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West Devon
Borough
Council

WEST DEVON COUNCIL - TUESDAY, 17TH DECEMBER, 2013

Agenda, Reports and Minutes for the meeting

Agenda No Item

1. **Summons Letter** (Pages 1 - 2)

2. **Reports**

Reports to Council:

a) Item 10 - Appointment of the Head of Paid Service (Pages 3 - 6)

b) Item 11 - Two Committee Pilot Review (Pages 7 - 10)

c) Item 12 - Business Rates Pooling in Devon (Pages 11 - 16)

3. **Minutes** (Pages 17 - 24)

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Agenda Item 1

Please ask for: Tony Rose

Your ref:

Direct Line/Ext: 01822 813664

My ref AAR/Council.17.12.2013

email: arose@westdevon.gov.uk

Date: 9th December 2013

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 **17th** day of **DECEMBER 2013** at **4.30 pm**.

Prior to the Meeting, the Reverend Michael Brierley, Priest-in-Charge of Tavistock and 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 Summons, then please contact the Monitoring Officer in advance of the meeting.

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3. To approve and adopt as a correct record the Minutes of the Meetings of the Council held on:

(i) Regular Meeting held on 8 th October 2013	1
(ii) Special Meeting held on 4 th November 2013	10
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
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) **Community Services Committee**
Meeting held on 12th November 2013 15
 - (ii) **Overview & Scrutiny Committee**
Meeting held on 29th October 2013 19
 - (iii) **Planning & Licensing Committee**
Meeting held on 1st October 2013 26
Meeting held on 5th November 2013 40
10. To receive the report of the Leader of Council on the Appointment of the Head of Paid Service 43
11. To receive the report of the Political Structures Working Group on the Two Committee Pilot Review 47
12. To receive the report of the Head of Finance and Audit on Business Rates Pooling in Devon 50
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 from 2nd October 2013 to 4th December 2013

Dated this 9th day of December 2013



Chief Executive

NAME OF COMMITTEE	COUNCIL
DATE	WEST DEVON – 17 DECEMBER 2013
REPORT TITLE	APPOINTMENT OF HEAD OF PAID SERVICE
Report of	CLLR PHILIP SANDERS, LEADER, WDBC
WARDS AFFECTED	ALL

Summary of report: To seek the Council's confirmation of the recommendation of the Appointments Panel and to share the reasoning behind the process adopted.

Financial implications: The employment costs of the two Executive Directors will be shared equally between the two Authorities and will be met from existing budgetary provision.

RECOMMENDATIONS:

That Council:

- (i) endorses the move towards an Executive Director model as an interim measure pending the new senior management structure that will be developed within the agreed T18 programme timetable;
- (ii) confirms the Appointment Panel's recommendation as Head of Paid Service, which will be announced following interviews on Monday 16th December.

Officer contact:

Jan Montague, Head of Corporate Services, jan.montague@swdevon.gov.uk

1. BACKGROUND

- 1.1 The Constitution reserves to full Council the power to appoint the Chief Executive. Members who were present in 2010 may recall that on the last occasion when we appointed, this power was exercised after a joint Appointments Panel consisting of the two Leaders, the two Deputy Leaders and the two Leaders of the Opposition, considered applications through an external recruitment process.
- 1.2 On resignation of the present Chief Executive the joint Leaders and their Deputies met to consider how to move forward. It was felt to be important to move briskly to fill the gap to avoid any loss of momentum and to limit the uncertainty to the Senior Management Team (SMT) and staff at large.
- 1.3 Our preference following consultation with SMT was to seek an interim, internal appointment and the Appointments Panel meets on 16 December to interview internal candidates.

2. THE PROPOSAL

- 2.1 Pending implementation of the Transformation Programme senior management structure the proposal is that we adopt an Executive Director model, with a Head of Paid Service who carries ultimate responsibility, with no separate Chief Executive as such.
- 2.2 The model reflects emerging good practice where districts have put such arrangements in place. There has been a trend in recent times not to replace Chief Executives like for like.
- 2.3 The commissioning model we are moving towards under the Transformation Programme lends itself to alternative arrangements. The retirement of the present post holder provides a real opportunity for us to test a different approach and learn from the experience as we design the new longer term structure. It could be a progressive step which may shape the future if it is successful. If not we will be in a position to return to a more traditional approach or adopt an alternative model.

