

**MINUTES OF THE MEETING OF
SPECIAL COUNCIL
HELD AT FOLLATON HOUSE, TOTNES ON THURSDAY, 31 OCTOBER 2013**

Members in attendance			
* Denotes attendance		∅ Denotes apology for absence	
*	Cllr K J Baldry	*	Cllr M J Hicks
*	Cllr A D Barber	*	Cllr P W Hitchins (Vice Chairman)
*	Cllr H D Bastone	*	Cllr J M Hodgson
*	Cllr J H Baverstock	*	Cllr T R Holway
*	Cllr J I G Blackler	∅	Cllr L P Jones
*	Cllr I Bramble	∅	Cllr D W May
*	Cllr J Brazil	*	Cllr C M Pannell
*	Cllr C G Bruce-Spencer	*	Cllr J T Pennington
*	Cllr B F Cane	*	Cllr R Rowe
*	Cllr B E Carson (Chairman)	*	Cllr M F Saltern
∅	Cllr R J Carter	∅	Cllr P C Smerdon
*	Cllr B S Cooper	*	Cllr J W Squire
*	Cllr S E Cooper	*	Cllr R C Steer
*	Cllr P Coulson	∅	Cllr M Stone
*	Cllr P K Cuthbert	*	Cllr R J Tucker
*	Cllr R J Foss	*	Cllr R J Vint
*	Cllr R D Gilbert	*	Cllr L A H Ward
*	Cllr A S Gorman	*	Cllr J A Westacott MBE
*	Cllr M J Hannaford	*	Cllr K R H Wingate
*	Cllr J D Hawkins	*	Cllr S A E Wright

Item No.	Minute Ref No below refers	Officers in attendance and participating
All agenda items		Chief Executive, Monitoring Officer and Democratic Services Manager

31/13 DECLARATIONS OF INTEREST

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

32/13 QUESTIONS

It was noted that one question had been received in accordance with Council Procedure Rule 8:

From Cllr Brazil to Cllr Tucker, Leader of Council

The Boundary Commission has recommended West Devon keeps the same number of Councillors at 31. Why do you think every 1400 electors in West Devon gets a representative at Council whereas in the South Hams you will need over 2300 electors to get a representative?

In reply, Cllr Tucker advised that the Council had made its recommendations and West Devon Borough Council had done likewise and it just so happened that the Boundary Commission had broadly agreed with both.

With regard to the levels of representation, in the event of the Council membership being reduced to 31, then this would still compare favourably with the total number of residents which each Teignbridge District Council (TDC) Member represented. On average, each TDC Member represented 2,702 residents, whereas (based upon a membership of 31), South Hams District Council Members would represent an average of 2,696 residents.

33/13 **NOTICE OF MOTION**

Members were informed that no motions had been received in accordance with Council Procedure Rule 10.1.

34/13 **TRANSFORMATION PROGRAMME 2018**

The Council considered a report that proposed the adoption of the T18 Programme which aimed to deliver a new operating model in partnership with West Devon Borough Council and that would ensure that both councils continued to deliver quality services for its customers and communities.

In the subsequent discussion, reference was made to:-

(a) the opening comments of the Leader of Council. In introducing the report, the Leader highlighted that:-

- the Programme was a groundbreaking way forward to addressing the major budgetary pressures facing the Council, whilst maintaining front line services. Furthermore, the Programme presented a number of opportunities, with new technological advancements enabling improved customer service provision and choice;
- such technology was already being used by other authorities and was tried and tested. As a consequence, the Leader was confident that the programme would work;
- the impact on staff was incredibly difficult and there was a need for Members to treat all staff with care and sensitivity;
- approval to adopt the Programme was also being sought from West Devon Borough Council at its meeting on 4 November 2013. Assuming that both councils agreed to adopt the Programme, the Leader hoped that the next stage of work would then commence immediately afterwards.

(b) an amendment to the motion. The following amendment was **PROPOSED** and **SECONDED**:-

'That the Council should fully investigate and consider alternative transformation models before adopting the proposed T18 Model.'

