

West Devon Council



West Devon
Borough
Council

Title:	Summons																														
Date:	Tuesday, 21st February, 2023																														
Time:	2.00 pm																														
Venue:	Chamber - Kilworthy Park																														
Full Members:	<p style="text-align: center;">Mayor Cllr Mott Deputy Mayor Cllr Pearce</p> <p><i>Members:</i></p> <table style="width: 100%; border: none;"> <tr> <td>Cllr Ball</td> <td>Cllr Leech</td> </tr> <tr> <td>Cllr Blackman</td> <td>Cllr Moody</td> </tr> <tr> <td>Cllr Bolton</td> <td>Cllr Moyse</td> </tr> <tr> <td>Cllr Bridgewater</td> <td>Cllr Ratcliffe</td> </tr> <tr> <td>Cllr Cheadle</td> <td>Cllr Renders</td> </tr> <tr> <td>Cllr Coulson</td> <td>Cllr Ridgers</td> </tr> <tr> <td>Cllr Crozier</td> <td>Cllr Samuel</td> </tr> <tr> <td>Cllr Davies</td> <td>Cllr Sellis</td> </tr> <tr> <td>Cllr Daniel</td> <td>Cllr Southcott</td> </tr> <tr> <td>Cllr Edmonds</td> <td>Cllr Spettigue</td> </tr> <tr> <td>Cllr Ewings</td> <td>Cllr Turnbull</td> </tr> <tr> <td>Cllr Heyworth</td> <td>Cllr Vachon</td> </tr> <tr> <td>Cllr Jory</td> <td>Cllr Wood</td> </tr> <tr> <td>Cllr Kemp</td> <td>Cllr Yelland</td> </tr> <tr> <td>Cllr Kimber</td> <td></td> </tr> </table>	Cllr Ball	Cllr Leech	Cllr Blackman	Cllr Moody	Cllr Bolton	Cllr Moyse	Cllr Bridgewater	Cllr Ratcliffe	Cllr Cheadle	Cllr Renders	Cllr Coulson	Cllr Ridgers	Cllr Crozier	Cllr Samuel	Cllr Davies	Cllr Sellis	Cllr Daniel	Cllr Southcott	Cllr Edmonds	Cllr Spettigue	Cllr Ewings	Cllr Turnbull	Cllr Heyworth	Cllr Vachon	Cllr Jory	Cllr Wood	Cllr Kemp	Cllr Yelland	Cllr Kimber	
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Cllr Kemp	Cllr Yelland																														
Cllr Kimber																															
Interests – Declaration and Restriction on Participation:	Members are reminded of their responsibility to declare any disclosable pecuniary interest not entered in the Authority's register or local non pecuniary interest which they have in any item of business on the agenda (subject to the exception for sensitive information) and to leave the meeting prior to discussion and voting on an item in which they have a disclosable pecuniary interest.																														
Committee administrator:	Democratic.Services@swdevon.gov.uk																														

1. Apologies for Absence

2. Confirmation of Minutes

1 - 8

To approve and adopt as a correct record the Minutes of the Meeting of Council held on 22 November 2022.

3. Declarations of Interest

In accordance with the Code of Conduct, Members are invited to declare any Disclosable Pecuniary Interests, Other Registerable Interests and Non-Registerable Interests including the nature and extent of such interests they may have in any items to be considered at this meeting;

4. Business brought forward by or with the consent of the Mayor

5. The Mayor or person presiding to answer questions which people in West Devon can ask and to receive deputations or petitions under Council Procedure Rule 21

6. To consider (any) questions submitted under Council Procedure Rule 21

7. To consider (any) Motions of which notice has been duly submitted by Members in accordance with Council Procedure Rule 15

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

9 - 48

(i) Audit and Governance Committee
Meeting held on 22 November 2022

(ii) Development Management & Licensing Committee
Meeting held on 8 November 2022

Meeting held on 13 December 2022

Meeting held on 24 January 2023

Recommendation to agree:

**DM&L.39 Hackney Carriage and Private Hire Policy
– Proposal to Delay Implementation of the Euro
NCAP Safety Rating Standard**

RECOMMENDED

That Council be **RECOMMENDED** to adopt the amended draft Hackney Carriage and Private Hire Policy (as presented to the Development Management & Licensing Committee Meeting).

(iii) Hub Committee

Meeting held on 13 December 2022

Recommendation to agree:

**HC.64/22 Draft Revenue and Capital Budget
Proposals 2023/24**

RECOMMENDED

vii) That Council be **RECOMMENDED** that West Devon Borough Council continue to be part of the Devon Business Rates Pool for 2023/24, subject to there being no announcements within the Finance Settlement (expected to be announced in mid-December), which in the opinion of the S151 Officer (in consultation with the Leader of the Council and the Hub Committee Member for Resources), would change this recommendation.

Meeting held on 31 January 2023

Recommendation to agree:

**HC.75/22 Draft Revenue And Capital Budget
Proposals For 2023/24**

- i) to increase Council Tax for 2023/24 by £7.37 (a 2.99% increase) (This would equate to a Band D council tax of £254.00 for 2023/24, an increase of 14 pence per week or £7.37 per year);
- ii) to approve the financial pressures (as shown in Appendix A of the presented agenda report) of £1,928,800;

- iii) to approve the net contributions to/(from) Earmarked Reserves of £(45,567) (as shown in Appendix A of the published agenda report), including the proposed use of £150,000 from the Business Rates Retention Earmarked Reserve (as set out in paragraph 3.17 of the presented agenda report);
- iv) to use £150,000 of New Homes Bonus funding in 2023/24 to fund the Revenue Base Budget (as set out in paragraph 3.22 of the presented agenda report) and to allocate £78,500 of New Homes Bonus funding to the Dartmoor National Park Authority (as set out in paragraph 3.23 of the presented agenda report), with the proviso that this Funding be used to ensure that the Visitor Centre at Princetown is kept open until at least 30 September 2023;
- v) to approve the savings of £1,110,500 (as set out at Appendix A of the presented agenda report);
- vi) to approve the Overview & Scrutiny Committee's recommendation on the increase in the garden waste subscription charge from April 2023, (for the sum of £52.00 per annum) as set out in paragraph 5.3 and Appendix F of the presented agenda report;
- vii) to approve the proposed Capital Programme Proposals for 2023/24 of £910,000 and the proposed financing of the Capital Programme (as set out in Appendix D of the published agenda report) (being £700,000 from the Better Care Fund funding from Devon County Council, £160,000 from New Homes Bonus funding and £50,000 revenue funding from the Vehicles and Plant Earmarked Reserve);
- viii) that Unearmarked Reserves should continue to have a minimum level of £900,000 (as set in the Medium Term Financial Strategy in September 2022), but an operating level of a minimum of £1.25million; and
- ix) that, with effect from 31 March 2023, the Servaco dormant company (which the Council jointly owns with South Hams District Council), be closed down.

**HC.77/22 Council Tax Reduction Scheme
2023-24 And Other Council Tax
Discounts And Premiums**

2. to approve a local Council Tax Reduction Scheme for 2023/24 that as follows:
 - Makes no changes to Band 1 of the current banded scheme;
 - Uplifts Bands 2, 3 and 4 by 20% (above current inflation) to take into account the Cost of Living crisis;
 - Replaces the current range of earnings disregards with a single £25.00 disregard; and
 - Makes changes to the Minimum Income Floor by adjusting the income calculation for self-employed claimants who receive carer's allowance, personal independence payments or disability living allowance.
3. that delegated authority be given to the Director of Strategic Finance, in consultation with the Lead Member for Benefits and the Head of Revenues and Benefits, to agree the uprating of working age regulations incorporated into the local Council Tax Reduction Scheme in line with those announced by the Department for Work and Pensions;
4. that officers be instructed to take immediate steps to apply the £25.00 Council Tax Support Fund payment to the 2023/24 council tax bills of eligible council taxpayers, as announced by the Government on 19 December 2022, and bring forward proposals for a discretionary scheme in late spring 2023;
5. to adopt the Council Tax discounts as follows (with effect from 1 April 2023):
 - (a) The discount for unoccupied and substantially unfurnished properties is 100% for a maximum period of 1 month;
 - (b) The discount for unoccupied and substantially unfurnished properties for 1 month to 2 years is zero;
 - (c) The discount for properties which are vacant and require major repair work to render

them habitable is 50% for maximum period of 12 months;

(d) The discount for unoccupied furnished properties (second homes) is zero;

(e) An empty homes premium of an additional 100% is levied on properties that have remained unoccupied and substantially unfurnished for at least two years, but less than five years;

(f) An empty homes premium of an additional 200% is levied on properties that have remained unoccupied and substantially unfurnished for at least five years, but less than ten years;

(g) An empty homes premium of an additional 300% is levied on properties that have remained unoccupied and substantially unfurnished for at least ten years or more; and

6. That, in principle, the following additional council tax premiums be applied from 1 April 2024, or earlier if allowed, subject to the required legislation being in place:

- 100% premium for properties which have been unoccupied and substantially unfurnished for a period of between 1 and 2 years; and
- 100% premium for second homes.

(iv) Overview & Scrutiny Committee

Meeting held on 15 November 2022

Meeting held on 17 January 2023

9.	Draft 2023/24 Revenue and Capital Budget Proposals	49 - 92
10.	Council Tax Discounts and Premiums	93 - 104
11.	Business Rates Relief: 2023/24 Retail, Hospitality and Leisure Scheme and 2023 Supporting Small Business Relief	105 - 116

12. Civic Allowances Review	
To follow	
13. Draft Calendar of Meetings 2023/24	117 - 122
14. Community Governance Reviews - Draft Terms of Reference	123 - 130
15. Pay Policy Statement	131 - 140

Dated this 13th day of February 2023

Andy Bates
Chief Executive

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Agenda Item 2

At the Meeting of the **WEST DEVON BOROUGH COUNCIL** held in the **COUNCIL CHAMBER, KILWORTHY PARK, TAVISTOCK** on **TUESDAY** the **22nd** day of **NOVEMBER 2022** at **4.00pm** pursuant to Notice given and Summons duly served.

Present

Cllr C Mott – The Mayor (In the Chair)

Cllr K Ball	Cllr A Blackman
Cllr T Bolton	Cllr R Cheadle
Cllr L Daniel	Cllr C Edmonds
Cllr M Ewings	Cllr N Heyworth
Cllr N Jory	Cllr P Kimber
Cllr T Leech	Cllr J Moody
Cllr D Moyse	Cllr T Pearce
Cllr B Ratcliffe	Cllr M Renders
Cllr L Samuel	Cllr T Southcott
Cllr J Spettigue	Cllr D Turnbull
Cllr J Yelland	

Chief Executive
Deputy Chief Executive
Section 151 Officer
Director of Place and Enterprise
Monitoring Officer
Democratic Services Manager
Senior Specialist – Climate Change (via Teams)
Head of Environmental Health and Licensing (via Teams)

CM 45/22 MOMENT'S REFLECTION

Since this was the first meeting of Full Council since former Mayor and West Devon Borough Councillor, Robin Musgrave, had sadly passed away, Members stood to observe a moment's reflection in his memory.

CM 46/22 APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllrs Bridgewater, Coulson, Crozier, Davies, Kemp (who joined the meeting via Teams in a non-voting capacity) Ridgers, Sellis, Vachon (who joined the meeting via Teams in a non-voting capacity) and Wood (who joined the meeting via Teams in a non-voting capacity).

CM 47/22 CONFIRMATION OF MINUTES

The minutes of the Council meeting held on 27 September 2022 were confirmed as a true and correct record.

CM 48/22 DECLARATIONS OF INTEREST

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

Cllr A F Leech declared a personal interest in Item 8 'Minutes of Committees (Minute CM 53/22 (c) below refers) by virtue of being a Trustee of the Okehampton Community Transport Group. He remained in the meeting and took part in the debate and vote thereon;

CM 49/22 BUSINESS BROUGHT FORWARD BY THE MAYOR

The Mayor informed that she had one item of business to bring forward to the Meeting which pertained to fundraising for her chosen Charity for the year, the North Dartmoor Search and Rescue Group.

CM 50/22 PUBLIC QUESTIONS

The Mayor informed the Meeting that no Public Questions had been received in accordance with the Council Procedure Rules.

CM 51/22 QUESTIONS ON NOTICE

Members noted that no Questions on Notice had been received from the membership in accordance with the Council Procedure Rules.

CM 52/22 MOTIONS ON NOTICE

The Mayor advised that no Motions on Notice had been received from the membership in accordance with the Council Procedure Rules.

CM 53/22 MINUTES OF COMMITTEES

- a. **Audit Committee Meetings - 5 July 2022 and 6 September 2022**
It was moved by Cllr K Ball, seconded by Cllr Yelland and upon being submitted to the Meeting was declared to be **CARRIED** and **"RESOLVED** that the Minutes of the meetings held on 5 July 2022 and 6 September 2022 be received and noted.

- b. **Overview and Scrutiny Committee Meetings - 26 July 2022 and 4 October 2022**
It was moved by Cllr M Ewings, seconded by Cllr P Kimber and upon being submitted to the Meeting was declared to be **CARRIED** and **"RESOLVED** that the Minutes of the meetings held on 26 July 2022 and 4 October 2022 be received and noted.

c. **Hub Committee Meetings - 27 September 2022 and 1 November 2022**

It was moved by Cllr N Jory, seconded by Cllr C Edmonds and upon being submitted to the Meeting was declared to be **CARRIED** and **“RESOLVED** that the Minutes of the 27 September 2022 and 1 November 2022 meetings be received and noted with the exception of Recommendations HC 38/22 Part 1 (1-5), HC 49/22 (Parts 2, 3 and 4) and HC 55/22”.

In respect of the Recommendations:

HC 38/22 Medium Term Financial Strategy 2023/24 to 2025/26

It was moved by Cllr N Jory, seconded by Cllr C Edmonds and upon being submitted to the Meeting was declared to be **CARRIED** and **“RESOLVED** that the Council:

1. continue to respond to Government consultations on Business Rates Reform; and
2. continue to actively lobby and engage with the Government, Devon MPs, South West Councils and other sector bodies such as the District Councils’ Network and the Rural Services Network, for a realistic business rates baseline to be set for the Council for 2024 onwards, when the business rates reset is predicted to happen (NB. this is the earliest date it might happen);
3. continue to lobby both in support of the Government eliminating Negative Revenue Support Grant in 2023/24 (and thereafter) and for Rural Services Delivery Grant allocations which adequately reflect the cost of rural service provision;
4. note the strategic intention with its Council Tax setting strategy (as set out in paragraph 3.6 of the published agenda report). (NB. the actual council tax for 2023/24 will be decided by Council in February 2023); and
5. use the Revenue Grant Earmarked Reserve to fund the Council’s share of the costs of a two-year fixed term post responsible for driving improved customer service and operational efficiency by exploiting technology and transformation (as set out in Appendix D, section 1.9 of the presented report to the Hub Committee). (The total cost for West Devon is £80,000).”

HC.49/22 Key Partnership Agreements

It was moved by Cllr N Jory, seconded by Cllr C Edmonds and upon being submitted to the Meeting was declared to be **CARRIED** and **“RESOLVED**

2. that the funding for the following key partners be extended for a further two years as follows:
 - West Devon CVS £5,100;
 - OCRA Sport £1,333;
 - Okehampton Community Transport £6,533;
 - Tavistock Community Transport £6,533;
 - Young Devon £2,500; and
 - World Heritage Site £4,000;
3. that an increase in funding for each of the next two years' in recognition of the additional support required by Citizens Advice be agreed;
4. that the decision taken at the Hub Committee meeting held on 27 September 2022 to continue to financially contribute £8,835 to the Tamar Valley AONB Partnership be noted."

HC.55/22 Devon Carbon Plan

In debate a Member questioned why the Council was being recommended to 'note' and not to 'endorse' the Devon Carbon Plan as set out in the original report to the Hub Committee meeting. In reply, the Leader stated that:

- the Council was very supportive of the work being undertaken by Devon County Council to reduce carbon emissions, but that the Borough Council must concentrate on what it could do effectively to reduce the organisation's carbon footprint and to support all local communities to play a role in reducing emissions and capturing carbon;
- the Hub Committee recommendation provided an opportunity for the Council to take an in-depth look at and revise its own Action Plan and assess how the recommendations contained within it might particularly affect rural communities;
- in addition to revising the West Devon Action Plan, this was an opportunity to assess the financial and resource implications to show how the Council would contribute to the delivery of the Devon Carbon Plan;
- a Natural Environment Hub Advisory Group meeting had been arranged for early December to consider the Devon Carbon Plan and to bring forward specific actions that were relevant to the Borough Council's equivalent Plan.

It was then moved by Cllr N Jory, seconded by Cllr C Edmonds and upon being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that:

1. the ambition and objectives set out within the Devon Carbon Plan be noted, and
2. the Council’s Climate Change Strategy and Action Plan be revised and the financial and resource implications required be assessed to show how it would contribute to delivering the Devon Carbon Plan.”

d. Development Management and Licensing Committee Meeting - 11 October 2022

It was moved by Cllr J Yelland, seconded by Cllr C Mott and upon being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that the Minutes of the meeting held on 11 October 2022 be received and noted.

