. Rationalise the 2015 transformation programme to address both transformation and the services' blueprints. A single approach, rather than the current twin track, would: provide clarity on what the councils are seeking to achieve; instil confidence that targets are deliverable; and consolidate and build on some of the changes already introduced.
8. Systematically rationalise business processes, systems and practices across the shared services of the two councils to gain efficiencies, develop capacity and to improve services.
9. Evaluate the extension of shared services opportunities in bringing contracts together, particularly the imminent ones for leisure.
10. Provide clarity for partners by adding shape to the Localism agenda which describes how the councils see this working across South Hams and West Devon.

We have attached a set of slides that summarise the above feedback. The slides are the ones used by the peer team to present its feedback at the end of the onsite visit.

Next steps

You will undoubtedly wish to reflect on these findings and suggestions made with your senior managerial and political leadership before determining how the council wishes to take things forward.

As part of the peer challenge process, there is an offer of continued activity to support this. In particular the LGA is able to offer up to 12 days support around Agile Working and transformation related development. We would also wish to offer an improvement and prioritisation workshop to the council to take place some time after this letter is received by the council. I look forward to finalising the detail of that activity as soon as possible.

In the meantime we are keen to continue the relationship we have formed with you and colleagues through the peer challenge to date. Howard Davis, Principal Adviser (South West and West Midlands) is the main contact between your authority and the Local Government Association. Howard can be contacted via email at howard.davis@local.gov.uk (or tel. 07920 061197) and can provide access to our resources and any further support.

In the meantime, all of us connected with the peer challenge would like to wish you every success going forward. Once again, many thanks to you and your colleagues for inviting the peer challenge and to everyone involved for their participation.

Yours sincerely

Andrew Winfield
Peer Challenge Manager (Peer Support)
Local Government Association

Tel. 07786 542754

Email andrew.winfield@local.gov.uk

On behalf of the peer challenge team:

- David Buckle, shared Chief Executive, South Oxfordshire and Vale of White Horse Councils
- Cllr. Paul Middlebrough, Leader, Wychavon District Council
- Cllr. Paul Cullen Richmondshire District Council
- Julian Osgathorpe, Deputy Chief Executive, Eastbourne Borough Council
- Rina Singh, Strategic Director, South Somerset District Council

Appendix 1 – Feedback slides

Appendix 2 – Signposting note

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Agenda Item 3

At the Meeting of the **WEST DEVON BOROUGH COUNCIL** held in the **COUNCIL CHAMBER, KILWORTHY PARK, TAVISTOCK** on **TUESDAY** the **11TH** day of **DECEMBER 2012** at **4.30pm** pursuant to Notice given and Summons duly served.

Present Cllr C R Musgrave – The Mayor (In the Chair)

Cllr S C Bailey	Cllr K Ball
Cllr R E Baldwin	Cllr M J R Benson
Cllr A Clish-Green	Cllr D W Cloke
Cllr M V L Ewings	Cllr C Hall
Cllr T J Hill	Cllr L J G Hockridge
Cllr D M Horn	Cllr A F Leech
Cllr C M Marsh	Cllr J R McInnes
Cllr J B Moody	Cllr N Morgan
Cllr M E Morse	Cllr D E Moyse
Cllr R J Oxborough	Cllr T G Pearce
Cllr P J Ridgers	Cllr L B Rose
Cllr R F D Sampson	Cllr P R Sanders
Cllr D K A Sellis	Cllr J Sheldon
Cllr E H Sherrell	Cllr D Whitcomb

Chief Executive
Monitoring Officer
Democratic Services Manager
Corporate Director (AR)
Head of Finance and Audit

CM 51 APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllrs W G Cann OBE and D M Wilde

CM 52 DECLARATION OF INTEREST

The following declarations of interest were made:

1. Cllr A F Leech in Item 12 (Outcomes of the Peer Challenge) – personal as was involved in the consultation exercise and therefore remained in the meeting, but abstained from the vote on this item.

CM 53 CONFIRMATION OF MINUTES

It was moved by Cllr P R Sanders, seconded by Cllr R F D Sampson 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 of Council held on 2 October 2012 as a true record.”