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

- The proposer felt that alternative options (e.g. generating more income from the Council's assets and exploiting grant funding opportunities from renewable energy) had not been given sufficient consideration. Therefore, the Member considered that too much emphasis had been given to cuts rather than income generation;
- Some Members drew attention to concerns which had been outlined in the Grant Thornton External Audit report and the report commissioned by Unison. In particular, the Members felt that the proposals were being rushed and quoted directly the comments in respect of channel shift often being 'more challenging than was anticipated';

In contrast, other Members did not support the amendment and specifically highlighted that:-

- the Grant Thornton and Unison commissioned reports were balanced and those areas of concern which had been raised would be taken on board;
- the number of informal Member sessions on the proposals had been considerable and the benefits of now deferring a decision at this meeting were questioned;
- the extent of the budgetary pressures faced by the Council. Such was the extent of the pressures, that the view was expressed that the alternative options which had been suggested would not be sufficient to meet the budget deficit.

In accordance with Council Procedure Rule 15.5, a recorded vote was then demanded on the amendment. The voting on the amendment was recorded as follows:-

For the amendment (7): Cllrs Baldry, Brazil, B Cooper, Gorman, Hodgson, Pannell and Vint.

Against the amendment (25): Cllrs Bastone, Baverstock, Blackler, Bramble, Bruce-Spencer, Cane, Carson, S Cooper, Coulson, Cuthbert, Foss, Gilbert, Hawkins, Hicks, Hitchins, Holway, Pennington, Rowe, Saltern, Squire, Steer, Tucker, Ward, Wingate and Wright.

Abstentions (3): Cllrs Barber, Hannaford and Westacott

Absent (5): Cllrs Carter, Jones, May, Smerdon and Stone

and the amendment was therefore declared **LOST**.

- (c) Council employees being its most valuable asset. A number of Members reiterated the subsequent impact of the Programme on staff. A Member stated that he could not support the proposals since a reduction of 97 staff would be detrimental to the services received by his constituents;
- (d) the importance of the governance arrangements being robust. Some Members reiterated the Grant Thornton conclusions in respect of governance and hoped that these would be taken on board. Another Member expressed her regret that the proposed Steering Group would not include any Minority Group Member representation;
- (e) ensuring that there remained adequate face to face contact for our customers. Whilst accepting the drive for greater customer self sufficiency, some Members emphasised the importance of maintaining adequate face to face contact with officers and, as a public service, felt that the Council should not become overly reliant on IT solutions. In response, the Chief Executive emphasised that the Programme would enable a choice of contact for the customer and IT solutions would not be forced upon residents. Whilst IT solutions would help to deliver the programme, the quality of service provision remained of paramount importance;
- (f) rigorous scrutiny throughout the Programme. The importance of a rigorous scrutiny process throughout the Programme was emphasised;
- (g) central government grant funding. Strong concerns were expressed by a number of Members in respect of the extent of the grant funding reductions being received by local councils from central government;
- (h) the lack of formal public consultation on the proposals. In light of the scale of the Programme, a Member regretted the lack of public consultation on the proposals. In reply, another Member stated that since the proposals were seeking to reduce costs yet improve customer service, the Programme would be welcomed by local residents;
- (i) the benefits of increased Shared Services provision. A Member maintained his belief that there were significant savings to be made through sharing services with Teignbridge District Council (TDC). The Leader proceeded to advise that, as instructed by the Council at its last meeting (Minute 27/13(a) refers), he had now written to TDC and had recently received a response. In the response, TDC did wish to meet and discuss the Transformation Programme, but did not express an interest in sharing services with the Council.

In accordance with Council Procedure Rule 15.5, a recorded vote was then demanded on the motion. The voting on the motion was recorded as follows:-

For the motion (28): Cllrs Barber, Bastone, Baverstock, Blackler, Bramble, Bruce-Spencer, Cane, Carson, S Cooper, Coulson, Cuthbert, Foss, Gilbert, Hannaford, Hawkins, Hicks, Hitchins, Holway, Pennington, Rowe, Saltern, Squire, Steer, Tucker, Ward, Westacott, Wingate and Wright

Against the motion (7): Cllrs Baldry, Brazil, B Cooper, Gorman, Hodgson, Pannell and Vint

Abstentions (0)