CM 54/22 SCHEME OF MEMBERS' ALLOWANCES: REVIEW

Consideration was given to a report that set out the recommendations of the Independent Remuneration Panel resulting from their review of the Scheme of Members’ Allowances.

In discussion the following points were raised:

- (a) A Member queried whether this was the right time for the Scheme of Members’ Allowance to be reviewed. In response, whilst the point was acknowledged, unfortunately the ability to automatically adjust the Basic Allowance to a prescribed index had now been in place for the maximum period permissible (five years) and a Review was therefore required. As part of the Review, it had become apparent that the Basic Allowance that a West Devon Borough Council Member was entitled to claim was amongst the lowest in the South West region. In addition, the rural nature of the Borough resulted in Members travelling lengthy distances despite car mileage rates not increasing, so the proposed increase in the Basic Allowance would also help to offset rising fuel costs. Finally, it was stated that, with the forthcoming local elections in May 2023, the Council was looking for a range of candidates to stand and that, by offering an increase in the Basic Allowance may help to compensate those prospective candidates who were in employment for earnings lost whilst they were engaged in Council business;

- (b) In light of the additional responsibilities and time commitments placed upon Members of the Development Management and Licensing Committee, a Member felt that it would be appropriate for them to each be entitled to claim a Special Responsibility Allowance. Since this matter had not been raised prior to the Panel sitting earlier in the month, it was agreed that this issue should be raised as part of the next scheduled review in the Autumn of 2023;
- (c) In light of the Civic Allowance having been retained at the same level for a number of years, an addition to the recommendation was **PROPOSED** and **SECONDED** as follows:

“That the Head of Paid Service write to the Panel requesting it reconsiders the Civic Allowances payable to the Mayor and Deputy Mayor and report back to a meeting of Full Council prior to the Review due in Autumn 2023”

And when put to the vote, this addition was declared **CARRIED**.

It was then proposed by Cllr N Jory, seconded by Cllr C Edmonds and upon being submitted to the Meeting was declared to be **CARRIED** and **RESOLVED** that:

1. the recommendations of the Independent Panel on Members' Allowances (as presented at paragraph 3 of the presented report) be agreed and that the revised draft Scheme of Members Allowances (as shown at Appendix C of the presented report) be adopted with immediate effect, with any consequent increases in Allowances being backdated to 1 May 2022; and
2. The Head of Paid Service write to the Panel requesting it reconsiders the Civic Allowances payable to the Mayor and Deputy Mayor and report back to a meeting of Full Council prior to the Review due in Autumn 2023.”

CM 55/22 ANNUAL REVIEW OF HEALTH AND SAFETY POLICY STATEMENT

The Council considered a report that sought to adopt the annual Joint Health and Safety at Work Policy.

In discussion, a Member queried as to which Body of the Council were the Health and Safety Audit findings reported. In reply, officers advised that the Audit and Governance Committee was the responsible Body and that, for clarity, this information would be added to the Policy.

It was then proposed by Cllr N Jory, seconded by Cllr C Edmonds and upon being submitted to the Meeting was declared to be **CARRIED** and **RESOLVED** that the annual joint health and safety at work policy be adopted and signed by the Head of Paid Service and the Leader of the Council.”

CM 56/22 EXCLUSION OF PUBLIC AND PRESS

It was then **RESOLVED** that “in accordance with Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting during consideration of the following item of business as the likely disclosure of exempt information as defined in paragraphs 3 and 5 of Schedule 12A to the Act is involved.”

CM 57/22 WASTE & RECYCLING SERVICES CONTRACT UPDATE

Consideration was given to an exempt report which provided Members with an update on the Waste and Recycling Services Contract.

Following a brief debate in exempt session, it was then proposed by Cllr C Mott, seconded by Cllr R Cheadle and upon being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that “the public and press be re-admitted to the Meeting.”

It was then proposed by Cllr N Jory, seconded by Cllr C Edmonds and upon being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that:

1. the progress on negotiations with FCC Environment to amend the current contract following the exit of South Hams District Council be noted; and
2. authority be delegated to the Head of Paid Service (Chief Executive) and Director of Customer Service Delivery, in consultation with the Leader and Lead Hub Committee Member for Natural Environment, to conclude the negotiations based on the outline of draft settlement terms (as set out in Appendix A of the presented agenda report) and to finalise the settlement agreement and any other necessary agreements.”

(The Meeting terminated at 4.55 pm)

Mayor

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Agenda Item 8

At a Meeting of the **AUDIT COMMITTEE** held in the Council Chamber, Council Offices, Kilworthy Park, Drake Road, **TAVISTOCK** on **TUESDAY** the **22nd** day of **November 2022** at **10.30am**

Present: Cllr K Ball (Chairman)
Cllr M Davies
Cllr L Samuel
Cllr J Yelland

Officers in attendance: Section 151 Officer
Deputy Section 151 Officer
Internal Auditor
External Auditor
Head of Strategy and Projects (via Teams)
Senior Specialist Finance
Democratic Services Officer

Also in attendance: Cllr C Edmonds (lead Hub Committee Member) and Cllr C Mott

***AC 12 APOLOGIES**

Apologies were received from Cllr A Bridgewater

***AC 13 CONFIRMATION OF MINUTES**

The Minutes of the Committee Meeting held on 6 September 2022 were confirmed by the Committee as a true and correct record.

***AC 14 GRANT THORNTON AUDIT REPORT: AUDIT FINDINGS REPORT 2021/22**

The External Auditor took Members through the report and explained that the Council has been given a clean bill of health by external auditors, Grant Thornton LLP, who intended to issue an unqualified opinion on the Council's Accounts by the end of November. This means the Council's financial statements were properly prepared in accordance with the Accounting Code of Practice and gives a true and fair view of the financial position of the Council and its income and expenditure for the year.

Grant Thornton made specific reference to the high quality of the work and accounting records by the Council's finance team with very few adjustments to the draft accounts as a result of the audit. They stated that this reflects favourably in comparison to other Councils

The External Audit Engagement Lead also noted that the valuation of the net pension fund liability was a significant risk, however they had received informal assurances from the Auditor of the Devon Pension Fund and were awaiting formal assurances stating there were no significant risks found.

In regard to audit adjustments he stated depreciation adjustments to certain assets was the only adjustment to the Draft Accounts. The total

notional adjustments were just under £5,000. The Deputy 151 Officer explained the notional entry in regard to this.

Journal entries were flagged as amber and the Deputy 151 Officer explained that there are significant controls in place to mitigate the risks. She reassured Members these are only manual internal journals moving entries between cost centres. The S151 Officer believed there were significant controls in place and should they implement the recommendation from the auditors they would need at least another full time Accountant. She felt that would not be value for money for the tax payer.

The Deputy S151 Officer relayed to Members that following an audit recommendation from 2020/21 an officer in finance had invested a lot of time to create the automated transaction listing with the help of IT and that it had worked really well for the council and Grant Thornton.

The Committee noted their thanks.

A Member raised the question of the £5,000 remote working fee and whether it would still be payable given that the External Auditors were able to come on site again since the covid pandemic. The External Auditor confirmed there was no indication that this fee would be chargeable.

A Member raised a question over the Redmond Review asking if any pressure was being put on Government to issue guidelines. The External Auditor stated the guidelines for 2021 only came out a few months ago and that it was a well-documented challenge to all local authorities.

The Committee recorded their thanks to the S151 Officer and her team for their continued hard work.

It was then **RESOLVED** that:

The Grant Thornton Audit Report: Audit Findings Report 2021/22 was noted.

***AC15**

ANNUAL STATEMENT OF ACCOUNTS 2021/2022

The Lead Hub Member introduced the report to the Committee. He Stated that it was anticipated an unqualified audit opinion being issued. The S151 Officer and the Chairman of the Audit Committee would be signing a letter of representation to the External Auditors.

It was then **RESOLVED** that;

1. The wording of the Letter of Representation (Appendix A)
2. The audited Statement of Accounts for the financial year ended 31 March 2022 (Appendix B).
3. The Annual Governance Statement post audit (Appendix C).
- 4.

***AC16**

REVENUE RESERVES

The Hub Lead Member took Members through the report.

The S151 Officer highlighted a couple of reserves. The Financial Stability earmarked reserve had a balance of £454,000 and as part of this year's budget process £163,000 was added. The reserve was created from funding from the Business Rate pilot scheme in 2018/19. This is being held due to the uncertainty of the Local Government financial settlement which would be announced in December. The settlement is expected to be net nil cash position. Money was also being held in the New Homes Bonus earmarked reserve. If the New Homes Bonus scheme was to continue for another year the authority would expect to receive an allocation of £380,000. There was an earmarked reserve for the waste and cleansing service so as to do work at the Hayedown depot and to acquire an additional vehicle for the waste fleet. The S31 Business Rates reserve was not money available to the Council to spend, this holds monies from S31 compensation grants issued during the covid pandemic. This would be released back to the Collection Fund over the next two years. There was good news for businesses in the Retail, Hospitality and Leisure sector in the region who would be awarded 75% rate relief in 2023/24, as per the Chancellor's Statement.

It was then **RESOLVED** that;

The Audit Committee noted the Reserves position as at 31 March 2022 and the projected balances as at 31 March 2023 (7.92 million as set out in Appendix A).

***AC17**

UPDATE ON PROGRESS ON THE 2022-23 INTERNAL AUDIT PLAN

The Hub Lead Member introduced the report to Members. Three of the internal audits completed recently were given a rating of substantial assurance. These were the Business Grant Scheme, Treasury Management and Contract Management of the leisure contract. He complimented the administration of over 6,000 covid business grants which had to be administered on behalf of the government. These had to be paid at pace with fraud checks in place with limited resources. The Internal Auditor stated an internal audit was taking place on the new iTrent system. A risk report on the leisure centres showed post covid attendance records were increasing. The other risk report on the climate change audit and the actions being taken by the Council.

It was then **RESOLVED** that;

The progress made against the 2022/23 internal audit plan, and any key issues arising were noted and approved.

***AC18**

OMBUDSMAN ANNUAL REVIEW LETTER

The Hub Lead Member introduced the report stating that 14 complaints had been received by the Ombudsman service, only one of those was put forward for investigation and subsequently upheld. 219 complaints were received by the council from customers. 7 of those were upheld by the investigating officer. Effective handling of complaints is an important

tool for the council services and the report concludes that the council has commissioned the local government ombudsman to deliver complaint handling training to staff in key service areas.

It was then **RESOLVED** that;

The Audit Committee:

1. Reviewed the Ombudsman's Letter for 2022 (attached Appendix A); and
2. Noted the steps set out to ensure that the Council continues to address complaints fairly and in line with best practice.

***AC19**

AUDIT COMMITTEE WORKPLAN

It was confirmed the next Audit Committee meeting was scheduled for 24 January and the time would be confirmed.

(The Meeting terminated at 11.30 am)

Dated this

Chairman

Minutes of a meeting of the **WEST DEVON DEVELOPMENT MANAGEMENT & LICENSING COMMITTEE** held on **TUESDAY** the **8th** day of **November 2022** at **10.00am** in the **COUNCIL CHAMBER, KILWORTHY PARK**

Present: Cllr J Yelland – Chairman
Cllr T Pearce – Vice Chairman

Cllr N Heyworth	Cllr B Ratcliffe
Cllr T Leech	Cllr M Renders
Cllr C Mott	Cllr T Southcott
Cllr D Moyse	Cllr J Spettigue

Head of Development Management (JH)
Planning Officer (NG)
Monitoring Officer (DF)
Democratic Services Officer (KH)

***DM&L.21 APOLOGIES FOR ABSENCE**

No apologies were received

***DM&L.22 DECLARATION OF INTEREST**

Members and officers were invited to declare any interests in the items of business to be considered during the course of this meeting. Cllr Yelland declared an interest in application 2844/22/FUL as she was related to the applicant and left the room when this item was discussed and voted on. In the interest of transparency she stated that she had received correspondence from both a supporter and an objector in regard to application 2603/22/FUL and had been forwarded to the Planning Officer in line with the Code of Conduct.

As the applicant of application 2603/22/FUL was West Devon Borough Council the Monitoring Officer granted the Committee Members a dispensation so as to allow them to determine this application.

***DM&L.23 URGENT BUSINESS**

There was no urgent business brought forward to this meeting.

***DM&L.24 CONFIRMATION OF MINUTES**

The minutes from the Development Management and Licensing Committee of 11 October were confirmed as a correct record. The minutes from the Licensing Sub-Committee from 23 August had a typo and a word was missed from one of the objectors' statements. The amended version was signed as a correct record.

***DM&L.25 PLANNING, LISTED BUILDING, TREE PRESERVATION ORDER AND ENFORCEMENT REPORTS**

The Committee proceeded to consider the report that had been prepared by the relevant Planning Officer on each of the following Applications and considered also the comments of the Town and Parish

Councils together with other representations received, which were summarised within the report.

(a) Application No: 2844/22/FUL

**Ward: Okehampton
South**

Site Address: 2, Crediton Road, Okehampton

Development: Alterations to roof structure & associated works

Recommendation: Conditional Approval

Conditions:

1. Standard time limit
2. Adhere to plans
3. Adhere to ecology Report
4. Installation of bat and bird box on completion of development
5. Details of fibre cement slates to be submitted and agreed in writing with LPA
6. Details of proposed Upvc windows to be submitted and agreed in writing by LPA

The Planning Officer took members through the report and stated That the key issues were:

- Visual impact on the setting of the conversation area (site within CA buffer-zone)
- The site is not Listed nor within the setting of a Listed Building
- Neighbour Amenity
- Design & Materials
- Environmental Hazards
- Ecology

Since the publishing of the officer's report the agent had submitted details of the colour and type of roofing tile and these were acceptable and in keeping with the conservation area, therefore condition 5 in the report was no longer required. In debate Members commented on the key issues identified by the Planning Officer and on the positives of bringing the building back into use.

Committee Decision: Conditional Approval

Conditions:

1. Standard time limit
2. Adherence to plans
3. Adherence to Ecology Report
4. Installation of bat and bird box on completion of development
5. Details of proposed Upvc windows to be submitted and agreed in writing by LPA

(b) Application No: 2603/22/FUL

Ward: Tavistock North

Site Address: West Devon Borough Council

Development: Erection of 3 flagpoles 8 meters high to replace Single 8 meter high flagpole

Recommendation: Conditional Approval

Conditions:

1. Time
2. Accordance with plans
3. Carbon reduction implementations

Speakers

Objector: Hilary Moule

Supporter: Chris Brook

In her introduction, the Planning Officer made a correction to the report stating that reference was made to a Neighbourhood Plan for Tavistock when in fact there was no adopted Neighbourhood Plan. There were also additional representations that had been received since the agenda had been published.

The new points raised were summarised as follows:

- Concerns remained that this application represented a waste of taxpayers money;
- The proposal was not considered to meet the aims of the Council regarding carbon reduction (particularly the use of fibreglass);
- Loss of the foliage mentioned by officers and residents that screened the proposal had died back over the past 6 months, however the site was still being described as not visible from the road or nearest dwellings;
- A number of Councillors had been contacted about concerns and did not respond;
- The report concluded that the impact on residents would not be significant but this was refuted by the objector who believed that the noise impact from apparatus associated with the flagpole would be 'considerable' for the nearest neighbouring residents.

During questions, the Planning Officer stated that the cost of the flagpoles was not a material planning reason.

The Objector stated that she lived 20 metres from the proposed site for the flagpoles. She noted that the wildlife report was missing from the officers published report. There were two species of owl and bats in the vicinity and this could have an effect on them.

She further stated that

- the amenity loss would be significant to her with noise and disturbance.

- There were two flagpoles in the town and a redundant one on the corner of Quant Park and asked why more were needed.
- The existing flagpole was currently buffered by trees, however the site of the proposed ones had no significant trees.
- The production of fibreglass was toxic and environmentally unfriendly.
- The 12 representations to oppose the application cited the inappropriate use of taxpayers money. No Officer or Councillor had questioned the finances used to prepare this planning application let alone its implementation.

The supporter explained about:

- The community and civic role of the Council.
- The issues around flying more than one flag on a flagpole.
- Having three flagpole would mean the council could represent its communities and make statements where appropriate.
- The constraints as to where to site the flagpoles.
- A rubber weight would be used at the top of the flagpole to stop the noise from the halyard.
- The existing flagpole would be removed.

A Member asked why it had not been brought before the Hub Committee, in the past Members are normally consulted. The Monitoring Officer said it was right for the Member to raise the question, but it was a matter to be dealt with elsewhere and outside of the Development Management & Licensing Committee.

In response to further questions, the supporter explained the choice of fibreglass poles was due to them being lighter and more slender than a wooden flagpole, giving an easier installation. He explained the constraints on site meant that the proposed position was the best compromise.

The Head of Development Management confirmed there was a report on the impact of the development on the trees and in the report no concerns were raised on the impact on wildlife.

In debate Members raised concerns over noise pollution. The Head of Development Management confirmed noise was a material planning consideration under DEV1 of the Joint Local Plan. The Monitoring Officer explained to Members that whilst noise nuisance was a matter of planning judgement there had to be sufficient evidence to back it up.