CM 54 COMMUNICATIONS FROM THE MAYOR

The Mayor advised that he had attended a number of events recently within the Borough. In so doing, it remained noticeable to the Mayor that there were a vast number of active volunteers in West Devon, which he felt to be commendable.

CM 55 BUSINESS BROUGHT FORWARD BY THE MAYOR

The Mayor advised Members that he had one item of urgent business to be raised at this meeting which related to the Plymouth and Peninsula City Deal. This item was considered urgent due to the date constraints associated with this matter and would be taken as the next agenda item (Minute CM 56 below refers).

CM 56 PLYMOUTH AND PENINSULA CITY DEAL

An urgent report was considered which advised that Plymouth City Council and strategic partners within the sub-region had been invited to submit a bid to develop a 'City Deal' with the Government, which focused on addressing economic challenges affecting the area.

In discussion, reference was made to:-

- (a) the potential benefits arising from this proposal. In expressing their support, some Members stated that Plymouth had received insufficient investment for a number of years and this proposal could lead to a number of benefits for the Southern part of the Borough;
- (b) this proposal not committing the Council to any financial involvement at this stage;
- (c) a concern in relation to a Greater Plymouth area evolving. In response, Members were given assurances that this proposal would not result in the Council relinquishing any governance or control to Plymouth City Council.

It was then moved by Cllr P R Sanders, seconded by Cllr R E Baldwin and upon the motion being submitted to the Meeting was declared to be **CARRIED** and "**RESOLVED** that the Chief Executive be authorised to support the submission to Government of the City Deal Expression of Interest, in consultation with the Leader of Council, on behalf of West Devon Borough Council".

CM 57 MOTION(S) SUBMITTED BY MEMBERS OF THE COUNCIL

It was moved by Cllr A Clish-Green and seconded by Cllr R F D Sampson that:

"This Council wishes the Secretary of State for Communities and Local Government to note the following:

West Devon Borough Council believes that local people, through their democratically elected local authorities, are the most suitable judges of what development is acceptable in an area and the suitable level of contributions that developers need to make;

West Devon Borough Council opposes:

- *The Secretary of State's proposals for the Planning Inspectorate to have powers to override agreements between Councils and developers over the number of affordable housing units allocated to planning applications.*
- *The Secretary of State's proposals for planning permission – currently required for extensions of more than three or four metres from the rear wall of any home – to only be needed for those reaching beyond 8m for detached homes and 6m for others*
- *The Secretary of State's intention to override Section 106 of the Town and Country Planning Act of 1990 which will allow developers to immediately appeal to the Planning Inspectorate over the allocation of affordable housing units in any scheme they may be concerned with.*
- *The Secretary of State's proposals for the Planning Inspectorate to take planning powers away from local authorities which he deems to be slow or of making poor quality planning decisions in determining applications.*

This Council notes that the current Coalition government did listen earlier in the year over concerns regarding the National Planning Policy Framework and revised its plans accordingly, so urges the Government to listen to the concerns being expressed by the cross-party LGA;

This council however welcomes other parts of the stimulus package including:

- *£300 million to provide 15,000 affordable homes across the country*
- *An extension of the refurbishment programme to bring an extra 5,000 empty homes back into use*
- *£280m for First Buy, the shared equity scheme to give a further 16,500 first time buyers the chance to own their own homes*
- *Up to £10bn of guarantees to housing associations, property management companies and developers which will be able to use the guarantees to secure lower borrowing costs. This will lead to hundreds of thousands of extra rental homes being built.*

In conclusion this council resolves to formally write to the Secretary of State for Communities and Local Government, outlining our opposition to the plans.”

In introducing her motion, Cllr Clish-Green made reference to:

- the potential for inappropriate development, loss of garden space/amenity and increased flood risk arising from these plans;
- the proposals being contrary to the Localism agenda;
- the subsequent loss of control for local authorities; and
- this not being the right method of boosting the economy.

In discussion, the following points were raised:-

- (a) A Member stated that he could not support the motion and could see nothing wrong with the proposed policy. In reply, other Members advised that these proposals would not negate the National Planning Policy Framework and were separate proposals;
- (b) Some Members echoed the belief that such planning matters should be within the control of the local authority and these proposals threatened to jeopardise local democracy.