Absent (5): Cllrs Carter, Jones, May, Smerdon and Stone

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

It was then:

RESOLVED

1. That, in partnership with West Devon Borough Council (WDBC), the T18 model comprising the commissioning/delivery model, transformed shared business process and ICT (as outlined at Appendix A to the presented agenda report) be adopted.
2. That an investment budget of £2.95 million be approved for the T18 Programme (SHDC's share of the overall budget of £4.85 million), to be released at three key milestones (as outlined at Appendix B to the presented agenda report) to deliver annual recurring revenue savings of £2.5 million (SHDC's share of the savings of £3.8 million).
3. That authority be given to the release of the funding for key programme expenditure milestone one (as outlined at Appendix B to the presented agenda report) consisting of business process redesign, ICT procurement and accommodation up to £682,800 (SHDC's share of £1.275m) within the total budget of £4.85 million (as outlined at Appendix B to the presented agenda report).
4. That authority be delegated to the Executive to release funding for key programme expenditure milestones two and three at key points over the 30 month period to April 2016, as detailed at Appendix B to the presented agenda report.

5. That the investment costs of £1.01 million be financed in accordance with the Investment and Financing Strategy, as shown in section 1.3 of Appendix C to the presented agenda report.
6. That £700,000 be transferred from the General Fund Balance (Unearmarked Reserve) and £310,000 from the Strategic Issues Reserve into an Earmarked Reserve for T18, as shown in section 1.4 of Appendix C to the presented agenda report.
7. That authority be delegated to the Head of Finance and Audit to determine the appropriate allocation of investment costs against revenue and capital funds.
8. That the sharing of investment costs and savings be agreed as set out in sections 1.6 to 1.7 of Appendix C to the presented agenda report.
9. That an accommodation strategy be proceeded with (as outlined at option 2 in paragraph 4.5 of the presented agenda report) that promotes agile working and creates the greatest financial saving. Retaining access to services at Kilworthy Park along with a Civic Hub, Member Services and staff touchdown facilities, and co-locate support staff for both Councils at Follaton House.
10. That the programme governance arrangements be adopted as set out in Appendix E of the presented agenda report and it be noted that further discussion will take place on the longer term Member structures.
11. That consultation continue to take place with staff and unions on the creation, in partnership with WDBC, of a new 'host organisation' able to give a whole organisation response to service demands rather than a traditional departmental response. That new contracts of employment be issued with new terms and conditions for all staff who will still be employed by both Councils.
12. That the Council moves to a commissioning/locality model and continues to work with officers over the next twelve months to develop these aspects of the Model, so that the needs of individual Members and their local communities can best be served.

35/13 **POLITICAL STRUCTURE – ELECTORAL REVIEW AND WEBCASTING**

The Council considered a report that presented the recommendations of the Political Structures Working Group in respect of the draft warding arrangements arising from the Electoral Review and the merits of webcasting Member meetings.

In discussion, reference was made to:-

- (a) an amended proposal which had been tabled to the meeting with a supporting paper. The amendment was **PROPOSED** and **SECONDED** to read as follows:-

'The LGBC should be recommended to wait at least until 2018 to review the warding in SHDC by which time the current changes to District council management, customer services, central government financial cuts and budgets may have stabilised and the new Local Plan will be in place.'

A single change that could assist in improving current electoral equality without major ward changes is to reduce the number of councillors representing Dartmouth and Kingswear from three to two thereby creating a 39 Member council and reducing the number of wards exceeding the 10% variance by 5%.

In support of the amendment, reference was made to:-

- it being more appropriate for the Review to take place during a period of greater stability for the Council;
- there being a general acceptance that the future role of the Member would see an increase in workload and it therefore did not make sense to reduce the number of Members from 40 to 31;

In disagreement with the amendment, a Member commented that the Review was triggered automatically by electoral variances. As a result, the Council could not simply tell the Commission to defer until a later date.