3. LEGAL IMPLICATIONS AND STATUTORY POWERS

- 3.1 The appointment of a new Head of Paid Service is required by law to be subject to approval by full Council within each Authority.
- 3.2 The Head of Paid Service has to have an employment contract with both councils in order to fulfil the legal requirements of the post.
- 3.3 The Constitution reserves a number of powers to the Chief Executive. These powers and functions will be exercised by the Director appointed as Head of Paid Service.

3.4 The officer procedure rules in the West Devon Constitution say that the Head of Paid Service should be appointed by Council on the recommendation of the Resources Committee. Timings and the need for expediency meant that we have been unable to comply with this rule. An urgent item was brought in front of the Resources Committee at its meeting on 10 December 2013 for endorsement of the process but we are relying on the Council's ultimate power to decide all matters in order to confirm the appointment of the individual concerned at this meeting.

4. FINANCIAL IMPLICATIONS

4.1 The employment costs of the two Executive Directors will be shared equally between the two Authorities and will be met from existing budgetary provision.

5. RISK MANAGEMENT

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

6. OTHER CONSIDERATIONS

Corporate priorities engaged:	The right management structure underpins the Councils' capacity to deliver all its corporate priorities
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:	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	Impact on Council reputation	The Executive Director arrangements will not meet Member & Community needs and expectations	3	2	6	↔	Interim period. Roles will be clearly defined and regularly monitored	Leaders, Head of Paid Service, SMT
2	Impact on Service Delivery	SMT will not have the capacity to manage the loss of the Chief Executive role	3	2	6	↔	Backfilling arrangements will be considered and implemented where necessary	Head of Paid Service
3	Impact on Staff Morale	Lack of clarity on the interim management arrangements will lead to a loss of staff through resignation	2	2	4	↔	Clear communication with all staff and unions, through a variety of methods	Head of Paid Service

Direction of travel symbols ↓ ↑ ↔

WEST DEVON BOROUGH COUNCIL

NAME OF COMMITTEE	COUNCIL
DATE	17 December 2013
REPORT TITLE	TWO COMMITTEE PILOT REVIEW
Report of	Political Structures Working Group
WARDS AFFECTED	All

Summary of report:

To consider a report which seeks to extend the Two Committee Pilot until the time when any changes are required to the future governance structure of the T18 model, which will be introduced post May 2015.

Financial implications:

None directly arising from this report.

RECOMMENDATIONS:

That the Two Committee Pilot has been considered and should be extended until any governance changes are required which arise from the T18 Programme.

Officer contact:

Darryl White, Democratic Services Manager (darryl.white@swdevon.gov.uk)

Lead Member contact:

Cllr James McInnes, Chairman of the Political Structures Working Group (cllr.james.mcinnnes@westdevon.gov.uk)

1. BACKGROUND

- 1.1 The Council agreed at its meeting on 12 February 2013 to extend the Two Committee Pilot beyond May 2013 to the Council meeting on 17 December 2013 (Minute No CM 71b refers).
- 1.2 Subsequent to this decision, Members will also recall that the Council agreed at its meeting on 30 July 2013 a proposal to redress an identified imbalance in Committee workloads. The solution agreed by the Council to overcome this imbalance was for all matters in relation to the Strategic Planning function to be transferred from the Community Services Committee to the Resources Committee (Minute No CM 33 refers). In so doing, the Council also gave

approval to the Political Structures Working Group taking on responsibility for reviewing the Two Committee Pilot and reporting back to this Council meeting.

2. ISSUES FOR CONSIDERATION

- 2.1 The Political Structures Working Group met and considered an agenda item entitled: 'Transformation Programme – Potential Impact on Governance Structure' at its most recent meetings held on 16 September 2013 and 7 October 2013. As part of these discussions, the Group considered the Pilot.
- 2.2 In discussion, the Group felt that the adjustment to the Strategic Planning function had been successful to date and there was therefore no expedient reason for changes to be made to the existing governance structure at this present time.
- 2.3 Furthermore, the Group also acknowledged that the T18 Programme made reference to the need for further discussions to take place on the Member decision making structure during 2014, with any revised structure being introduced post May 2015.
- 2.4 As a result, the Group concluded that the Two Committee Pilot should be extended until there was a need to introduce a revised structure in line with the T18 Programme.