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

CM 58

MINUTES OF COMMITTEES

a. Audit Committee – 25 September 2012 and 13 November 2012

It was moved by Cllr D K A Sellis, seconded by Cllr T G Pearce and upon being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that the Minutes of the 25 September 2012 and 13 November 2012 meetings be received and noted”.

In respect of the Unstarred Minute:

i. AC 21 – Mid Year Prudential Indicator and Treasury Management Monitoring Report 2012-2013

It was moved by Cllr D K A Sellis, seconded by Cllr T G Pearce and upon being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that the Council note the report and the changes to the financing of the Capital Programme.”

b. Community Services Committee – 30 October 2012

It was moved by Cllr R J Oxborough, seconded by Cllr R F D Sampson and upon being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that the Minutes of the 30 October 2012 meeting be received and noted, with the exception of Unstarred minutes CS 24 and CS 25 part iii”.

In respect of the Unstarred Minutes:

i. **CS 24 – Community-Led Planning Protocol**

It was moved by Cllr R J Oxborough, seconded by Cllr R F D Sampson and upon being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that the Community-Led Planning Protocol (presented as Appendix A to the agenda report) be approved and adopted, subject to the nota bene sentence on page 60 being amended to read: “The role of Officers *and Members* is to provide....” As the Council’s procedure for managing community-led planning processes within the Borough.”

ii. **CS 25 part iii – The National Planning Framework Review and Future Work**

It was moved by Cllr R J Oxborough, seconded by Cllr R F D Sampson and upon being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that the Head of Planning, Economy and Community, in consultation with the Strategic Planning Officer Member Group, be authorised to publish the interim position statements.”

c. **Overview & Scrutiny Committee – 16 October 2012**

It was moved by Cllr D W Cloke, seconded by Cllr S C Bailey and upon being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that the Minutes of the 16 October 2012 meeting be received and noted, with the exception of Unstarred Minute O&S 18”.

In respect of the Unstarred Minute:

i. **O&S 18 – Draft Member Development Strategy**

It was moved by Cllr D W Cloke, seconded by Cllr S C Bailey and upon being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that the draft Strategy be adopted.”

d. **Planning and Licensing Committee – 9 October 2012, 6 November 2012 and 4 December 2012**

It was moved by Cllr C M Marsh, seconded by Cllr L B Rose and upon being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that the Minutes of the 9 October 2012, 6 November 2012 and 4 December 2012 meeting be received and noted, with the exception of Unstarred minutes P&L 57 and P&L 58”.

In respect of the Unstarred Minutes:

i. **P&L 57 – Review of Site Inspection Protocol**

Some Members expressed their reservations in relation to the proposed wording whereby a named substitute would have needed to attend the previous Committee meeting in order to partake at a site inspection.

In light of these concerns, it was then moved by Cllr C M Marsh, seconded by Cllr L B Rose and upon being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that a decision on adopting the Protocol be deferred and presented back to the next scheduled Planning and Licensing Committee meeting for further consideration.”

ii. **P&L 58 – Three-Yearly Review of Gambling Statement of Licensing Principles**

It was moved by Cllr C M Marsh, seconded by Cllr L B Rose and upon being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that the proposed Statement of Principles be approved.”

e. **Resources Committee – 30 October 2012 and 20 November 2012**

It was moved by Cllr P R Sanders, seconded by Cllr R E Baldwin and upon being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that the Minutes of the 30 October 2012 meeting and 20 November 2012 be received and noted, with the exception of Unstarred Minute RC 28”.