In accordance with Council Procedure Rule 15.5, a recorded vote was then demanded on the amendment. The voting on the amendment was recorded as follows:-

For the amendment (9): Cllrs Baldry, Barber, Brazil, Gorman, Hannaford, Hodgson, Pannell, Vint and Westacott

Against the amendment (25): Cllrs Bastone, Baverstock, Blackler, Bramble, Bruce-Spencer, Cane, Carson, S Cooper, Coulson, Cuthbert, Foss, Gilbert, Hawkins, Hicks, Hitchins, Holway, Pennington, Rowe, Saltern, Squire, Steer, Tucker, Ward, Wingate and Wright

Abstentions (1): Cllr B Cooper

Absent (5): Cllrs Carter, Jones, May, Smerdon and Stone

and the amendment was therefore declared **LOST**.

(b) A further amendment to the second recommendation was **PROPOSED** and **SECONDED** and read as follows:-

'That the Democratic Services Manager, in consultation with the Leader of Council, be given delegated authority to finalise the council's submission to the Local Government Boundary Commission for England before the deadline of 11 November 2013. The LGBCE be asked to take account of the Council preference for single member rural wards. Specifically, at the western South Hams, to change the suggested boundaries so that Sparkwell village is placed with Bickleigh and Cornwood, Lee Mill is placed in a Lee Mill and Yealmpton ward and a ward of Newton and Holbeton is created.'

In support of the amendment, reference was made to its intention being to overcome the number of Multi-Member rural wards which had been proposed by the Commission.

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

- (c) the likelihood of Members representing very large rural areas of which they would have little knowledge. In addition, a Member commented that the proposed revised warding arrangements in the rural areas were bewildering;
- (d) the proposals making it even less attractive for younger residents to consider standing to be an elected Member;
- (e) the methodology of the Review being flawed. In light of the emphasis of the Review being on equality of electoral numbers, this did not take account of variations through second homes or tourists visiting the South Hams. As a result, the comment was made that the process was fundamentally flawed;
- (f) the proposals in respect of Townstal. Some Members felt that Townstal had no commonality with Dartmouth, Kingswear or Stoke Gabriel and asked that representations be made whereby Townstal be retained as a single Member ward. In contrast, another Member emphasised the importance of integration and felt it would be morally inappropriate to label a ward in light of its indices of deprivation;
- (g) the role of Members in raising the profile of this issue amongst residents during the consultation phase. In so doing, it was considered important for residents to be made aware of what was being proposed and how they could respond to the consultation;
- (h) support for the proposals. Some Members informed that they were content with the proposals published by the Commission;

- (i) the merits of webcasting. A Member highlighted the importance of the decision making process being transparent and the recent announcement from the Secretary of State that a new law would be put before Parliament on Monday, 4 November which sought to give the press and public new rights to film and report Council meetings. As a result, the following amendment was **PROPOSED** and **SECONDED** and when put to the vote was declared **CARRIED**:

‘That the Council does not support webcasting its Member meetings at this time, but this will be reviewed again in twelve months time.’

In accordance with Council Procedure Rule 15.5, a recorded vote was then demanded on recommendation 1 of the motion. The voting on recommendation 1 was then recorded as follows:-

For the motion (22): Cllrs Bastone, Baverstock, Bramble, Bruce-Spencer, Cane, Carson, Coulson, Cuthbert, Foss, Gilbert, Hawkins, Hicks, Hitchins, Holway, Rowe, Saltern, Squire, Steer, Tucker, Ward, Wingate and Wright

Against the motion (11): Cllrs Baldry, Barber, Brazil, B Cooper, S Cooper, Gorman, Hannaford, Hodgson, Pannell, Vint and Westacott

Abstentions (2): Cllrs Blackler and Pennington

Absent (5): Cllrs Carter, Jones, May, Smerdon and Stone

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

It was then:

RESOLVED

1. That the draft recommendations which have been published by the Local Government Boundary Commission for England on the future electoral arrangements for South Hams District Council (as outlined in Appendix 1) be endorsed.
2. That the Democratic Services Manager, in consultation with the Leader of Council, be given delegated authority to finalise the council's submission to the Local Government Boundary Commission for England before the deadline of 11 November 2013;
3. That the Council does not support webcasting its Member meetings at this time, but this will be reviewed again in twelve months time.

(Meeting commenced at 2.00 pm and concluded at 4.00 pm)

Chairman