3. LEGAL IMPLICATIONS AND STATUTORY POWERS

- 3.1 In accordance with the Council Constitution, only the Council can agree and/or amend the terms of reference for committees or bodies of the Council.

4. RISK MANAGEMENT

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

5. OTHER CONSIDERATIONS

Corporate priorities engaged:	All
Considerations of equality and human rights:	None
Biodiversity considerations:	None
Sustainability considerations:	None
Crime and disorder implications:	None
Background papers:	<ul style="list-style-type: none"> • Overview and Scrutiny agenda and minutes – 15 January 2013 • Council summons and minutes – 12 February 2013 • Council summons and minutes – 30 July 2013 • Council Constitution • Transformation 18 report and appendices: Special Council – 4 November 2013
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.	Lack of agreement on the extension of the Pilot.	The Council will not have a legal or workable system in place after the Council meeting.	4	2	8	↑	The Council endorses the recommendation.	Members

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NAME OF COMMITTEE	Council
DATE	17 December 2013
REPORT TITLE	Business Rates Pooling in Devon
Report of	Head of Finance & Audit
WARDS AFFECTED	All

Summary of report:

This report requests delegated authority for the S151 Officer (Head of Finance and Audit), in consultation with the Leader, Deputy Leader and Senior Management Team, to make a decision for the Borough Council on remaining in the Devonwide Business Rates Pool for the financial year 2014/15, in the light of the announcements due at the end of December 2013 regarding the finance settlement.

Financial implications:

The potential gain to the Devon region from pooling in 2013/14 is currently estimated to be around £0.5 million. West Devon Borough Council's share of the pooling gain is currently estimated to be just under £10,000 in 2013/14. If West Devon decided to withdraw from the pool in 2014/15, the Devonwide Business Rates pool would collapse and would not be able to be re-constituted until the financial year 2015/16.

RECOMMENDATIONS:

It is recommended that:

- i) Delegated authority is given to the S151 Officer (The Head of Finance and Audit), in consultation with the Leader, Deputy Leader and Senior Management Team, to make a decision for the Borough Council on remaining in the Devonwide Business Rates Pool for the financial year 2014/15, in the light of the announcements due at the end of December 2013 regarding the finance settlement.

- 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 2014-2015, as set out in Section 3.4

Officer contact:

Lisa Buckle, Head of Finance,
01803 861413 lisa.buckle@swdevon.gov.uk

1. BACKGROUND OF THE BUSINESS RATE RETENTION SCHEME

- 1.1 The way that Councils receive income from Business Rates changed from 1 April 2013. Business Rates retention was introduced to enable authorities to be able to retain a share of any growth that is generated in Business Rates revenue in their areas.
- 1.2 The reality is that some authorities earn more in business rates than they used to receive from the previous formula grant. While there are other authorities who earn much less. So the Government has levelled the playing field through a mixture of “top-ups” and “tariffs”. At the beginning of each year, 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 are Tariff Authorities. Devon County Council, Plymouth and Torbay are ‘Top Up’ Authorities.
- 1.3 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 is set at 7.5% and the maximum levy is now 50%. This means that West Devon’s exposure to losses is around £108,000 (being 7.5% of the baseline funding level of £1.44 million). 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 IN DEVON

- 2.1 The business rate retention scheme allows authorities to voluntarily form a business rates retention pool. Local authorities within a pool are treated as a single authority, with all tariffs and all top ups being combined and a single levy rate being applied. At an early stage the Government encouraged Councils to ‘pool’.