Committee Decision: Refusal

Reasons:

The proposal will have harmful effects and an unacceptable impact on the amenity of local residents by reason of noise disturbance and pollution arising from the apparatus associated with the flying of flags from the proposed flagpoles contrary to Policies DEV1 and DEV 2 (1) of the Joint Local Plan.

***DM&L.26 PLANNING APPEALS UPDATE**

The Head of Development Management, relayed to Members that application 1355/19/FUL, 10 Ford Street, Tavistock was upheld and consent was granted for 6 flats but costs were refused. The inspector had deemed the Committee had acted in a correct way.

The S106 on Application 0723/21/FUL for 44 residential dwellings and outline planning for commercial land at Plymouth Road, Tavistock had been delayed due to the landowner having passed away.

***DM&L.27 UPDATE ON UNDETERMINED MAJOR APPLICATIONS**

The Monitoring Officer explained to Members that once the Section 106 agreement in regard to Application 3652/20/FUL land at Plymouth Road, Tavistock has been finalised, there would be a briefing to Members of the DM&L Committee and Ward Members. There was a delay due to the death of the landowner and probate being issued. The Head of Development Management informed Members that there was a meeting with the applicant that day in regard to application 4004/21/FUL Former Hazeldon Preparatory School, Tavistock.

(The Meeting terminated at 11.45 am)

Chairman

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Minutes of a meeting of the **WEST DEVON DEVELOPMENT MANAGEMENT & LICENSING COMMITTEE** held on **TUESDAY** the **13th** day of **December 2022** at **10.00am** in the **COUNCIL CHAMBER, KILWORTHY PARK**

Present: Cllr J Yelland – Chairman
Cllr T Pearce – Vice Chairman

Cllr R Cheadle	Cllr B Ratcliffe
Cllr T Leech	Cllr M Renders
Cllr C Mott	Cllr T Southcott
Cllr D Moyse	

Head of Development Management (JH)
Principle Planning Officer (CS)
Monitoring Officer (DF)
Democratic Services Officer (KH)

***DM&L.28 APOLOGIES FOR ABSENCE**

Apologies were received from Cllr Heyworth and Cllr Spettigue. Cllr R Cheadle substituted for Cllr Spettigue.

***DM&L.29 DECLARATION OF INTEREST**

Members and officers were invited to declare any interests in the items of business to be considered during the course of this meeting.

***DM&L.30 URGENT BUSINESS**

There was no urgent business brought forward to this meeting.

***DM&L.31 CONFIRMATION OF MINUTES**

The minutes from the meeting held on 8 November were approved subject to the deletion of the words 'The application would still be recommended for refusal' in the draft minute DM&L.27, update on Major applications on application 4004/21/FUL.

***DM&L.32 PLANNING, LISTED BUILDING, TREE PRESERVATION ORDER AND ENFORCEMENT REPORTS**

The Committee proceeded to consider the report that had been prepared by the relevant Principle Planning Officer on the following Application and considered also the comments of the Town and Parish Council together with other representations received, which were listed within the presented agenda report and summarised below:

(a) Application No: 2961/22/VAR Ward: Hatherleigh

Site Address: Solar Farm, Willsland, Highampton.

Development: Application for variation of condition 12 (removal of equipment and site restoration) on Appeal Decision APP/Q1153/A/11/2164421 (01537/2011) to extend the operational

life of the solar farm.

Recommendation: Conditional Approval

Conditions:

1. Variation of time
2. No additional external lighting
3. No additional plant and machinery
4. Adherence to recommendations of approved Habitat Survey

Key Issues for consideration: Principle of development, Design/Visual Impact, Neighbour Amenity, Highways, Carbon Reduction.

Speakers:

Supporter: Juliette Bustamante (Agent)

Ward Member: Cllr Clare Kemp

Cllr Kemp spoke to give the views of Highampton Parish Council. The views of the Parish Council was that there was no advantage in granting an extension.

In response to a member question as to if a panel needed to be replaced would planning permission be required, the Planning Officer confirmed not if it were for like for like replacement.

In debate having considered the key issues Members concluded that there was no material reason to refuse the application.

Committee Decision: Approval –Conditional Consent

Conditions:

1. Variation of time
2. No additional external lighting
3. No additional plant and machinery
4. Adherence to recommendations of approved Habitat Survey

***DM&L.33 PLANNING APPEALS UPDATE**

The Head of Development Management took Members through the Appeals Update.

***DM&L.34 UPDATE ON UNDETERMINED MAJOR APPLICATIONS**

Members were given the progress on undetermined major applications and in particular the proposed development at Devonshire Gardens was raised in regard to the proposed attenuation tank to sit under the allotments. Talks are ongoing with the drainage authority to find out how deep the tank would be positioned.

(The Meeting ended at 11.40 am)

Chairman

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Minutes of a meeting of the **WEST DEVON DEVELOPMENT MANAGEMENT & LICENSING COMMITTEE** held on **TUESDAY** the **24th** day of **January 2023** at **10.00am** in the **COUNCIL CHAMBER, KILWORTHY PARK**

Present: Cllr J Yelland – Chairman
Cllr T Pearce – Vice Chairman

Cllr R Cheadle	Cllr C Mott
Cllr P Crozier	Cllr B Ratcliffe
Cllr N Heyworth	Cllr M Renders
Cllr T Leech	Cllr T Southcott

Head of Development Management (JH)
Licensing Specialists (LS, NS)
Monitoring Officer (DF) via Teams
Democratic Services Officer (KH)

***DM&L.35 APOLOGIES FOR ABSENCE**

Apologies were received from Cllr D Moyse with Cllr P Crozier substituting and Cllr J Spettigue with Cllr R Cheadle substituting.

***DM&L.36 DECLARATION OF INTEREST**

Members and officers were invited to declare any interests in the items of business to be considered during the course of this meeting.

***DM&L.37 URGENT BUSINESS**

There was no urgent business brought forward to this meeting.

***DM&L.38 CONFIRMATION OF MINUTES**

The minutes from the meeting held on 13 December 2022 were approved as a true and correct record.

DM&L.39 WEST DEVON LICENSING COMMITTEE REPORT –NCAP STANDARDS

The Committee proceeded to consider the report that had been prepared by the Licensing Specialist. He stated that the West Devon Hackney Carriage and Private Hire Licensing policy came into operation in April 2018. Included within this is the requirement that all currently licensed vehicles must meet a Euro NCAP Safety Rating of 4 or 5 stars by 1st January 2023. However with the global issues around covid and the impact of the cost of living crisis the number of taxi drivers nationally had reduced and the trade had been hit hard. With current factors in play the ability for drivers to update their vehicles has become a concern of Officers. It was felt appropriate to consider a delay in the implementation of changeover of existing vehicles. The policy would stay the same for anyone bringing a new vehicles onto the circuit.

The Specialist Officer confirmed that the team had spoken on numerous occasions to those in the trade about the concerns. There would be significant changeover of vehicles at a time when many were facing financial difficulty. He stated it would be regularly reviewed should the Committee choose to defer to a later date for a review to the extension. He reassured Members that all vehicles on the circuit regardless of age undergo stringent safety tests so are safe. There would be no implications should a vehicle be involved in an accident. Safety features in cars have progressed over time in modern vehicles. The vehicles would be roadworthy they just wouldn't have as much of the more modern safety features as a car with a five star NCAP safety rating. The Committee agreed that;

1. Section 17.3 of the Policy be amended to delay the implementation of the requirement for currently licensed vehicles to hold a Euro NCAP Safety rating of 4 or 5 stars (out of 5), from 1st January 2023 until 1st January 2024. Officers will ensure that those drivers who do not have 4 or 5 star vehicles by 31 October 2023 are fully aware that these vehicles will not be renewed after 1st January 2024.
2. Recommended to Council that the Hackney Carriage and Private Hire Policy, as amended, is adopted at the meeting on 21st February 2023. Further information on the number of vehicles that need to be replaced to be provide to the Chair of DM&L prior to the Council meeting.

***DM&L.40 PLANNING APPEALS UPDATE**

The Head of Development Management took Members through the Appeals Update. Since the agenda was published three appeal decisions had come in. The first was on Higher Narracott for change of use from barns to dwellings. This was a prior approval application and the Planning Officer at the time did not believe the buildings could be converted due to their structure plus they were too close to agricultural buildings in use and so it was refused. The Inspector allowed the appeal and felt that the structural surveys gave enough evidence to be able to convert. Also two other barns within the vicinity had already been given prior approval. The second appeal was on Thorndon Cottage for a new agricultural barn, which was refused by the Planning Officer as it was in a prominent and isolated area of the countryside. The Inspector had agreed with the Planning Officer and the appeal was dismissed. The third appeal was at Crossroads Farm, Lewdown for 22 dwellings which was refused for inadequate design, impact on the character of the landscape and being in an unsustainable location. It was dismissed by the Inspector although he did not agree with the unsustainable location.

***DM&L.41 UPDATE ON UNDETERMINED MAJOR APPLICATIONS**

Members were given the progress on undetermined major applications. A Member asked on the progress on the Hazeldon Preparatory School application in Tavistock. The Head of Development Management stated a meeting had taken place with the architect looking at the design and housing need. If the applicant was to present a plan showing a design where the properties were set down further and

closer together it could be revisited. Sport England would be given a deadline to attend a meeting in regard to this application.

(The Meeting ended at 10.55 am)

Chairman

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At a Meeting of the **HUB COMMITTEE** held in the **Council Chamber, Kilworthy Park, Tavistock** on **TUESDAY** the **31st** day of **JANUARY 2023** at **2.00 pm**

Present: Cllr N Jory – Chairman
Cllr C Edmonds – Vice Chairman

Cllr R Cheadle Cllr A F Leech
Cllr C Mott Cllr B Ratcliffe
Cllr P Vachon Cllr L Wood

In attendance: Chief Executive
Section 151 Officer
Director of Place and Enterprise
Monitoring Officer
Democratic Services Manager
Assistant Director – Strategy and Organisational
Development
Deputy Section 151 Officer
Head of Housing
Head of Organisational Development (via Teams)
Head of Revenues and Benefits
Community Digital Connectivity Officer (via Teams)

Other Members also in attendance in a non-voting capacity:
Cllrs Crozier (via Teams) Southcott (via Teams),
Ewings, Kimber, Pearce, Renders Sellis (via Teams)
and Yelland (via Teams)

***HC 68/22 APOLOGIES**

Apologies for this meeting were received from Cllr P Crozier, who joined the meeting via Teams in a non-voting capacity

***HC 69/22 DECLARATIONS OF INTEREST**

Members were invited to declare any interests in the items of business to be discussed but there were none made.

***HC 70/22 MINUTES**

The Minutes of the Hub Committee meeting held on 13 December 2022 were confirmed as a correct record.

***HC 71/22 PUBLIC QUESTION TIME**

It was noted that no Public Questions had been received in accordance with the Hub Committee Procedure Rules.

***HC 72/22 HUB COMMITTEE FORWARD PLAN**

Members were presented with the latest version of the Hub Committee Forward Plan that set out items on the agenda for Hub Committee meetings for the next four months and noted its content.

***HC 73/22 MONTH 8 REVENUE BUDGET MONITORING 2022/2023**

A report was considered that enabled Members to monitor income and expenditure variations against the approved budget for 2022/23 and that also provided a forecast for the year end position.

It was then:

RESOLVED

That the forecast income and expenditure variations for the 2022/23 financial year and the overall projected deficit of £85,000 (0.4% of the total Budget £7.770 million) be noted.

***HC 74/22 CAPITAL PROGRAMME MONITORING 2022/23**

Members considered a report that advised of the progress made on individual schemes within the approved Capital Programme, including an assessment of their financial position.

It was then:

RESOLVED

That the content of the Capital Programme Monitoring Report be endorsed.

HC 75/22 DRAFT REVENUE AND CAPITAL BUDGET PROPOSALS FOR 2023/24

The Hub Committee was presented with a report that outlined a series of draft revenue and capital budget proposals for 2023/24.

In discussion, the following points were raised:

- (a) In respect of the request from the Dartmoor National Park Authority (DNPA) regarding the Princetown Visitor Centre (paragraph 3.23 of the published agenda report refers), the Committee was supportive of contributing £78,500 to ensure that the facility was kept open during the summer months. However, for clarity, an addition to that part of the recommendation was **PROPOSED** and **SECONDED** that read as follows:

‘with the proviso that this Funding be used to ensure that the Visitor Centre at Princetown is kept open until at least 30 September 2023.’

When put to the vote, the addition was declared **CARRIED**;

- (b) A Member felt that the reductions in car parking income could no longer be attributed to the COVID pandemic but was now more likely as a result of changing shopping habits which were to the detriment of the high street;
- (c) The Committee made reference to the conclusions reached by the Overview and Scrutiny Committee whereby, in recognition of increasing inflationary costs, the annual subscription for the Garden Waste Collection service should be increased to £52 per year (i.e. £1 per week).

In discussion, it was apparent that, whilst recognising the cost of living crisis, there was support amongst the Committee for this recommendation and a revised recommendation was **PROPOSED** and **SECONDED** and when put to the vote declared **CARRIED**.

In response to a question and, in light of similar views being expressed at the Overview and Scrutiny Committee meeting, it was agreed that clarity would be sought outside of this meeting over the ability to advertise and promote the service on collection vehicles;

- (d) At the invitation of the Leader, the Section 151 Officer set out the reasons behind the recommendation for the dormant company (Servaco) being closed down and Members proceeded to express their support for this proposal.

It was then:

RESOLVED

That Council be **RECOMMENDED**:

- i) to increase Council Tax for 2023/24 by £7.37 (a 2.99% increase) (This would equate to a Band D council tax of £254.00 for 2023/24, an increase of 14 pence per week or £7.37 per year);
- ii) to approve the financial pressures (as shown in Appendix A of the presented agenda report) of £1,928,800;
- iii) to approve the net contributions to/(from) Earmarked Reserves of £(45,567) (as shown in Appendix A of the published agenda report), including the proposed use of £150,000 from the Business Rates Retention Earmarked Reserve (as set out in paragraph 3.17 of the presented agenda report);
- iv) to use £150,000 of New Homes Bonus funding in 2023/24 to fund the Revenue Base Budget (as set out in paragraph 3.22 of the presented agenda report) and to allocate £78,500 of New Homes Bonus funding to the Dartmoor National Park Authority (as set out in paragraph 3.23 of the presented agenda report), with the proviso that this Funding be used to ensure that the Visitor Centre at Princetown is kept open until at least 30 September 2023;
- v) to approve the savings of £1,110,500 (as set out at Appendix A of the presented agenda report);
- vi) to approve the Overview & Scrutiny Committee's recommendation on the increase in the garden waste subscription charge from April 2023, (for the sum of £52.00 per annum) as set out in paragraph 5.3 and Appendix F of the presented agenda report;
- vii) to approve the proposed Capital Programme Proposals for 2023/24 of £910,000 and the proposed financing of the Capital Programme (as set out in Appendix D of the published agenda report) (being £700,000 from the Better Care Fund funding from Devon County Council, £160,000 from New Homes Bonus funding and £50,000 revenue funding from the Vehicles and Plant Earmarked Reserve);

- viii) that Unearmarked Reserves should continue to have a minimum level of £900,000 (as set in the Medium Term Financial Strategy in September 2022), but an operating level of a minimum of £1.25million; and
- ix) that, with effect from 31 March 2023, the Servaco dormant company (which the Council jointly owns with South Hams District Council), be closed down.

***HC 76/22 WRITE OFF REPORT 2021/22**

A report was considered that informed Members of the proposal to write-off a series of debts with a value of more than 5,000 for the period from 1 October 2021 to 31 March 2022.

In the ensuing debate, it was confirmed that the supplementary Write-Off Policy (that was to be presented to the next Hub Committee meeting to be held on 7 March 2023) would make reference to matters including when it was deemed no longer financially viable for the Council to pursue debts.

It was then:

RESOLVED

1. That it be noted that, in accordance with Financial Regulations, the write-off of individual West Devon Borough Council debts totalling £88,750.87 (as detailed in Tables 1 and 2 of the presented agenda report) has been authorised by the Section 151 Officer;
2. That the write-off of individual debts in excess of £5,000 totalling £75,438.97, (as detailed in Table 3 of the presented agenda report) be approved;
3. That, in principle, approval of a supplementary Write Off Policy, be brought to the next Hub Committee meeting (to be held on 7 March 2023) for implementation with effect from 1 April 2023, be agreed

HC 77/22 COUNCIL TAX REDUCTION SCHEME 2023-24 AND OTHER COUNCIL TAX DISCOUNTS AND PREMIUMS

Members considered a report which provided a summary of the findings of the recent consultation on changes to the Local Council Tax Reduction Scheme and sought a decision on a Scheme for 2023/24.

The report also provided details of the Government's Council Tax Support Fund and the current Council Tax Discounts and any proposed changes resulting from the Levelling up and Regeneration legislation.