In respect of the Unstarred minute:

i. **RC 28 – Council Tax Support**

It was moved by Cllr P R Sanders, seconded by Cllr R E Baldwin and upon being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that, subject to an outcome to the Finance settlement (which is due to be announced in late December) supporting this view, to:-:

1. Adopt a LCTS for 2013/14 which continues to provide the same level of support to benefit claimants in line with current Council Tax Benefit. This is option 1 (proposed scheme);
2. Remove Second Adult Rebate;
3. Implement the following technical changes to Council Tax:
 - i. Removal of 10% second homes discount
 - ii. Reduction of Class C Exemptions from 6 months to 1 month
 - iii. Reduction of Class A Exemptions from 100% to 50%
 - iv. Apply an empty homes premium of 50% to all homes unoccupied and unfurnished for over 2 years

4. Instruct officers to start a process of review during 2013/14 to monitor the emerging national picture and best practice surrounding LCTS schemes agreed for year 1 to establish an appropriate scheme for year 2.

CM 59 BUSINESS RATES POOLING IN DEVON

A report was considered which sought to provide information on the new business rates retention scheme, which would be introduced from April 2013.

It was moved by Cllr P R Sanders, seconded by Cllr B E Baldwin and upon the motion being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that:-

1. the Council agree to be part of a Devonwide pooling arrangement for Business Rates, subject to an outcome to the Finance Settlement (which is due to be announced by the Government in late December) supporting this view;
2. delegated authority is given to the S151 Officer (the Head of Finance and Audit), in consultation with the Senior Management Team, to approve the content of the NNDR1 return (estimate of business rates income) for the Council for 2013/14, as set out in Section 3.4 of the presented report”.

CM 60 TEMPORARY APPOINTMENT OF A SECTION 151 OFFICER

The Council considered a report which set out the recommended Section 151 officer arrangements for the Council to cover a period of maternity leave.

Prior to the vote taking place, the Mayor wished, on behalf of the Council, to wish Mrs Lisa Buckle well during her period of maternity leave.

It was then moved by Cllr P R Sanders, seconded by Cllr R F D Sampson and upon the motion being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that:

1. Mr Daniel Bates be appointed as the officer responsible for the administration of the Borough Council’s finances under S151 of the Local Government Act 1972, with effect from 1 January 2013 (the S151 officer) up until the end of the maternity cover for Mrs Lisa Buckle; and
2. it be noted that Mrs Jackie Waites will continue to act as the Council’s Deputy S151 officer”

CM 61**OUTCOMES OF THE PEER CHALLENGE**

The Council considered a report which summarised the findings of the Local Government Association (LGA) Peer Challenge team and advised Members on the actions the Senior Management Team would now take to consider and implement some of the recommendations.

It was then moved by Cllr P R Sanders, seconded by Cllr B E Baldwin and upon the motion being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that:

- a) the report be noted and officers be instructed to issue a letter of thanks to the LGA for the opportunity it has provided to take an external look at the current progress and performance of the Council; and
- b) endorses the approach that the Senior Management Team and the political leadership are taking, specifically to use this opportunity to review progress against the ambitions set out in the corporate blueprint, Shared Services and Beyond and to develop an action plan to encompass the suggestions highlighted through the Peer Challenge”.

CM 62**COMMON SEAL**

A copy of the documents signed by the Mayor during the period 28 September 2012 to 27 November 2012 was circulated to Members and noted by the Meeting.

It was then moved by Cllr E H Sherrell, seconded by Cllr R F D Sampson and upon the motion being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that the Mayor and the Chief Executive (or deputies appointed by them) be authorised to witness the fixing of the seal on any documents for the forthcoming year”.

CM 63**FUTURE LEISURE PROVISION POST 2014 – A SUGGESTED WAY FORWARD**

It was moved by Cllr R F D Sampson, seconded by Councillor Cllr M V L Ewings and upon the motion being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the Meeting for the debate that took place on this item of business on the grounds that exempt information may be disclosed under Paragraph 3 – Information relating to the financial or business affairs of any particular person including the authority holding that information – from Part I of Schedule 12(A) to the Act.”

Following a detailed discussion, it was then moved by Cllr R J Oxborough, seconded by Cllr R F D Sampson and upon the motion being submitted to the Meeting was declared to be **CARRIED** and **“RESOLVED** that negotiation to extend the existing contract with Leisure Connection beyond the present expiry date to a flexible date, no later than the second anniversary of the present contract expiry date at both Parklands and Meadowlands Leisure Centres be initiated.”

(The Meeting terminated at 5.55 pm)

Mayor

This page is intentionally left blank