3. THE DEVON BUSINESS RATES POOLING ARRANGEMENT

- 3.1 The ‘Devon Pool’ distributes pooled funds using a “no worse off” basis. Funds are distributed to each member authority to a position no worse than it would have been had the pool not existed. Clearly this is only 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) are distributed in the following proportions:-
50% of the gain are distributed using each authority's baseline funding level and 50% of the gain are distributed using NDR baseline. The same proportion is used if pooling generates a net loss.
- 3.3 There is no entitlement to safety net funding should a high degree of negative growth be experienced by the pool. Current modelling anticipates that the potential gain to the Devon region from pooling in 2013/14 is estimated to be around £0.5 million. West Devon Borough Council's share of the pooling gain is currently estimated to be just under £10,000 in 2013/14.
- 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 by any of the Councils currently within the Devon pool would mean that the whole Devon pool could not proceed for another financial year.
- 4.2 The Council would be in a position to be able to make a decision on remaining in the Devonwide pool for 2014/15, once the finance settlement has been announced in late December and the figures have been analysed. Further monthly monitoring is also currently taking place on each Council's business rates income position. There is no Council meeting scheduled for early January 2014 and therefore delegated authority is requested for this decision.

5. FINANCIAL IMPLICATIONS

- 5.1 The potential gain to the Devon region from pooling in 2013/14 is currently estimated to be around £0.5 million. West Devon Borough Council's share of the pooling gain is currently estimated to be just under £10,000 in 2013/14. If West Devon Borough Council decided to withdraw from the pool in 2014/15, the Devonwide Business Rates pool would collapse and would not be able to be re-constituted until the financial year 2015/16.

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:	Council – 11 December 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 have a detrimental impact on reserve levels.	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 ↓ ↑ ↔

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Agenda Item 3

At the Meeting of the **WEST DEVON BOROUGH COUNCIL** held in the **COUNCIL CHAMBER, KILWORTHY PARK, TAVISTOCK** on **TUESDAY** the **17th** day of **DECEMBER 2013** at **4.30pm** pursuant to Notice given and Summons duly served.

Present Cllr W G Cann OBE – The Mayor (In the Chair)

Cllr S C Bailey	Cllr R E Baldwin
Cllr K Ball	Cllr M J R Benson
Cllr A Clish-Green	Cllr D W Cloke
Cllr M V L Ewings	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 M E Morse	Cllr D E Moyse
Cllr C R Musgrave	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	

Senior Management Team
Monitoring Officer
Democratic Services Manager

CM 50 APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllrs C Hall, N Morgan and D M Wilde.

CM 51 DECLARATION OF INTEREST

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

CM 52 CONFIRMATION OF MINUTES

It was 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 Council agree the Minutes of the Meeting of Council held on 8 October 2013 and the Minutes of the Special Meeting of the Council held on 4 November 2013 as a true record.”

CM 53 COMMUNICATIONS FROM THE MAYOR

The Mayor made reference to:-

- the recent announcement from the Chief Executive that he was to retire on 31 March 2014. On behalf of the Council, the Mayor extended his wishes to the Chief Executive for a healthy and happy retirement;
- the Members' Room being renamed the 'Wesseling Room', to mark thirty years of twinning with a German town. In particular, the Mayor

- wished to thank Cllr Musgrave for his efforts in ensuring that this significant anniversary was recognised;
- the Boundary Review. Members were reminded that the process had now reached the consultation on draft warding arrangements phase based upon a Council Size of 31. Whilst the Council Size was proposed to be retained at 31, it was stressed that in light of the current electoral inequalities within Council wards, the existing warding arrangements would need to change. In emphasising the importance of fellow Members taking this Review seriously, it was agreed that the following process should be adhered to before the Commission deadline of 3 February 2014:
 - o 12 noon on Friday, 10 January 2014 – deadline for Member submissions to the Council;
 - o 2.00pm on Monday, 13 January 2014 – an all Member workshop to consider the submissions;
 - o 11.30am on Tuesday, 14 January 2014 – consideration by the Political Structures Working Group; and
 - o 11.00am on Tuesday, 28 January 2014 – Special Council meeting to consider the recommendations of the Working Group.

CM 54

BUSINESS BROUGHT FORWARD BY THE MAYOR

The Mayor informed that he had agreed for one urgent item to be raised at this meeting, which related to consideration of the Resources Committee minutes of the meeting held on 10 December and specifically Unstarred Minute RC 24 (Council Tax Support). This item was deemed urgent in light of the need to make a decision on this matter before the next scheduled Council meeting.

a. Resources Committee – 10 December 2013

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 10 December 2013 meeting be received and noted.”