In the ensuing debate, particular reference was made to:

- (a) Additional monies received via an Empty Homes premium. When questioned, officers confirmed that the monies were distributed proportionately between each of the precepting authorities. Furthermore, Members noted that this matter was solely a decision for the Borough Council in its capacity as the billing authority;

- (b) the incentives (and range of options) to encourage homeowners to let their properties were both recognised and welcomed;

It was then:

RESOLVED

1. That the content of the report be noted;

That Council be **RECOMMENDED**:

2. to approve a local Council Tax Reduction Scheme for 2023/24 that as follows:
- Makes no changes to Band 1 of the current banded scheme;
 - Uplifts Bands 2, 3 and 4 by 20% (above current inflation) to take into account the Cost of Living crisis;
 - Replaces the current range of earnings disregards with a single £25.00 disregard; and
 - Makes changes to the Minimum Income Floor by adjusting the income calculation for self-employed claimants who receive carer's allowance, personal independence payments or disability living allowance.
3. that delegated authority be given to the Director of Strategic Finance, in consultation with the Lead Member for Benefits and the Head of Revenues and Benefits, to agree the uprating of working age regulations incorporated into the local Council Tax Reduction Scheme in line with those announced by the Department for Work and Pensions;
4. that officers be instructed to take immediate steps to apply the £25.00 Council Tax Support Fund payment to the 2023/24 council tax bills of eligible council taxpayers, as announced by the Government on 19 December 2022, and bring forward proposals for a discretionary scheme in late spring 2023;
5. to adopt the Council Tax discounts as follows (with effect from 1 April 2023):
- (a) The discount for unoccupied and substantially unfurnished properties is 100% for a maximum period of 1 month;
 - (b) The discount for unoccupied and substantially unfurnished properties for 1 month to 2 years is zero;
 - (c) The discount for properties which are vacant and require major repair work to render them habitable is 50% for maximum period of 12 months;
 - (d) The discount for unoccupied furnished properties (second homes) is zero;
 - (e) An empty homes premium of an additional 100% is levied on properties that have remained unoccupied and substantially unfurnished for at least two years, but less than five years;

- (f) An empty homes premium of an additional 200% is levied on properties that have remained unoccupied and substantially unfurnished for at least five years, but less than ten years;
 - (g) An empty homes premium of an additional 300% is levied on properties that have remained unoccupied and substantially unfurnished for at least ten years or more; and
6. That, in principle, the following additional council tax premiums be applied from 1 April 2024, or earlier if allowed, subject to the required legislation being in place:
- 100% premium for properties which have been unoccupied and substantially unfurnished for a period of between 1 and 2 years; and
 - 100% premium for second homes.

***HC 78/22 HOUSING CRISIS – SUMMARY OF ACTIONS**

Members were presented with a report that provided an update on the actions taken to date regarding the Housing Crisis declared by the Council in February 2022. In addition, the report also provided further information on the proposal considered at the Hub Committee meeting of 1 November 2022 to cease work on the Brentor directly delivered Affordable Housing Scheme (Minute *HC 56/22 (2) specifically refers).

In discussion, the following points were raised:

- (a) The different Housing Need (and planning) requirements and policies between the Borough Council and the Dartmoor National Park Authority were recognised as a prohibiting factor for the Brentor scheme;
- (b) The time lag between the initial Housing Needs Survey being undertaken and the potential Brentor scheme being progressed was noted as unfortunate given that housing need was no longer sufficiently demonstrable;
- (c) The local Ward Member expressed his disappointment at the circumstances that had resulted in the Brentor scheme reaching this point. In expanding upon his disappointment, the Member emphasised the trend of young families having to leave their local parishes because they were no longer affordable to live in. As a result, the Member emphasised the importance of a strategy being adopted whereby all rural parishes were able to develop between 4 and 6 affordable properties for local residents to ensure that they remained sustainable;

It was then **RESOLVED** that

1. the progress made against the Housing Declaration of February 2022 be noted; and
2. the additional information on the Housing Need Survey undertaken for Brentor be noted and that work on a directly delivered affordable led housing scheme at Brentor be ceased.

***HC 79/22 UK SHARED PROSPERITY FUND & RURAL ENGLAND PROSPERITY FUND**

Members considered a report seeking approval of delivery of the package of support within the Council's UK Shared Prosperity Fund (UKSPF) investment plan

In the ensuing debate, the following points were raised:

- (a) With regard to recommendation 2, a Member expressed her concern regarding the proposal to suspend the Council's Contract Procedure Rules. In response, it was confirmed that this was felt to be necessary to allow the two projects to be completed within what was an incredibly tight timescale. It was also confirmed that the majority of projects would be undertaken using the Council's Procurement Framework and that very few exemptions would be needed;
- (b) A Member made reference to some of the communications and social media messaging associated with the Good Food Loop organisation. The Member felt that the lack of empathy within the messaging was unfortunate and a cause for concern given that the Council was proposing to work closely with the organisation and questioned whether contact had been made with an alternative organisation in the area. In reply, officers welcomed the contact details being forwarded of the organisation highlighted and emphasised the importance of an outcome focused approach being adopted;
- (c) Members emphasised the importance of robust governance arrangements being adopted to underpin the themes. In accepting the point, officers detailed the proposed composition, remit and timing of the Steering Group and its meetings and confirmed that project partners, the lead Hub Member and Business and Community representatives would serve on the Project Steering Groups. As these began to be developed, officers committed to consulting with the Hub Committee prior to any final decisions being taken and stated the overall intention for these to be integrated within the governance arrangements for the Plan for West Devon;
- (d) Some Members asked that consideration be given to resurrecting the Hatherleigh cycle route as part of the Active Travel Theme;
- (e) A number of Members wished to put on record their thanks for the excellent work of lead officers in accessing this source of grant funding that will bring numerous benefits to the West Devon area.

It was then:

RESOLVED

1. That the delivery of the package of support within the Council's UK Shared Prosperity Fund (UKSPF) investment plan, agreed with the Levelling-Up Department, be approved;

2. That, to meet the timetable and of the programme as set out by Department for Levelling Up, Housing and Communities and in consultation with the Leader of the Council, the requirements of the Council's Contract Procedure Rules to seek tenders if they would otherwise be required, be waived, and an exemption from the Rules be granted to enable a direct award of contracts to the businesses identified in Section 5 of the presented agenda report;
3. That approval be granted to the Rural England Prosperity Fund proposal being submitted to Government, which, if successful, would begin delivery from April 2023.

***HC 80/22 A PLAN FOR WEST DEVON – QUARTER 3 INTEGRATED PERFORMANCE MANAGEMENT REPORT**

Members considered a report that set out the Integrated Performance Management report covering the Quarter 3 period. The report also highlighted the strategic risk profile of the Council, performance against key indicators and an overview of the capital programme.

In debate, reference was made to:

- concerns being raised over the negative trend of two identified risks (relating to Business Continuity and Staff Recruitment and Retention) that were set out within the presented performance management report. In response, it was confirmed that actions were being taken to manage, address and mitigate the issues related to these two risks, which included modifications to the pay and reward strategy that were designed to respond to recruitment and retention challenges; and
- In response to a query concerning when the allowance payment for those using oil based heating would be received from Central Government, it was confirmed that the latest information suggested that payments would be received during February 2023.

It was then:

RESOLVED

1. That the progress in delivery of the Plan for West Devon thematic delivery plan and the overall strategic performance of the Council be noted; and
2. That work with lead officers be commenced to make minor amendments to the Year 3 Delivery Plans for consideration at the Hub Committee meeting to be held on 7 March 2023.

(The meeting terminated at 4.05 pm)

Chairman

(NOTE: THESE DECISIONS, WITH THE EXCEPTION OF MINUTES HC 75/22 AND HC 77/22 (Parts 2-6) WHICH ARE RECOMMENDATIONS TO THE COUNCIL MEETING TO BE HELD ON 21 FEBRUARY 2023) WILL BECOME EFFECTIVE FROM 5.00PM ON

THURSDAY, 9 FEBRUARY 2023 UNLESS CALLED IN, IN ACCORDANCE WITH SCRUTINY PROCEDURE RULES)

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At a Meeting of the **OVERVIEW & SCRUTINY COMMITTEE** held at the Council Chamber, Council Offices, Kilworthy Park, Drake Road, **TAVISTOCK** on **TUESDAY** the **15** day of **NOVEMBER 2022** at **2:00 pm**.

Present: Cllr M Ewings – Chairman (for minutes *O&S 31 – 36)
Cllr P Kimber – Deputy Chairman

Cllr C Daniel	Cllr N Heyworth
Cllr C Kemp	Cllr D Moyse
Cllr T Pearce	Cllr T Southcott
Cllr J Moody	Cllr J Spettigue
Cllr A Coulson (for minutes *O&S 31- 36)	

Director of Customer Service and Delivery
Director of Place and Enterprise
Assistant Director of Strategy and
Organisational Development
Head of Finance
Customer Service Improvement Manager
Community Digital Specialist
Specialist - Leisure
Democratic Services Manager
Senior Case Manager – Democratic Services

Also in Attendance: Cllrs P Crozier, C Edmonds, T Leech (via Teams), C Mott (via Teams), A Blackman (via Teams), J Yelland (via Teams) and B Ratcliffe (via Teams).

***O&S 31/22 APOLOGIES FOR ABSENCE**

Apologies for absence for this meeting were received from Cllrs Sellis, Jory and Wood.

***O&S 32/22 CONFIRMATION OF MINUTES**

The minutes of the Meeting of the Overview and Scrutiny Committee held on 4 October 2022 were confirmed as a true and correct record, subject to the following amendments:

- Cllr Blackman was present as the meeting.
- Cllr Turnbull was not present at the meeting.

Members requested an update on the outstanding actions from the minutes and officers reported:

- The My Place Survey information has been requested and will be forwarded when complete;
- The ring back service was under constant review;
- There is a dedicated line for Members and this number to be circulated to all Members;

- The Committee to explore with the Community Safety Partnership in February on how best to engage the police at Links Meetings.

***O&S 33/22 DECLARATIONS OF INTEREST**

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

***O&S 34/22 PUBLIC FORUM**

The Chairman confirmed that no formal requests had been received in accordance with the Overview and Scrutiny Procedure Rules.

***O&S 35/22 FUSION UPDATE – including maintenance schedule (*O&S 59)**

The Lead Member for Leisure, Health and Wellbeing reported that the leisure sector continues to experience difficult times. The leisure contract sets out specific performance indicators which Fusion will deliver through its plans and targets. The Lead Member gave thanks to Peter King, who was soon leaving Fusion for his work with the Council.

Peter King provided a presentation and highlighted:

- They were working on key campaigns such as encouraging people to test and try in December and January for free;
- Engagement with the local community to develop programmes that fit the community;
- Looking at ways to increase participation;
- The introduction of short term memberships to cover visitors over the summer period;
- Pricing to be reviewed and any increases will not be introduced until April 2023.

In response to questions raised by Members, it was reported that:

- There was no obvious reason why Parklands membership was low, however they were looking at how to make the programmes at Parklands more attractive;
- Strategic review of pricing structure, promotions and taster sessions would hopefully see them through financially;
- Maintenance review of the guttering at Meadowlands to ensure that the gutters are cleared;
- Hand gel stations would remain in all the leisure centres;
- Higher energy costs continued to be a huge issue for leisure centres and they were looking at ways to mitigate this, such as energy saving schemes, sourcing additional funding and lobbying Sport England;
- They were sourcing alternative companies to provide solar panels on the roofs of the sports complexes and hopefully this work would commence in April 2023.

The Chairman gave thanks to Peter King and wished him well in his future endeavours.

It was then **RESOLVED** that the Overview and Scrutiny Committee note the contents and progress of Fusion's Quarterly Report – Q2 for 2022.

***O&S 36/22 ACTIVE TRAVEL**

The Community Digital Specialist highlighted that:

- The promotion of active travel, cycling, horse riding and walking to be funded through the UK Shared Prosperity Fund and Rural England Prosperity Fund;
- Projects to be supported by UKSPF and REPF include: active travel officer and commissioning a Local Cycling and Walking Infrastructure Plan (LCWIP).
- A suite of further indicative projects have been identified such as e-bike trials, training, quiet lane trials, behaviour change campaigns which will be confirmed following the strategy plan.
- £120k is also committed to provide match funding for the Levelling Up bid for the West Devon Transport Hub.
- Submitting an investment plan for a further pot of money £800k from REPF for capital projects. A proportion of this has been allocated for active travel projects;
- Importance and scope of LCWIP, providing evidence to secure future funding, and will involve extensive engagement with community and stakeholder groups.
- DCC looking at a county wide LCWIP, that will focus on leisure trails;
- Next steps to secure the SPF money.

In response to questions raised by Members, it was reported that:

- The quiet lanes scheme is a challenging area which requires a lot of consultation and research;
- The plan will identify areas around schools but we need to focus on the development sites and cycle routes for particular communities;
- Members raised that there is a strong argument for a cycle lane adjacent to the A386. Director of Place and Enterprise reported that there is an approved route in the consultation which is slightly more aligned to the carriageway, Members felt the consultation was more biased towards leisure users rather than commuters;
- They have been in discussion with 4 different consultants and will then go out to competitive tender;
- They were looking at the routes first and infrastructure along those routes would follow;
- Dartmoor National Park have submitted a heritage lottery bid to get cars off the moors and we will be working with them.

It was reported that WD members will be included in the consultation and presentation slides to be circulated to Members.

It was then **RESOLVED** that the Committee note the Active Travel Update.

***O&S 37/22 COUNCIL DELIVERY AGAINST CORPORATE THEME: RESOURCE SERVICES**

The Lead Member for Maximising Resources introduced a report that reviewed latest progress against the Maximising Council Resources Theme as follows:

- Action R1.1 – Amber. Delay of new planning systems and work ongoing with Northgate Assure to be resolved in next two weeks.
- Action R1.2 – On track.
- Action R1.3 – On track.
- Action R1.4 – On track.
- Action R1.5 – On track.
- Action R1.6 – Amber. On track to produce a balance budget for 23-24.
- Action R1.7 – On track.
- Action R1.8 – On track.
- Action R1.9 – On track.
- Action R1.10 – On track.

In response to questions raised by Members, it was reported that:

- They were not aware of any complaints with regard to the opening of the reception area, however activity has been logged and assessed with a report going to hub in December;
- They were looking to generate income at Kilworthy Park and sourcing additional tenants;
- The old website will be phased out and new website phased in over a period of time until October 2023;
- They have scoped out a case management solution for the legal team and will be in place by the end of January 2023;
- They were looking to undertake review on car park uptake, however on-line shopping has had an impact;
- Employees were going back into the workplace and teams were finding the right the balance and meeting at least once a month.

It was then **RESOLVED** that the Committee note the progress in delivering against the Plan for West Devon 'Council Resources' Thematic Delivery Plan.

***O&S 38/22 KPI YEAR END PERFORMANCE REPORT**

The Customer Service Improvement Manager reported that a new suite of KPIs were being developed and will be reported back to the committee in January 2023.

It was then **RESOLVED** that the Committee:

1. Review the performance figures for 21/22 financial year shown in the performance management report as included in Appendix A to this report.
2. Note the proposed format for an enhanced performance report (as set out in Appendix B) which will be populated with performance data and considered at the meeting of this committee in January 2023.

***O&S 39/22 MEMBER INDUCTION PROGRAMME REVIEW**

The Democratic Services Manager reported that following the Task and Finish on 18 October 2022, useful suggestions were put forward to help new members and an updated plan to bring back in the New Year.

Members raised the following to be included as part of the review:

- The importance of face-to-face meetings;
- Understanding of the planning process;
- Awareness of how to communicate with residents;
- Understanding of new corporate plans, and remote meetings;
- Prospective Councillor Day to include what the role entails and highlight the amount of time spent during the induction process;
- Ensure that DM&L training is circulated early on in the induction process and training to include TPOs and heritage sites.

It was then **RESOLVED** that the Committee note the Member Induction Programme Review.

***O&S 40/22 TASK AND FINISH GROUP UPDATES (IF ANY)**

The Vice-Chairman reported that the Member Induction Programme Review Task and Finish took place on 18 October 2022. A further meeting to be set up after SLT have reviewed the amended Member Induction Programme.

***O&S 41/22 DRAFT O&S ANNUAL WORK PROGRAMME 2022/23**

The draft proposal for the work programme was reviewed. The following amendments to the work programme were agreed as follows:

- Contact Centre Review deferred to January and Members will receive a report on Customer Access Strategy and Contact Centre Review;
- Draft Budget 2023/24 added to January work programme.
- NFU Involvement in the Devon Carbon Plan to be added to the work programme in the New Year.

***O&S 42/22 MEMBER LEARNING AND DEVELOPMENT OPPORTUNITIES ARISING FROM THIS MEETING**

Building Control Regulations was raised by Members as a learning and development opportunity.

(The meeting terminated at 16:02)

Chairman

At a Meeting of the **OVERVIEW & SCRUTINY COMMITTEE** held at the Council Chamber, Council Offices, Kilworthy Park, Drake Road, **TAVISTOCK** on **TUESDAY** the **17** day of **JANUARY 2023** at **2:00 pm**.