In respect of the Unstarred Minute:

i. RC 24 – 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 the implementation of the proposed cost neutral local Council Tax Reduction scheme for 2014/15 be agreed, with the scheme introducing the following changes:

- 80% maximum liability restriction meaning that working age claimants pay a minimum of 20% towards their Council Tax bill;
- A property valuation Band D restriction meaning that working age claimants living in larger properties do not receive

greater levels of support than those living in smaller properties; and

- An exception hardship fund to help those claimants experiencing severe financial difficulties”.

CM 55

MINUTES OF COMMITTEES

a. **Community Services Committee – 12 November 2013**

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 12 November 2013 meeting be received and noted.”

b. **Overview and Scrutiny Committee – 29 October 2013**

It was moved by Cllr M V L Ewings, seconded by Cllr D E Moyse and upon being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that the Minutes of the 29 October 2013 meeting be received and noted”.

c. **Planning and Licensing Committee – 1 October 2013 and 5 November 2013**

It was moved by Cllr C M Marsh, seconded by Cllr M J R Benson and upon being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that the Minutes of the 1 October 2013 and 5 November 2013 meetings be received and noted”.

CM 56

APPOINTMENT OF THE HEAD OF PAID SERVICE

A report was considered which sought the Council’s confirmation of the recommendations of the Appointments Panel and which outlined the reasoning behind the process adopted.

In introducing the agenda item, the Leader of Council provided a detailed update to the Council in respect of the steps which had been taken since the Chief Executive had announced his retirement. In so doing, the Leader informed that:-

- both he and the Leader of South Hams District Council had felt it important to react quickly to the announcement. The main drivers behind this view were the need to limit the uncertainty to the Senior Management Team (SMT) and all staff and the need to maintain the momentum of the T18 Programme;
- there were initially considered to be three options to replace the Chief Executive. These were: an internal recruitment process; an external recruitment process; and an external temporary agency replacement. As the interim appointment would be for a relatively short period of time, the Leaders concluded that an internal appointment would be the most desirable option;
- the proposed Executive Director model was increasingly commonplace in the public sector and there were a number of local authorities who had adopted this Model. In addition, the proposal would present an opportunity to test a different approach to our structure;

- the proposed model would see the two existing Corporate Directors become Executive Directors, with there being a further re-distribution of work amongst SMT;
- there was no competitive interview process for the Head of Paid Service role. Members noted that only one of the two Corporate Directors had expressed an interest in becoming the Head of Paid Service. The Appointment Panel (comprising of the Leader, Deputy Leader and Leader of the Main Opposition Group of both Councils) was re-convened on Monday, 16 December, with both Corporate Directors being interviewed;
- following these interviews, the Panel was unanimous in its recommendations whereby the Corporate Director (AR) should be appointed the Executive Director with an external focus and take on the role of Head of Paid Service, with the Corporate Director (TW) being appointed the Executive Director with an internal focus and being the lead for the T18 Programme;
- the Appointment Panel had concluded that the appointments should be fixed term secondments from 1 January 2014 to 31 December 2014, or earlier if the new senior management structure was put in place before this date. The proposed three month overlap before the Chief Executive retired on 31 March 2014 was considered to be an appropriate transition period by the Panel.
- in terms of remuneration, pay advice had been sought nationwide. As a result, the Panel was recommending that both Executive Directors be paid a salary of £85,000 per annum, with an additional £4,000 supplement paid to the Head of Paid Service to reflect the responsibilities associated with the role. When considering the current salaries of the Corporate Directors and the Chief Executive, there would be an additional cost of £4,838 to the Council between 1 January and 31 March 2014. However, this would be offset by the savings arising from the Chief Executive retiring on 31 March 2014, which would result in (assuming that the secondments remained in place until 31 December 2014) Council savings in the region of £39-40,000. The Leader also advised that a report may be presented to a future Council meeting which sought to uplift the salaries of some SMT members to reflect the taking on of some additional responsibilities.
- these recommendations would also be presented to South Hams District Council at its meeting on 19 December 2013.

(NOTE: following this introduction, the Corporate Director (AR) and the Corporate Director (TW) left the meeting room).