Present: Cllr M Ewings – Chairman
Cllr P Kimber – Deputy Chairman

Cllr C Daniel	Cllr N Heyworth
Cllr C Kemp	Cllr D Moyse
Cllr T Pearce	Cllr T Southcott
Cllr D Sellis	Cllr D Turnbull
Cllr M Renders	Cllr J Moody

Director of Customer Service and Delivery
Director of Strategy and Governance
Director of Strategic Finance
Assistant Director of Strategy and Organisational Development (MS Teams)
Climate Change Specialist (MS Teams)
Customer Service Improvement Manager (MS Teams)
Senior Case Manager - Democratic Services

Also in Attendance: Cllr N Jory, Cllr P Crozier, Cllr C Edmonds, Cllr L Wood (MS Teams), Cllr J Yelland (MS Teams) and Cllr C Mott (MS Teams).

***O&S 43/22 APOLOGIES FOR ABSENCE**

Apologies for absence for this meeting were received from Cllr Blackman, Cllr Spettigue and Cllr Coulson.

***O&S 44/22 CONFIRMATION OF MINUTES**

The minutes of the Meeting of the Overview and Scrutiny Committee held on 15 November 2022 were confirmed as a true and correct record.

***O&S 45/22 DECLARATIONS OF INTEREST**

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

***O&S 46/22 PUBLIC FORUM**

The Chairman confirmed that no formal requests had been received in accordance with the Overview and Scrutiny Procedure Rules.

***O&S 47/22 North Devon Biospheres (The chair changed the order of the agenda to facilitate good meeting management)**

Andrew Bell gave an overview of the work undertaken by the North Devon Biosphere, which included:

- 2 UNESCO delegations for world heritage and mining;
- Creating a more sustainable future;
- Working with 34 organisations and working groups covering nature, nature recovery, research, community engagement, catchment management, woodland and forestry, marine and climate change;
- Working with farms to reduce water pollution;
- Turning land back into woodlands to improve carbon neutralisation;
- Solar, wind and energy efficiency.

In response to questions raised, it was reported that:

- They had worked with North Devon and Torridge on their JLP;
- Through a programme of capital investment with DEFRA helping farmers with land not of great agricultural quality to be turned into rough grass and rewilding schemes;
- They were working with farmers to improve soil management;
- DEFRA has a 25 year plan which includes 4 pioneer projects and they worked on 2 of the projects. Changes to be made as a nation, investing in land and sea, such as using seaweed for animal feed, pharmaceuticals, food and plastics and these approaches to becoming a greener economy.

The Chair and Members thanked Andrew for the informative update and welcomed the opportunity to visit the North Devon Biosphere. Members also welcomed the opportunity for the planning team to have discussions with Andrew on the JLP. Further information on North Devon Biospheres: www.northdevonbiosphere.org.uk.

It was **RESOLVED** that the Committee noted the update on the North Devon Biospheres.

***O&S 48/22 Council Delivery against Corporate Theme – Environment**

The Lead Member for Growing our Natural Environment reported that they were pleased with progress made, however some areas slower due to partnership working. EV Charging in West Devon not progressed but have a draft Strategy agreed at working group and then going to Hub and Council.

- Action NE1.1 – Amber – while some of the project is on track to deliver, such as the fleet plan, the grid upgrades, associated charging infrastructure and full fleet to EV is currently at risk of not occurring in full by 2024.
- Action NE1.2 – Amber - slightly off track.
- Action NE1.3 – On track.
- Action NE1.4 – On track.
- Action NE1.5 – Amber - slightly off track.
- Action NE1.6 – On track.

- Action NE1.7 – On track.
- Action NE1.9 – On track.
- Action NE1.10 – On track.

In response to questions raised, it was reported that:

- They were making slow progress on EV points with National Grid not strong enough in parts of West Devon. Also this is a DCC project and they are the providers. An update to all Members to be provided in the Member's bulletin;
- It was not currently practical to have electric refuse lorries in West Devon. This was due the rural locality, higher costs and shorter lifespan of vehicles;
- A 3 weekly collection was trialled pre-Covid and we're waiting for Government to produce their strategy on recycling. We will then look at how we achieve the aims of recycling and residual waste collection at that time;
- They would look at the grass cutting cycle following the hay fever complaint;
- Closed churchyards under the council's responsibility and frequency of grass cutting, there was a need to have a balance on biodiversity and places of grief for people to visit;
- the mapping of eco systems was in collaboration with the Devon Biodiversity Records Centre.

It was **RESOLVED** that the Overview and Scrutiny Committee note the progress in delivering against the Plan for West Devon 'Environment' Thematic Delivery Plan.

***O&S 49/22 Draft Budget**

The Leader of the Council introduced the Draft Budget Proposals.

In so doing, particular reference was made to:

1. The changes as a result of the Local Government Finance Settlement announcement by the Government is as described in section 1.9 of the report;
2. The report set out the proposals for the council to set a balanced budget in 2023/24;
3. The forecast budget deficit in the MTFs of £234k in 2024/25 and £480K in 2025/26.

In response to Member questions, it was reported that:

- It was felt that a target for the council tax collection rate of 98.25% was achievable and comparable with other Devon authorities;
- The garden waste collection subscription charge has not been increased for some time. Residents have a choice – only those that want the service pay for it, meaning reduced cross subsidisation by

council tax payers. The increase was comparable with similar services across the region;

- It was debated whether the garden waste collection should be increased to £49 or £52 per annum, to cover the costs of people dropping out and to cover revenue costs;
- The issues of paying for the garden waste collection on-line had now been resolved;
- The advertising of the garden waste collection would be included on the council tax envelope. Other forms of advertising such as on the refuse lorries could be explored;
- The proposals to include a 100% premium on the council tax of second homes/holiday homes is included with the report at section 3.36. The Council will lobby Government to ensure there is no delay with the Bill passing through the legislative timetable and to implement from 1 April 2024 if there are no delays to the Bill receiving Royal Assent in Spring 2023; This is the earliest that this part of the Bill can come into force.
- The use of £150,000 of New Homes Bonus funding in 2023/24 to fund the Revenue Base Budget.

It was then **RESOLVED**:

The Overview and Scrutiny Committee recommended a change to:

- v) Increasing the garden waste subscription charge from £49 to £52 per year from April 2023, and to increase the uptake of this service.

The Committee then **NOTED** the content of the Revenue Budget Proposals report for 2023/24:

- i) An increase in Council Tax for 2023/24 of £7.37 (a 2.99% increase) (This would equate to a Band D council tax of £254.00 for 2023/24, which is an increase of 14 pence per week or £7.37 per year);
- ii) The financial pressures shown in Appendix A of £1,928,800;
- iii) The net contributions to/(from) Earmarked Reserves of £(45,567) as shown in Appendix A, including the proposed use of £150,000 from the Business Rates Retention Earmarked Reserve as set out in 3.17 of the report;
- iv) The use of £150,000 of New Homes Bonus funding in 2023/24 to fund the Revenue Base Budget as set out in 3.23 of the report, v) The savings of £1,110,500 as shown in Appendix A;
- v) *Increasing the garden waste subscription charge to £49 per year from April 2023, as set out in Appendix F (see above).*
- vi) The proposed Capital Programme Proposals for 2023/24 of £910,000 and the proposed financing of the Capital Programme as set out in Appendix D (being £700,000 from the Better Care Fund funding from Devon County Council, £160,000 from NHB funding and £50,000 revenue funding from the Vehicles and Plant Earmarked Reserve).
- vii) That Unearmarked Reserves should continue to have a minimum level of £900,000 (as set in the Medium Term Financial Strategy in

September 2022), but an operating level of a minimum of £1.25million.

***O&S 50/22 Performance Report**

The Lead Member for Resources and Performance reported that the Council reports on performance in a number of ways as set out in the performance management framework. This report updates members on performance at the second tier – Service Level Performance.

In response to questions raised, it was reported that:

- They were working through enforcement cases with a new enforcement team. Historic enforcement cases however take up time and resources and were ascertaining whether it was cost effective to pursue;
- They were now accurately reporting missed bins;
- Changes had been to the way calls are dealt with in revs and bens;
- They deal with complaints on a weekly basis and moving forward look at how internal complaints are dealt with;
- It was envisaged that the Committee would receive the Performance Report twice a year.

It was then **RESOLVED**, that the Committee noted:

1. the new suite of Key Performance Indicators (KPIs), present performance and proposals for improvement where detailed, and
2. that further KPIs, presently under development, will be provided at the next six-monthly update.

***O&S 51/22 TASK AND FINISH GROUP UPDATES (IF ANY)**

An update on the Member Induction was provided and it was reported that:

Pre-Election:

- An all Member Briefing has been arranged on the new Voter ID requirements on 21 February 2023;
- A Prospective Candidates Evening arranged for the evening of Monday 6 March 2023;
- In discussions with Communications regarding the launch of a campaign to promote the candidates evening and standing to be a Borough Cllr.

Post-Election:

- Feedback has been received from all appointed T+F Group Members and incorporated into the latest draft Member Induction Programme for post 4 May;
- The Kings Coronation on 6 May (the day after the Count on 5 May) has led to an additional Bank Holiday Monday on 8 May. It is proposed that the first Induction Day will be on 9 May. The T+F Group has asked that all potential candidates to avoid booking holidays between the formal sign in day on 9 May and the Annual Council meeting on 30 May;

- The Programme will be run alongside the equivalent Programme at South Hams DC and will include provision for certain 'generic' matters (e.g. Health and Safety and Safeguarding) to be carried out jointly. The T+F Group recognises that the Programme should be a blend between face-to-face and remote sessions;
- In developing the Programme want to enabling Members to 'hit the ground running' without providing them with too much information that they simply cannot absorb.'

It was then **RESOLVED** that the Committee note the Member Induction Programme Review update.

***O&S 52/22 DRAFT O&S ANNUAL WORK PROGRAMME 2022/23**

The draft proposal for the work programme was reviewed. The following amendments to the work programme were agreed as follows:

- The Draft EV Strategy Plan to be scheduled for February;
- To ascertain if a police officer is available to attend the CSP item in February.

***O&S 53/22 MEMBER LEARNING AND DEVELOPMENT OPPORTUNITIES ARISING FROM THIS MEETING**

There were no learning and development opportunities identified from this meeting.

(The meeting terminated at 16.22 pm)

Chairman

Agenda Item 9

Report to: **Council**

Date: **21 February 2023**

Title: **Draft Revenue and Capital Budget Proposals for 2023/24**

Portfolio Area: **Cllr N Jory – Budget Setting Process**

Wards Affected: **All**

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

Author: **Lisa Buckle** Role: **Corporate Director for Strategic Finance**

Contact: Email: lisa.buckle@swdevon.gov.uk

**RECOMMENDATION:
It is RECOMMENDED:**

- i) To set an increase in Council Tax for 2023/24 of £7.37 (a 2.99% increase). This would equate to a Band D council tax of £254.00 for 2023/24, which is an increase of 14 pence per week or £7.37 per year). This equates to a Council Tax Requirement of £5,391,371;
- ii) That the financial pressures shown in Appendix A of £1,928,800 are approved;
- iii) That the net contributions to/(from) Earmarked Reserves of £(45,567) as shown in Appendix A, including the proposed use of £150,000 from the Business Rates Retention Earmarked Reserve as set out in 3.17 of the report are approved;
- iv) That the proposed use of £150,000 of New Homes Bonus funding in 2023/24 to fund the Revenue Base Budget as set out in 3.22 of the report, and the proposed allocation of £78,500 of New Homes Bonus funding to the Dartmoor National Park Authority as set out in 3.23 is approved.
- v) That the savings of £1,110,500 as shown in Appendix A are approved;

- vi) That the Total Net Expenditure of the Council for 2023/24 is £8,587,995 as shown in Appendix B;
- vii) That a garden waste subscription annual charge of £52 from April 2023 is approved, as set out in 5.3 and Appendix G.
- viii) That the proposed Capital Programme Proposals for 2023/24 of £910,000 and the proposed financing of the Capital Programme as set out in Appendix D (being £700,000 from the Better Care Fund funding from Devon County Council, £160,000 from NHB funding and £50,000 revenue funding from the Vehicles and Plant Earmarked Reserve) is approved.
- ix) That Unearmarked Reserves should continue to have a minimum level of £900,000 (as set in the Medium Term Financial Strategy in September 2022), but an operating level of a minimum of £1.25million;
- x) That the level of reserves as set out within this report and the assessment of their adequacy and the robustness of budget estimates be noted. This is a requirement of Part 2 of the Local Government Act 2003;
- xi) That, with effect from 31 March 2023, the Servaco dormant company which the Council jointly owns with South Hams District Council, be closed down. The company has never traded – see 3.38.

1. Executive summary

- 1.1 The Council's Medium Term Financial Strategy (MTFS) is based on a financial forecast over a rolling three year timeframe to 2025/26. The Council adopted a three year timeframe for its MTFS in 2021, as this dovetailed to the timescales of the Corporate Strategy, 'A Plan for West Devon'. This timeframe has been emulated with the 2022 MTFS as it gives a good balance between long term financial planning and having realistic assumptions to be able to work with. This is in light of the current volatility within local government financial planning, due to the lack of certainty from continued one-year financial settlements. The previous one year financial settlements announced by the Government have aimed to address short-term pressures rather than focus on long term sustainability.
- 1.2 The Council, along with other local authorities, has faced unprecedented reductions in Government funding. Between 2009/10 and 2020/21, the Council's Core Government funding has reduced by £3 million. The Council now receives minimal Revenue Support Grant (main Government Grant) of £89,000.

- 1.3 The Council has continued to work in partnership with South Hams District Council which has allowed West Devon to achieve annual savings of £2.2 million and more importantly protect all statutory front line services. Between both Councils the annual shared services savings being achieved are over £6 million per annum. However, the Councils continue to face considerable financial challenges as a result of uncertainty in the wider economy and constraints on public sector spending.
- 1.4 It is important to note that the Medium Term Financial Strategy (MTFS) sets out the budget strategy for the Council for the next three years, with regular reviews (at least annually) and updates when items are further known or are announced by the Government.
- 1.5 This is the starting point for developing a meaningful three year strategy that sets out the strategic intention for all of the different strands of funding available to the Council. The Council will then be able to rely on this to inform future decisions. The management of risk and promoting financial resilience is a key principle of our budget strategy and this has helped facilitate our response. Key to the authority's financial resilience are our reserves, which are at a prudent level.
- 1.6 The Fair Funding Review, business rates baseline reset, and other funding reforms now look set to be pushed back to 2025/26.
- 1.7 The key assumptions within the Medium Term Financial Strategy are as below. Each of these is described in more detail in Section 3.
- The business rates baseline reset will be deferred until 2025/26 at the earliest (with no negative Revenue Support Grant in 2023/24)
 - There will be a phasing in of negative Revenue Support Grant as part of the business rates baseline reset (predicted to be in 2025/26 at the earliest) with a transition period over three years, to avoid Local Authorities losing/gaining too much in one go. The modelling assumes negative RSG of £227,500 in 2025/26. Some of the negative RSG could be offset by growth.
 - A Council Tax increase of 2.99% has been modelled for 2023/24 in Appendix B.
 - One more year of NHB has been announced for 2023/24
 - A business rates pooling gain of £200,000 has been modelled for 2023/24
 - A council tax surplus of £377,000 for 23/24 has been assumed, with a council tax collection rate of 98.25% for 23/24 (97.8% was achieved in 2021/22)
 - A 3% pay increase has been modelled from 2023/24 onwards (3% equates to £150,000) – see 3.28

- 1.8 The report sets out proposals for the Council to achieve a balanced budget for 2023/24, as shown in Appendix B. The Council is currently forecasting a £224,680 budget gap by the following year, 2024/25. The cumulative aggregated Budget Gap by 2025/26 is £0.7million, if no action has been taken in each individual year to close the budget gap annually.

Budget Gaps	2023/24 £	2024/25 £	2025/26 £	Total Aggregated Budget Gap £
'New' Budget Gap each year	Nil	224,680	245,582	470,262
*Cumulative Budget Gap	Nil	224,680	470,262	694,942

* (Cumulative Budget Gap assumes annual new budget gaps have not been addressed)

- 1.9 The Draft Revenue Budget Proposals report to the Hub Committee on 13th December 2022 identified a budget gap of £137,296 for 2023/24. The Table below shows the summary of proposed changes to the Budget report for 2023/24, following the announcement of the Draft Local Government Finance Settlement. Proposals for a balanced budget are shown below:

	£
<i>Budget gap for 23/24 reported in the Hub Committee report of 13th December 2022</i>	137,296
Additional cost pressures identified	
Waste collection, recycling and cleansing contract – additional properties	50,000
Summary of changes arising out of the announcement of the Local Government Finance Settlement (net of £88,853 which increases the budget gap)	
Funding from Funding Guarantee (3% increase in Core Spending Power) – a new Grant for 23/24	(111,008)
Grants rolled into the Funding Guarantee amount	88,262
Reduction of New Services Grant from £156,000 to £64,015	91,985
Withdrawal of Lower Tier Services Grant from £74,000 to Nil	74,000
Modelling of a council tax increase of 2.99% (an increase of £7.37 on a Band D council tax, compared to an increase of £5)	(49,386)
Homelessness Prevention Grant has been increased from £175,000 to £180,000	(5,000)
Reduction in cost pressures	
Triennial Pension revaluation – cost pressure has reduced from £75,000 to £50,000 following the results of the revaluation – see 3.24	(25,000)

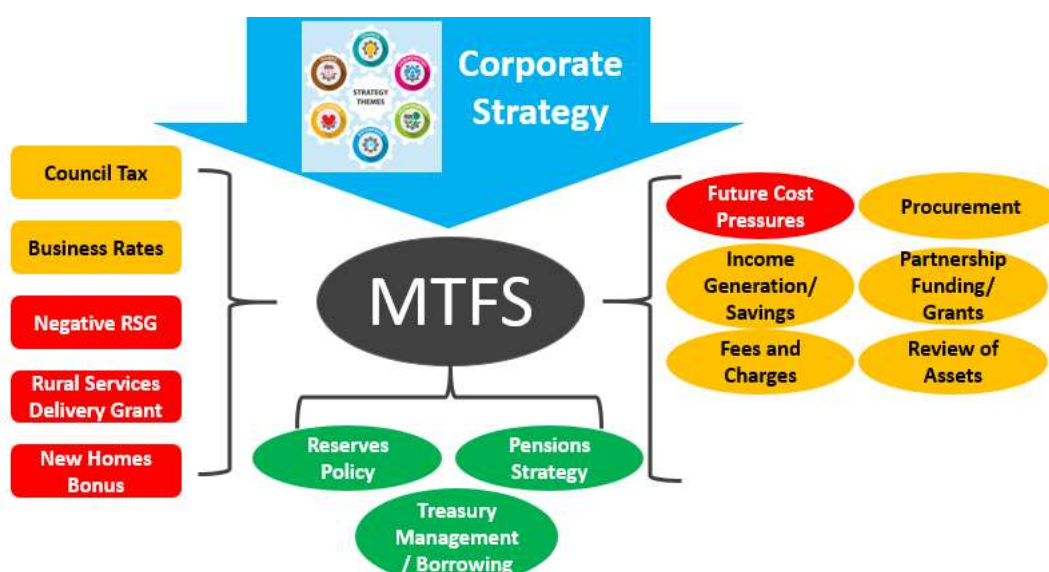
National Insurance and National Living Wage – cost pressure has reduced from £100,000 to £40,000	(60,000)
Extra income/ financing of the Revenue Budget identified	
Increase in the Taxbase for 23/24 from 20,837.75 to 21,225.87	(98,582)
Garden waste income – It is recommended to increase the annual subscription charge to £52 per annum – see Appendix G	(60,000)
Recommend taking £32,567 from the Strategic Change Earmarked Reserve, to produce a balanced budget	(32,567)
<i>Revised Budget gap for 2023/24 as set out in this report (as at February 2023) – A balanced budget position is presented.</i>	Nil

- 1.10 The Draft Revenue Budget Proposals for 2023/24 were considered by the Overview and Scrutiny Committee on 17th January 2023 and the Hub Committee on 31st January 2023. The minutes from the Overview and Scrutiny Committee meeting and the Hub Committee meeting are consistent with the recommendations in this budget report.
- 1.11 In the Final Finance Settlement announced on 6th February 2023, the Rural Services Delivery Grant has been increased for 2023/24 to £544,625 (WDBC share), an extra £10m nationally. This is Government grant to recognise the additional cost of delivering services in rural areas. Although the final RSDG allocation is higher by £57,329, the extra funding has been deducted from the Funding Guarantee amount, which now has an allocation of £51,044. So the final Finance Settlement announced on 6th February 2023 is exactly the same overall as the provisional Finance Settlement announced in December 2022.

2 COMPONENTS OF THE MEDIUM TERM FINANCIAL STRATEGY

- 2.1 The Diagram below sets out all of the component parts which constitute the make-up of a Medium Term Financial Strategy. Items in Green denote those elements where the Council has a large degree of control over the setting of policies and strategies. Items in Amber denote those components of the MTFs where the Council has a degree of control. Red items signal components where the Council has hardly any control over funding allocations which are decided by the Government and future cost pressures which can largely be outside of the Council's control or influence.

2022/23 Net Budget £7.77 million



2.2 The key assumptions within the MTFS are set out in Section 3.

OVERALL POSITION – BUDGET GAP

2.3 Financial modelling has been undertaken for the next five years to predict the Council's financial situation for the short and medium term.

2.4 **Appendix A** to the Medium Term Financial Strategy sets out the Budget Pressures forecast for the next five years and the additional savings and income forecast. **Appendix B** illustrates the overall financial forecast for the forthcoming five years. The Council's Net Budget is £7.77 million in 2022/23.

2.5 A Summary forecast is shown below of the potential budget situation if all of the budget pressures and the savings and income generation in Appendix A were approved. It also shows the situation if the Council Tax is increased by 2.99% per annum (shown in Appendix B).

2.6 The report sets out proposals for the Council to achieve a balanced budget for 2023/24, as shown in Appendix B. The Council is currently forecasting a £224,680 budget gap by the following year, 2024/25. The cumulative aggregated Budget Gap by 2025/26 is £0.7million, if no action has been taken in each individual year to close the budget gap annually.

Budget Gaps	2023/24 £	2024/25 £	2025/26 £	Total Aggregated Budget Gap £
'New' Budget Gap each year	Nil	224,680	245,582	470,262
*Cumulative Budget Gap	Nil	224,680	470,262	694,942

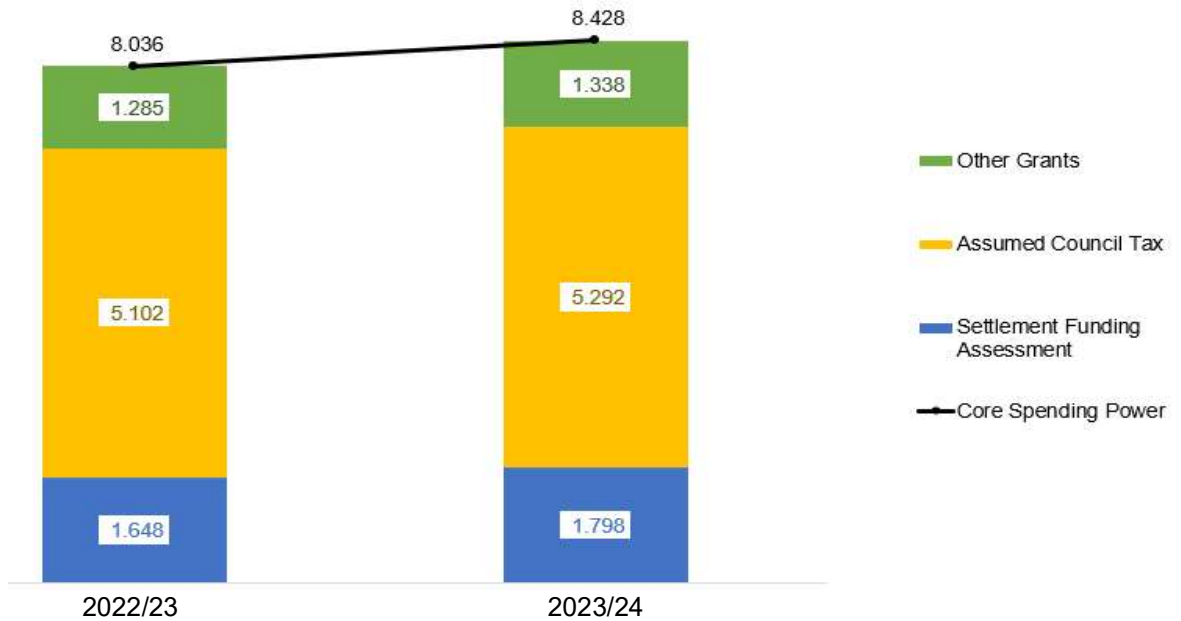
* (Cumulative Budget Gap assumes annual new budget gaps have not been addressed)

- 2.7 The Council will continue to assess various options for closing the budget gap for 2024/25 onwards, and in the longer term, to achieve long term financial sustainability and further reports will be presented to Members.

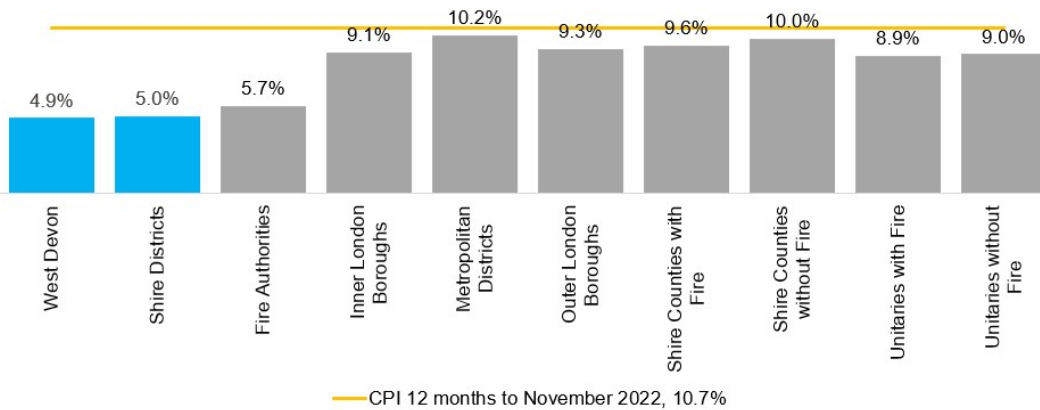
3 ASSUMPTIONS FOR FINANCIAL MODELLING PURPOSES

- 3.1 On 19th December, the Government published for statutory consultation, the provisional local government finance settlement for 2023/24. This followed a policy statement published on 12 December, covering 2023/24 and 2024/25, which are the remaining years of the Spending Review 2021 period. This in turn was just after the Autumn Statement on 17 November, which set the overall level of available resources.
- 3.2 The provisional settlement is once again a holding position, designed for stability and certainty for planning purposes for 2023/24. The broad approach is based on a uniform roll-over of the core elements of the settlement. Finance reform has been deferred to at least 2025/26 and possibly later.
- 3.3 Detailed numbers are only available for 2023/24 in the Finance Settlement and there remains significant uncertainties for 2024/25, particularly for District Councils. These include the future of the New Homes Bonus Scheme, which is now simply a one-year retrospective payment. There will be a future Government consultation on the New Homes Bonus scheme.
- 3.4 The 'Core Spending Power' is a headline figure used by MHCLG to represent the key revenue resources available to local authorities, including an estimate of actual and potential council tax, as below. The Council now receives no main Government grant (Revenue Support Grant).
- 3.5 ***Core Spending Power for West Devon (which is a measure of how much extra funding a Council has received for next year) increased by 4.9% for 2023/24.*** Core Spending Power is the term the Government use to say how much money Councils have to run their services.

West Devon Breakdown of CSP, £m



The table below shows the change in Core Spending Power by Authority Type. Shire Districts on average received an increase in Core Spending Power of 5%. This compares to 10.2% for Metropolitan Districts.



Council Tax

3.6 The Council Tax Referendum limits for District Councils for 2023/24 is the higher of 2.99% or £5. A Band D council tax for the Borough Council of £254.00 for 2023/24 is modelled in Appendix B (an increase of £7.37 per year from the current Band D council tax of £246.63. This is an increase of 14 pence per week, which equates to a 2.99% increase).

The Council's share of the council tax for 2023/24, will be set at the Council meeting on 21st February 2023. (A 1% increase in council tax generates £52,000 of extra council tax income).

Council Tax legislation sets out that Council Tax is partly a form of general taxation on a property and partly a tax on the people living in a property. Council Tax funds essential services in an area and the cost of public services is spread across all tax payers in the same way, regardless of which services they use or receive. Council Tax is a form of general taxation rather than a service charge.

- 3.7 The table below shows how an average Band D council bill is made up for West Devon Borough Council for 2022/23, compared to 2021/22. Of an average Band D Council Tax within the Borough of £2,230.64, an amount of £246.63 is the element of a council tax bill set by West Devon Borough Council. Therefore 11pence of every £1 paid (11%) in council tax is received by West Devon Borough Council to pay for our services. The rest of the council tax bill is set by Devon County Council, the Fire, the Police and Town and Parish Councils to fund the services they provide.

In 2022/23, the council tax for an average Band D property in West Devon increased by £64.06 per annum, an annual increase of 2.96% as shown below.

Precepting Authority	Band D 2021/22	Band D 2022/23	£ Increase	% Increase
West Devon Borough Council	£241.63	£246.63	£5.00	2.07%
Devon County Council Precept	£1,342.44	£1,372.59	£30.15	2.99%
Adult Social Care Precept *	£168.84	£183.87	£15.03	
Devon & Cornwall Police & Crime Commissioner	£236.56	£246.56	£10.00	4.23%
Devon & Somerset Fire & Rescue	£90.00	£91.79	£1.79	1.99%
Average Parishes/Towns	£87.11	£89.20	£2.09	2.40%
TOTAL	£2,166.58	£2,230.64	£64.06	2.96%

- 3.8 The Borough Council is responsible for collecting all the Council Tax debt of approximately £46m as West Devon BC is the Billing Authority. After keeping 11% of the council tax collected to run the Council's services, the rest is paid over to Devon County Council, the Police, the Fire and Town and Parish Councils. The collection rate for Council Tax for West Devon was 97.8% for 2021/22. This was 1.9% higher than the national average of 95.9%.

- 3.9 A council tax collection rate of 97% has been assumed for 2022/23 in the TaxBase calculation.
- 3.10 It has been assumed that the number of properties within the Borough will increase by 300 per annum from 2024/25 onwards.
- 3.11 No council tax referendum principles will apply to Town and Parish Councils for 2023/24 onwards.

Business Rates and Negative Revenue Support Grant (RSG)

- 3.12 It has been assumed that the Business Rates Reset will be delayed to 2025/26 at the earliest.
- 3.13 Pushing these major changes back to 2025/26 means that they can be aligned with the next spending review period (the current spending review runs to 2024/25). 2025/26 now looks like it is shaping up to be a very significant financial year for local government, incorporating a new spending review, the 2021 Census and funding reforms.
- 3.14 This means the Council wouldn't have to forego some of its business rates income (£227,500) by paying some of it back to Government in the form of 'negative government grant' in 2023/24 or 2024/25. Negative RSG is effectively the Council's further predicted funding cuts. The modelling assumes negative RSG of £227,500 in 2025/26. Some of the negative RSG could be offset by growth.
- 3.15 Estimates have been made of the business rates baseline funding levels for 2023/24 onwards and the relative deductions for negative RSG. For example in 2023/24, the £1.761m is the amount the Council is projected to retain from its business rates income collected of around £12.2 million (this equates to around 14p in every £1 collected of business rates).
- 3.16 The 2021/22 collection rate for West Devon for business rates was 93.67%. This was slightly below the national average of 95.5% for 2021/22.
- 3.17 It is modelled to take £150,000 funding from the business rates retention reserve in all three years 23/24 to 25/26. This would reduce the business rates retention reserve by £450,000 over the next 3 years to smooth the impact of the business rates baseline reset and the future loss of pooling gains.

3.18	Business Rates Income	2023/24 (£m)	2024/25 (£m)	2025/26 (£m)
				Baseline Reset
	Business Rates Income	1.761	1.857	1.960
	Less: Negative Revenue Support Grant (RSG)			(0.228)
	Anticipated Pooling Gain	0.200	-	-
	Funding proposed to be taken from the Business Rates Retention Reserve to smooth the volatility in business rates income	0.150	0.150	0.150
	Total Business Rates Income	2.111	2.007	1.882

Business Rates Revaluation – There will be a business rates revaluation from 1 April 2023, based on the rental market at 1 April 2021. The purpose of a business rates revaluation is to update rateable values and therefore, business rates bills, to reflect changes. Transitional arrangements will be in place to support businesses to adjust to their new bills.