To enable the debate, the recommendations as outlined in the presented agenda report were moved by Cllr P R Sanders and seconded by Cllr R E Baldwin.

In discussion, the following points were raised:-

- (a) A number of Members wished to thank the Leader for his comprehensive introduction and expressed their support for the proposals;
- (b) Some Members expressed their concerns in respect of the start dates for the secondments. In stating their concerns, these Members felt that a three month transition period before the Chief Executive retired was excessive, particularly in light of the Council's financial predicament. To counter this view, other Members felt that the proposed length of the transition period was appropriate;
- (c) Two amendments were individually **PROPOSED** and **SECONDED** as follows:-
- Recommendation 1. That the Council endorses the move towards an Executive Director model as an interim measure *from 1 January 2014 until 31 December 2014, or such time when the new senior management structure is put in place (whichever is the earlier)*; and
 - A new recommendation 3. *That the Council delegates authority to the Chief Executive in consultation with the Leaders of both Councils to determine when the handover of the Head of Paid Service role takes place.*

(These amendments were accepted by the proposer and seconder of the original motion and were therefore incorporated into the substantive motion.)

- (d) Some Members also wished to put on record their concerns that they felt bounced into making such an important decision at this meeting. In addition, the view was expressed that the presented agenda report did not provide sufficient information to be able to take a decision at this meeting. In reply, the points in respect of the wish to act swiftly and the fast moving nature of this issue were reiterated.

It was then "**RESOLVED**:"

1. That the Council endorses the move towards an Executive Director model as an interim measure from 1 January 2014 until 31 December 2014, or such time when the new senior management structure is put in place (whichever is the earlier);
2. That the Corporate Director (AR) and the Corporate Director (TW) be appointed to the roles of Executive Directors on the terms as outlined in the minutes above, with the Corporate Director (AR) also being assigned the role of Head of Paid Service; and
3. That the Council delegates authority to the Chief Executive in consultation with the Leaders of both Councils to determine when the handover of the Head of Paid Service role takes place."

CM 57**THE TWO COMMITTEE PILOT REVIEW**

A report was considered which sought to extend the Two Committee Pilot until the time when any changes were required to the future governance structure of the T18 model, which would be introduced post May 2015.

In discussion, the Chairman of the Political Structures Working Group confirmed that the Group did not specifically consider the establishment of a second Overview and Scrutiny Committee to mirror the Resources and Community Services Committees. The Group had concluded that the previous imbalance in Committee workloads had now been rectified and it was felt unwise to make any further changes until the T18 Programme was at a point when it was necessary to reconsider the governance arrangements.

It was then moved by Cllr J R McInnes, seconded by Cllr R J Oxborough and upon the motion being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that the Two Committee Pilot has been considered and should be extended until any governance changes are required which arise from the T18 Programme.”

CM 58**BUSINESS RATES POOLING IN DEVON**

A report was considered that requested delegated authority for the Section 151 Officer (Head of Finance and Audit), in consultation with the Leader, Deputy Leader and Senior Management Team, to make a decision on whether the Council should remain in the Devonwide Business Rates Pool for the financial year 2014/15.

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 delegated authority be given to:

1. the Section 151 Officer (the Head of Finance and Audit), in consultation with the Leader, Deputy Leader and Senior Management Team, to make a decision for the Council on remaining in the Devonwide Business Rates Pool for the financial year 2014/15, in the light of the announcements due at the end of December 2013 regarding the finance settlement; and
2. the Section 151 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 2014/15, as set out in Section 3.4 of the presented agenda report.”

CM 59 PRESENTATION TO MR CRISPIN CHAMBERS

The Mayor presented Mr Crispin Chambers from Tavistock College with a framed certificate in recognition of winning the Pearson Teaching Awards 'Teacher of the Year in a Secondary School' accolade. On behalf of the Council, the Mayor wished to congratulate Mr Chambers on this outstanding achievement.

CM 60 COMMON SEAL

A copy of the documents signed by the Mayor during the period 2 October 2013 to 4 December 2013 was attached to the agenda (page 55 refers) and noted by the Meeting.

It was subsequently moved by Cllr M V L Ewings, seconded by Cllr D K A Sellis 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".

(The Meeting terminated at 6.15 pm)

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