Devon Business Rates Pool

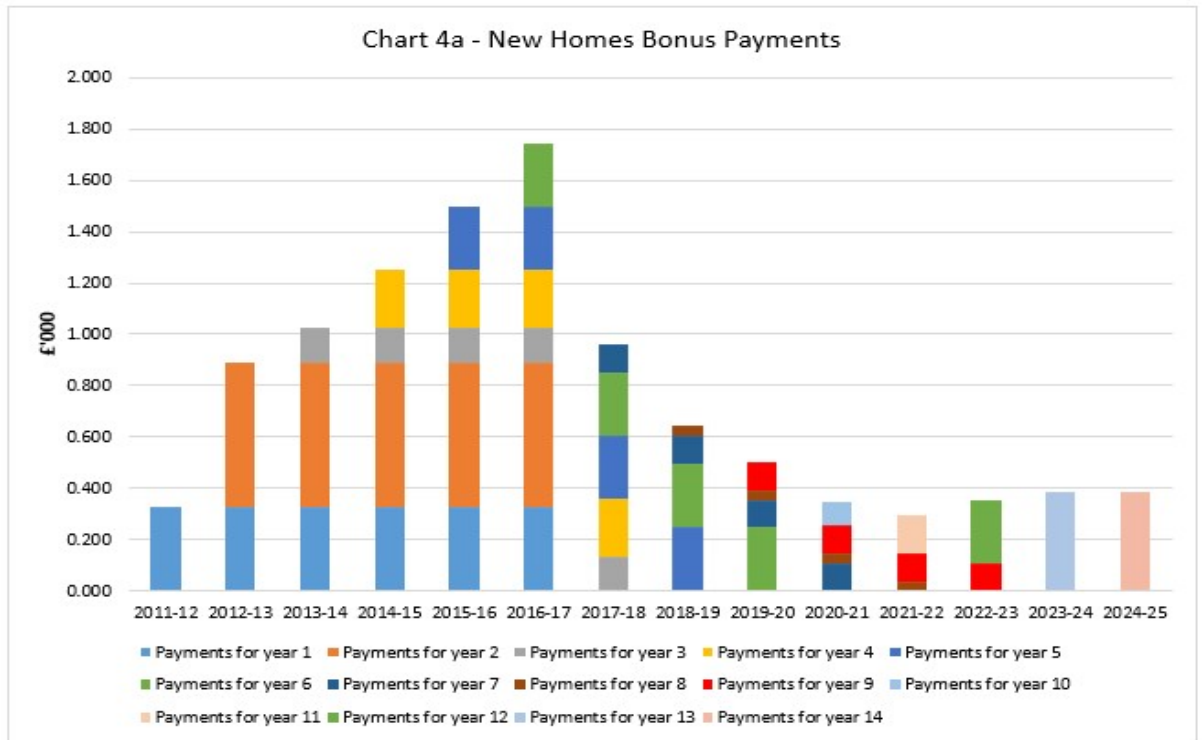
- 3.19 Council in December 2022 approved that West Devon Borough Council will continue to be part of a Devonwide Business Rates Pool for 2023/24. A business rates pooling gain of £200,000 has been modelled for 2023/24.

Rural Services Delivery Grant

- 3.20 Rural Services Delivery Grant will continue for 2023/24 and has been increased by £10million nationally to £95million (WDBC share of £544,625).

New Homes Bonus (NHB)

- 3.21 NHB has been 'rolled over' for another year, with no legacy payments being paid. The Council's final allocation is **£384,230 for 2023-24**. There is due to be a consultation on the future of the NHB scheme. A decision on whether NHB will continue into 2024-25 will be made before next year's finance settlement. There is a net property increase of 342 properties. When the baseline (0.4%) is deducted of 101 properties (0.4% of 25,329 overall Band D equivalent properties), this means that NHB would be payable at 80% of £1,965 (national average Band D council Tax) x 241 additional Band D properties over the baseline. So for the first 101 extra properties, WDBC receives no NHB. (241 x £1965.71 x 80% = £378,000). An extra payment for affordable housing is added on top of the £378,000 to increase the allocation to £384,230.
- 3.22 The budget report assumes that £150,000 of NHB funding is used in 2023/24 to fund the revenue base budget and £160,000 is used to fund the Capital Programme.



3.23 Dartmoor National Park Authority (DNPA) – Members will be aware of the challenges faced by DNPA in setting their budget for 2023-24 and the various steps which the Park Authority has looked at to address their budget proposals for next year. This has included proposals to close the visitor centre at Princetown.

Further to recent meetings in January of Members of DNPA, Members of the Borough Council and officers, DNPA have agreed to keep the Princetown visitor centre open for up to 6 months in order to explore future options. A request has been received from the DNPA for the Borough Council to contribute an element of New Homes Bonus funding to the DNPA, for housing growth within the Park Authority over the last three years. This has been the practice in the past, where WDBC has paid DNPA for the NHB equivalent to the housing growth with the Park Authority boundaries. The amount totals £78,500 for the last three years. It is proposed that the £78,500 is paid to the DNPA from the Council’s 2023-24 allocation of NHB funding of £384,230.

3.24 Triennial Pension Revaluation - Every three years, there is a valuation of the Pension Fund (administered by Devon County Council) to assess the Fund’s liability to meet future benefit payments, and whether there are enough assets to meet those liabilities. The valuation as at 31 March 2022 has been undertaken by Barnett Waddingham, a firm of actuaries.

They have assessed that as at 31 March 2022, the Devon Pension Fund had discounted liabilities of £5.405 billion, with assets of £5.316 billion to meet the liabilities. This means the Fund has 98% of the assets it needs to meet the accrued pension liabilities. This percentage is known as the funding level, which is now 98%.

The result is an improvement from the last Valuation in 2019 when the Fund had a 91% funding level. The improvement is largely a result of investment returns, deficit contributions paid in by employers and revised demographic assumptions. The increased funding level is good news, demonstrating good progress towards a 100% funding level. The results for the West Devon proportion of the Devon Pension Fund are shown below. The funding level of the WDBC Pension Fund is now **89.9%**.

Pension Actuarial Valuation result for West Devon BC

The funding level and the movement in the Council's pension position following the Triennial Pension Revaluation are shown below:

	As at 31st March 2019 (£'000)	As at 31st March 2022 (£'000)
Assets	27,258	30,241
Liabilities	32,334	33,621
(Deficit)	(5,076)	(3,380)
Funding Level	84.3%	89.9%

The table below shows the primary rate (shown in a percentage) and the secondary rate (cash amount).

Employer Contribution Rate	From 1.04.2023	From 1.04.2024	From 1.04.2025
Primary Rate (% of Pay) – this is an increase of 3% per annum on the current primary rate of 14.8%	17.8%	17.8%	17.8%
Secondary Rate (cash amount per annum) based on 14 year deficit recovery period (Budgeted in 22/23: £344,000)	£244,000	£254,000	£264,000

- 3.25 The Pension Deficit has reduced from £5.076m (84.3% funded) at 31.3.2019 to £3.380m (89.9% funded) at 31.3.2022. The secondary rate, the amount paid to meet the pension deficit, will reduce from £344,000 per annum (the amount budgeted in the base budget) to around £244,000 per annum – an annual saving of £100,000 in 23/24. This is on the basis of the pension deficit recovery period of 14 years.

The overall cost pressure is therefore £50,000, being the net of the £150,000 cost pressure in the primary rate and the £100,000 saving in the secondary rate.

Other assumptions within the Medium Term Financial Strategy (MTFS)

- 3.26 The last pay award offer for 2022/23 has recently been agreed. The pay award is an increase of £1,925 on all NJC pay points 1 and above with effect from 1 April 2022 and an extra day of annual leave entitlement with effect from 1 April 2023. All employees on a NJC pay spine receive a minimum 4.04% pay increase, with a minimum of £10.50 hourly rate of pay. (The estimate of the National Living Wage, set at two-thirds of medium earnings for those aged 21 and over in 2024 is £10.95). For example for Level 8, this would equate to a pay increase of around 9%.
- 3.27 The amount agreed for 2022/23 (as set out above) is higher than the amount that was previously provided for of a 2% provision.
- 3.28 The budget report includes a total provision for the 2022/23 pay award of £360,000 in 23/24. This is an extra £210,000 for the 22/23 pay award (this is the amount on top of the 2% provided for in the 22/23 budget), plus a provision of a 3% (equating to £150,000) pay award for 23/24 and thereafter.
- 3.29 The Medium Term Financial Strategy is not an expression of Council Policy on pay awards, but a means of ensuring an appropriate provision is made as part of the overall financial planning of the Council.
- 3.30 The Consumer Price Index (CPI) has reached 10.5% (December 2022 CPI), which is a 40 year high. A significant part can be attributed directly to gas/electricity price inflation.
- 3.31 An extra £150,000 cost pressure for inflation on goods and services has been included within the cost pressures in Appendix A. This is around a 150% increase in some areas of utilities.
- 3.32 Interest rates are increasing and the Bank Base rate is currently 4.0%. It is predicted that the Council's treasury management income will increase to £400,000 in 2023/24 and an extra £375,000 has been built into the MTFS for 2023/24 (the existing base budget is £25,000).

A Plan for West Devon – The Council's 20 year vision

- 3.33 'A Plan for West Devon' sets out the Council's 20 year vision for West Devon and its communities and how we will work towards it over the next three years. It forms the strategy for both the Council as an organisation and West Devon as a Place. The six areas of focus are supported by detailed annual delivery plans.

Achieving our Vision

Our longer term vision will be delivered by concentrating on the following areas. These areas of focus will be supported by detailed annual delivery plans.



Strengthening our communities

An area that our communities can be proud of



Enhancing community wellbeing

Every resident is able to live a healthy and active life



Improving homes

Every resident has access to a quality and safe home



Stimulating a thriving economy

A Borough that attracts high quality employment opportunities and space for business to grow



Growing our natural environment

An environment where people and nature thrive together



Adapting our built environment

Planning for the future, celebrating the past

Climate Change

- 3.34 The Council's annual delivery plan on 'Growing our natural environment' sets out the Council's action plan for addressing climate change and the carbon/biodiversity impact.

OTHER BUDGET ITEMS

- 3.35 The Council will be reviewing core service delivery through on-going service reviews and will bring reports back to Members at the appropriate point, linking back to the corporate strategy.
- 3.36 The Levelling Up and Regeneration Bill is making its way through Parliament. The Government is aiming for Royal Assent in Spring 2023. There is a proposal within the bill to allow Billing Authorities the discretion to charge second home owners a council tax premium of 100% (so a second home dwelling would pay double the council tax charge). The Bill requires Billing Authorities to have a minimum period of 12 months between making its first determination and the financial year in which it takes effect. Billing Authorities might be able to charge the premium to second home owners in 2024-25, but the timing will be very tight if Authorities only get the powers in Spring 2023. There is a separate report on the 21 February 2023 Council agenda for Members to consider this. Initial high level analysis shows that the levying of a 100% premium on second homes could generate further council tax income of £1.38million, with West Devon's share being £157,000.

Waste and Recycling service

- 3.37 An update on the waste and recycling service was considered by the Hub Committee on 12 July 2022 and Council on 19 July 2022. A further report was considered by the Hub Committee on 1 November 2022 (Minute HC 58/22).

Servaco trading company

- 3.38 It is recommended to Council that, with effect from 31 March 2023, the Servaco trading company which the Council jointly owns with South Hams District Council, be closed down. The company has never traded and dormant accounts are filed annually with Companies House. The original intention of the company was to deliver external training courses. The company was incorporated on 4th September 2014.

4. Treasury Management and Borrowing Strategy

- 4.1 The Council has previously taken external treasury management advice on the Council's overall borrowing levels and debt levels. The Council set an Upper Limit on External Borrowing (for all Council services) as part of the Medium Term Financial Strategy of £50 million in 2019 and it is not proposed to change this limit at present.

- 4.2 In 2021/22 the long term borrowing of the Council decreased from £28,342,000 (20/21) to £27,726,000. Short term borrowing increased from £603,000 to £615,000 due to the maturity profile of borrowing.

5 FEES AND CHARGES

- 5.1 A reduction in car parking income of £150,000 has been built into the 2023/24 Budget. The budgeted income is £1,147,000 and the projected loss of car parking income represents 13%. Even though tariffs were increased by 4% in March 2021, Covid continues to have an impact on income as well as other impacts such as online shopping. Town centre car parks have not made a full recovery as expected.

- 5.2 At the Hub Committee meeting on 2nd February 2021, Members approved the following: 'delegated authority be given to the relevant Head of Practice, in consultation with the relevant lead Portfolio Holder, to adjust Fees and Charges within their service area by inflation at suitable periodic intervals, with reports being presented to the Hub Committee as appropriate'. This delegation is in place to enable service managers to increase fees and charges by inflation where these are not material changes or increases. The Head of Finance will co-ordinate this process for inflationary increases.

- 5.3 Members' views are sought on increasing the garden waste subscription from April 2023. This is set out in detail in Appendix G of the report. At the Overview and Scrutiny Committee meeting on 17th January 2023, the report recommended increasing the charge to £49 per annum from April 2023. On considering the report, the Overview and Scrutiny Committee recommended to the Hub Committee to increase the garden

waste subscription charge to £52 per annum from April 2023. This was agreed by the Hub Committee and this has been recommended to Council.

6 FINANCIAL SUSTAINABILITY AND TIMESCALES

- 6.1 The Council will continue to assess various options for closing the budget gap for 2024/25 onwards, and in the longer term, to achieve long term financial sustainability and further options will be presented to Members in further budget reports. This will consider ways to reduce the Council's operating costs and generating further income and savings.
- 6.2 Making the best use of our resources and setting a balanced budget annually is within the 'Delivering Quality Services' Draft Delivery Plan of the Council's long term strategic vision, 'A Plan for West Devon'.

7 Earmarked and Unearmarked Reserves Policy

- 7.1 Unearmarked Reserves have increased by £196,000 in 2021/22 and total £1.490 million at 31 March 2022.
- 7.2 Earmarked Reserves have increased by £248,000 in 2021/22 and total £9.189 million at 31 March 2022. A full list of Reserves is shown in Appendix C. The proposed contributions to/from Earmarked Reserves are shown in Appendix A.
- 7.3 Earmarked Reserves includes £1.631m held in the Business Rates s31 Compensation Grant Reserve. This is due to a technical accounting adjustment where Councils were compensated for the business rates holidays that were announced by the Government for the retail, hospitality and leisure sectors in 2020/21 and 2021/22 (this funding is in the S31 Compensation Grant Reserve). This temporary increase in reserves will reverse back out again in the 2022/23 Accounts, to fund the deficit on the Collection Fund. Therefore this is not money which is available for the Council to spend and it is important that this is not misinterpreted in the Accounts, as this is a national issue.
- 7.4 Reserve levels will be kept under constant review and will be reviewed throughout the budget setting process to consider commitments against Earmarked Reserves, their unallocated balance and the contributions to/from Earmarked Reserves for 2023/24 and future years also. This can then be considered alongside details of the Local Government Finance Settlement.
- 7.5 At Council on 15th February 2022, Members set a minimum balance for Unearmarked Reserves of £900,000, with an operating level of a minimum of £1.25million. This was based on a risk assessment basis and a sensitivity analysis. Therefore the current level of £1.490m is still above these levels previously set.

- 7.6 Legislation does not prescribe how much the minimum level of reserves should be. The Section 151 Officer is tasked with recommending the minimum level of reserves required as part of the budget setting process having regard to elements of risk in the Council's finances (this was recommended at £900,000 being the minimum level in February 2022, with an operating level of £1.25million). Section 25 of the Local Government Act 2003 requires the Section 151 officer to report on the adequacy of the Council's financial resources on an annual basis.
- 7.7 **Sensitivity analysis and risk analysis** – The figures within the Budget proposals have been subject to a sensitivity analysis and a risk analysis. This has identified a potential adverse revenue effect of £846,890 (from the sensitivity analysis in Appendix F). The recommendation of the S151 Officer is for the Council to continue to have a minimum level of unearmarked reserves of £900,000 (as set out in the Medium Term Financial Strategy in September 2022), but to have an operating level of a minimum of £1.25million for unearmarked reserves. The Council should be operating at a level of £0.35m above the minimum level on a day to day basis. Appendix F also sets out the CIPFA Financial Resilience Index for 2022, a comparative tool that can be used by S151 Officers as part of the annual budget report. The S151 Officer therefore confirms the robustness of the Budget Proposals and the adequacy of the reserves.
- 7.8 The Council's latest revenue budget monitoring report for Month 10 (end of January 2023) shows a predicted deficit of £35,000 for the 2022/23 year. This would be deducted from Unearmarked Reserves as per standard accounting practice. The predicted year end balance of Unearmarked Reserves at 31.3.23 is therefore £1.455m.
- 7.9 The provision of an appropriate level of balances is a fundamental part of prudent financial management, enabling the Council to build up funds to meet known and potential financial commitments.
- 7.10 As highlighted above there is a high degree of uncertainty about future levels of funding for local government. However, the Section 151 Officer is keeping a close watch on developments and planning for this longer-term uncertainty. For example, the Council has a Financial Stability earmarked reserve which has a balance of £0.617m to help secure financial stability for the longer term. This will include addressing any future financial pressures from changes in local government funding levels.

8 CAPITAL PROGRAMME AND PRUDENTIAL BORROWING

8.1 The Capital Programme is set by the Council and may be funded by sale proceeds from the disposal of assets (capital receipts), external grants and contributions, directly from revenue or from borrowing.

8.2 Capital projects are scored on the following criteria:

- 1 - Health and Safety compliance
- 2 - Essential to keep operational assets open
- 3 - Fit with the Council's Delivery Plans for 'A Plan for West Devon'
- 4 - To rationalise service delivery or service improvement
- 5 - To generate income, capital value or to reduce revenue costs

8.3 It is important that future bids for capital are aligned with the review of the thematic delivery plans and aims within 'A Plan for West Devon'.

8.4 The capital bids are set out in Appendix D alongside ways the Capital Programme could be financed. The Capital Bids currently total £910,000.

8.5 **Regeneration and Investment Strategy** – The Council has approved a Regeneration and Investment Strategy (Minute Reference CM72, Council 5th April 2022). To date, Investment Properties have a value of £19.12 million in aggregate as at 31.3.2022.

8.6 Purchases made within the strategy are capital expenditure. An income projection of £300,000 from the net ancillary income from investments in Investment property has been included within the 2022/23 Base Budget and it is predicted that this will increase by £50,000 for 2023/24 in line with rental reviews.

8.7 The Council's Asset Base is £45.7 million at 31 March 2022. The Council will continually review and challenge its asset base in order to deliver the optimum value for money from the Council's Assets.

9 NEXT STEPS AND PROPOSED WAY FORWARD

9.1 The MTFs is the starting point for developing a meaningful three year strategy that sets out the strategic intention for different strands of funding available to the Council (Hub Committee 13th September 2022).

9.2 The Council's budget is essentially fixed in cash terms and its ability to raise income is limited as there are national controls in place around council tax and business rates.

9.3 The Council will continue to assess various options for closing the budget gap for 2024/25 onwards, and in the longer term, to achieve long term financial sustainability and further reports will be presented to Members.

- 9.4 Making the best use of our resources and setting a balanced budget annually is within the 'Delivering Quality Services' Delivery Plan of the Council's long term strategic vision, 'A Plan for West Devon'.
- 9.5 Officers will continue to work with the Hub Committee and the results of this will be incorporated into future Budget reports. This will consider ways to reduce the Council's operating costs and generating further income and savings for 2024/25 onwards.
- 9.6 An all Member Budget Workshop took place on Tuesday 8th November 2022.
- 9.7 The table below shows the budget timetable for the 2023/24 Budget process.

17th January 2023	Overview & Scrutiny Committee - To consider draft proposals for the Revenue and Capital Budget for 2023/24.
31 st January 2023	Hub Committee – To recommend Final Budget Proposals to Council for 2023/24
16th February 2023 (9am)	Date which Council Procedure Rule 16 applies
21st February 2023	Full Council – To approve Final Budget Proposals for 2023/24 and set the WDBC share of the Council Tax
22 February 2023	Council Tax Resolution Panel – to agree the Council Tax Resolution for 2023/24 (This is WDBC share plus all other precepting authorities share).

Note 1- Council Procedure Rule 16 states that 'Where a member intends to move a motion or amendment in relation to the Budget, the text of that motion or amendment must be put in writing and submitted to the Head of Paid Service by 9am on the third working day before the meeting, in order that officers may have sufficient time to consider and advise the Council of the financial implications of any such motion or amendment'. As per the timetable above, this would need to be submitted by 9am on Thursday 16th February 2023.

10. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance		<p>The Hub Committee is responsible for recommending to Council the budgetary framework. It is the role of the Overview and Scrutiny Committee to scrutinise the Budget proposals being proposed by the Council on an annual basis. In accordance with the Financial Procedure Rules, Council must decide the general level of Reserves and the use of Earmarked Reserves.</p> <p>The views of the Overview and Scrutiny Committee were sought on the draft budget proposals before the final proposals are presented to Council in February.</p> <p>The preparation of the Budget report is evidence of whether the Council has considered and taken into account all relevant information and proper advice when determining its financial arrangements in accordance with statutory requirements, and in particular, that it will set a lawful budget.</p>
Financial implications to include reference to value for money		<p>The report sets out proposals for the Council to achieve a balanced budget for 2023/24, as shown in Appendix B. The Council is currently forecasting a £224,680 budget gap by the following year, 2024/25. The cumulative aggregated Budget Gap by 2025/26 is £0.7million, if no action has been taken in each individual year to close the budget gap annually.</p> <p>As part of Grant Thornton’s external audit of the Statement of Accounts for 2021/2022, they will assess the arrangements the Council has in place for:-</p> <ul style="list-style-type: none"> • Improving economy, efficiency and effectiveness • Financial Sustainability • Governance <p>The outcome of Grant Thornton’s work in this area will be reported to Members at the Audit Committee meeting in March 2023.</p>

Risk		Each of the budget options taken forward by Members will consider the risks of the option.
Supporting Corporate Strategy		The majority of activities set out in the Council's delivery plans can be delivered through refocusing and reprioritisation of existing resources however, in order to realise the ambition set out in the strategy, some of the activities will require additional resources.
Consultation and Engagement Strategy		External consultation on the Council's Budget Proposals has been undertaken prior to the Budget being agreed by Council in February 2023. The Budget supports all of the Thematic Delivery Plans within the Council's strategic vision, 'A Plan for West Devon'. There was a public consultation on the Plan.
Climate Change - Carbon / Biodiversity Impact		A report was presented to Council on 8 th December 2020 'Climate Change and Biodiversity Strategy and Action Plan update'. In March 2021, Council approved to set up an Earmarked Reserve for £200,000 for the Recovery Plan and Corporate Strategy. Further detail is set out in the Council's 'A Plan for West Devon' strategic vision.
Comprehensive Impact Assessment Implications		
Equality and Diversity		Equality Impact Assessments are completed for the budget proposals.
Safeguarding		None directly arising from this report.
Community Safety, Crime and Disorder		None directly arising from this report.
Health, Safety and Wellbeing		None directly arising from this report.
Other implications		None directly arising from this report.

Supporting Information

Appendices:

Appendix A – Budget pressures and savings

Appendix B – Modelling of the Budget Position

Appendix C - Schedule of Reserves

Appendix D - Capital bids for 2023/24

Appendix E - Revenue Budget Summary 2023-24

Appendix F – Sensitivity Analysis and Risk Analysis

Appendix G – Garden Waste subscription charge from April 2023

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WEST DEVON BOROUGH COUNCIL

BUDGET PRESSURES

	BASE 2022/23 £	Yr 1 2023/24 £	Yr 2 2024/25 £	Yr 3 2025/26 £
Waste collection, recycling and cleansing contract inflation (estimate) - assume 7.5% 2023/24 onwards (23/24 also includes some extra inflation provision from 22/23)	80,000	345,000	225,000	225,000
Waste collection, recycling and cleansing contract - Council 19 July 2022	0	400,000	0	0
Waste collection, recycling and cleansing - additional properties		50,000	60,000	70,000
Triennial Pension revaluation (increase in Pension Employer primary rate contributions)	0	50,000	0	0
Inflation on goods and services	70,000	150,000	150,000	150,000
Increase in salaries - increments and pay and grading	50,000	175,000	75,000	75,000
Salaries - 22/23 award of £1,925 per Scale point has been modelled (an extra £210,000 on top of the 2% provided for) plus provision for pay award at 3% (£150,000) from 2023/24 onwards, total pay including on-costs of £5m	90,000	360,000	150,000	150,000
Reduction in car parking income	0	150,000	0	0
Increase in external audit fees	0	60,000	0	0
Housing Delivery Team - Hub Committee 7th June 2022	0	29,800	0	0
Head of Revenues and Benefits - Hub Committee 12th April 2022	0	30,000	0	0
The Planning Improvement Plan, Hub Committee 7 June 2022, noted that the cost of the restructure, £33K per annum, will be funded for the first three years from the additional planning income held in the planning earmarked reserve.	71,000	33,000	0	0
A Plan for West Devon - Council 28.9.21 - £122,000 cost pressure for 22/23 and £168,000 for 2023/24	122,000	46,000	(168,000)	0
Reduction in Housing Benefit administration subsidy	10,000	10,000	10,000	0
National Insurance and National Living Wage (social care levy of 1.25% and NLW increases)	60,000	40,000	40,000	40,000
IT Support contracts	30,000	0	0	0
Rough sleeper outreach worker (WDBC share of the cost is 40%), to be funded from Government Homelessness grant	16,000			
Reduction in treasury management income	80,000	0	0	0
Community composting groups	10,000	0	0	0
TOTAL IDENTIFIED BUDGET PRESSURES	689,000	1,928,800	542,000	710,000

WEST DEVON BOROUGH COUNCIL

Contribution to Earmarked Reserves
(This line shows the annual contributions into the Reserve)

	BASE 2022/23 £	Yr 1 2023/24 £	Yr 2 2024/25 £	Yr 3 2025/26 £
Contribution to IT Development Reserve (£50K per annum)	50,000	50,000	50,000	50,000
Contribution to Planning Reserve (£25K per annum)	25,000	25,000	25,000	25,000
Contribution to Elections Reserve (20K per annum)	20,000	20,000	20,000	20,000
Contribution from the Planning Reserve for the cost of the restructure within the planning service - Hub Committee 7 June 2022 - to be funded for the first three years from the additional planning income held in the planning earmarked reserve		(33,000)	(33,000)	(33,000)
Contribution from Business Rates Retention Reserve to smooth the volatility in business rates income from the baseline reset	(75,000)	(150,000)	(150,000)	(150,000)
Contribution from Strategic Change Earmarked Reserve	0	(32,567)	0	0
Contribution from the Flexible Homeless Government Grant for three housing posts (wdbc share of costs) and the rough sleeper outreach post	(48,500)	0	0	0
Contribution to Vehicles Replacement Reserve (£50K per annum) - Minute CM42	50,000	50,000	50,000	50,000
Contribution to Joint Local Plan Earmarked Reserve	25,000	25,000	25,000	25,000
Contribution to Financial Stability Earmarked Reserve in 2022-23) (one-off)	162,850	0	0	0
Total Contribution to/ (from) Earmarked Reserves	209,350	(45,567)	(13,000)	(13,000)

SAVINGS AND INCOME GENERATION IDENTIFIED

	BASE 2022/23 £	Yr 1 2023/24 £	Yr 2 2024/25 £	Yr 3 2025/26 £
Income from Investment properties (£300,000 is in the Base Budget for 2022/23) - periodic upwards rental reviews on investment properties	0	50,000	25,000	0
Management fee income from external contracts such as leisure - Council 15 February 2022	0	45,500	200,000	234,500
IT FIT Project - software savings	70,000	10,000	0	0
Establishment savings (salary savings) gained from IT and digital communications	20,000	50,000	0	0
Extra recycling income - this income has already been achieved in 2021-22	60,000	190,000	0	0
Extra trade waste income	0	30,000	0	0
Extra treasury management income to reflect increases in the Bank Base rate	0	375,000	0	0
Extra garden waste income		60,000		
Savings on staff and Member travel and expenses	0	30,000	0	0
Housing Benefit overpayments	0	40,000	0	0
Reducing homelessness costs through Springhill provision	0	0	0	100,000
Extra planning income (to fund four planning specialists and two legal specialists) - Planning Improvement plan - Hub Committee 2 November 2021	71,000	0	0	0
Income from three weekly trials (Hub Committee 15th September 2020)	(50,000)	0	0	0
Additional Employments estates income	50,000	50,000	0	0
Funding from Homelessness prevention government grant (this funds housing posts - funding to be reflected within the base budget)	0	180,000	0	0
Discretion to charge up to an extra 100% extra council tax on Second Homes (timescale is that legislation maybe introduced for 24-25 but it also could be delayed to 25-26). There is a separate report on the Council agenda of 21 February 2023 regarding this.			157,000	0
TOTAL SAVINGS AND INCOME GENERATION	221,000	1,110,500	382,000	334,500

Modelling assumptions: Assumes Council Tax is increased by 2.99% annually	BASE	Yr 1	Yr 2	Yr 3
Modelling for the financial years 2023/24 onwards	2022/23 £	2023/24 £	2024/25 £	2025/26 £
Base budget brought forward	7,301,695	7,769,695	8,587,995	8,523,315
Budget pressures (as per Appendix A)	689,000	1,928,800	542,000	710,000
Savings already identified (as per Appendix A)	(221,000)	(1,110,500)	(382,000)	(334,500)
Projected Net Expenditure:	7,769,695	8,587,995	8,747,995	8,898,815
Funded By:-				
Council Tax income - Modelling a 2.99% increase in council tax each year (Taxbase 23/24 = 21,225.87 Band D Equivalent properties)	5,102,220	5,391,371	5,630,952	5,880,108
Collection Fund Surplus	152,000	377,000	200,000	200,000
Localised Business Rates (estimate of business rates resources received in the year)	1,700,000	1,761,000	1,857,000	1,960,000
Business Rates Tariff/Top Up Adjustment amount (Negative Revenue Support Grant change to baseline need assumed to start in 2025/26)	0	0	0	(227,500)
Revenue Support Grant	0	89,000	93,000	93,000
Business Rates Pooling Gain	200,000	200,000	0	0
Funding from Rural Services Delivery Grant	487,296	544,625	544,625	544,625
Funding from Funding Guarantee (3% increase in Core Spending Power) - this is a new grant for 23/24 onwards. Assume discontinued when the Fair Funding Review is implemented in 25-26.	0	51,044	123,000	0
Less grants rolled into the Funding Guarantee amount	0	(88,262)	(88,262)	0
Transitional funding - assume the introduction of the business rates baseline reset and the Fair Funding Review will translate into some transitional funding being available to Councils		0	0	40,000
Funding from New Homes Bonus (or a replacement scheme)	150,000	150,000	150,000	150,000
Funding from Lower Tier Services Grant	73,923	0	0	0
Funding from New Services Grant	113,606	66,650	0	0
Less: Contribution to Earmarked Reserves	(209,350)	45,567	13,000	13,000
Total Projected Funding Sources	7,769,695	8,587,995	8,523,315	8,653,233
Budget gap per year (Projected Expenditure line 4 - Projected Funding line 19)	0	0	224,680	245,582
Actual Predicted Cumulative Budget Gap	0	0	224,680	470,262
Aggregated Budget Gap (if no action is taken in each individual year to close the budget gap annually)	0	0	224,680	694,942

Modelling Assumptions: (Assumes an increase in Band D Equivalent properties of 300 per annum)				
Council Tax (Band D) (an increase of 2.99% per annum has been modelled)	246.63	254.00	261.59	269.41
Council TaxBase	20,687.75	21,225.87	21,525.87	21,825.87

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RESERVES - PROJECTED BALANCES					APPENDIX C
	Opening Balance 01.04.2022 £000's	Additions to Reserve 2022/23 £000's	Predicted Spend 2022/23 £000's	Closing Balance 31.03.2023 £000's	Comments
EARMARKED RESERVES					
Specific Reserves - General Fund					
Affordable Housing (Revenue)	0	172		172	This is a new reserve set up as part of the 2022/23 Budget setting process and has been created from a one off contribution from the New Homes Bonus funding in 2022/23 (£172,084).
2016/17 Budget Surplus Contingency	86			86	This is the Budget Surplus from 2016/17 which was put into an Earmarked Reserve. Commitments relate to Capital Programme funding.
Broadband Community Support	50			50	As per the report to the Hub Committee on 1st December 2020, Council approved the creation of a Broadband Community Support Earmarked Reserve, to be financed by transferring £50k from the existing Business Rates Retention Earmarked Reserve in 2020/21.
Car Parking Maintenance	534		(8)	526	There is a future commitment on this reserve in respect of Brook Street Car Park.
COVID Losses Earmarked Reserve	254			254	This reserve was set up in 2020/21 to protect against future COVID losses.
Economic Grant Initiatives	26			26	
Elections	34	20		54	
Environmental Health Initiatives	20			20	
Financial Stability	454	163		617	This reserve was created in 2018/19 from the Business Rates Pilot funding. This funding was set aside to assist to smooth out future years' funding variations or reductions, in particular any changes from the Fair Funding Review. A one off contribution of £162,850 was approved as part of the 2022/23 budget (Council Feb 2022).
Flood Works	15			15	
Grounds Maintenance	78		(10)	68	This reserve holds the Grounds Maintenance in year surpluses to be reinvested back into the service.
Homelessness Prevention	244		(139)	105	This reserve has been created following underspends on Homelessness Prevention Costs. The main commitment in 2022/23 relates to the Housing restructure costs (£101k) - Hub 7/6/22 and £50k for Springhill which is projected to be spent in 2023/24.
ICT Development	25	50	(49)	26	Predicted spend in 2022/23 includes the Future IT project
Innovation Fund (Invest to Earn)	378		(74)	304	This reserve originated from New Homes Bonus funding. Commitments in 2022/23 mainly relate to Capital Programme funding including the upgrading of Hayedown Depot.
Joint Local Plan	0	25	(25)	0	Contribution to Joint Local Plan
Leisure Services	48		(25)	23	Commitments relate to Capital Programme funding.
Maintenance Fund (Estates)	361		(3)	358	
Management, Maintenance & Risk Management	418	117		535	This is a relatively new reserve set up to manage the ongoing maintenance costs of the Council's Investment Property Portfolio. The contributions to the reserve equate to 10% of the rental income on an annual basis.
Neighbourhood Planning Grants	47		(2)	45	
New Homes Bonus (NHB)	506	352	(352)	506	The NHB allocation for 22/23 is £352,084. Projected spend in 2022/23 relates to £150k contribution to the base revenue budget, £30k contribution to the Capital Programme and £172,084 contribution to the Affordable Housing Earmarked Reserve. In 2023/24 there is a commitment of £193k for Springhill.
Outdoor Sports & Recreation Grants	16			16	
Planning Policy and Major Developments	146	25	(33)	138	This reserve is for all planning matters and is also required to meet appeal costs. The predicted spend for 2022/23 relates to the Planning restructure. The cost of the first three years of this restructure is to be met from additional planning income in the Planning earmarked reserve (Hub 7/6/22).
Recovery Plan and Corporate Strategy	182		(172)	10	In March 2021 the Hub Committee recommended to Council to transfer £200k of the 2020/21 projected surplus into a new Recovery Plan and Corporate Strategy Earmarked Reserve. Projected spend in 2022/23 relates to 'A Plan for West Devon' commitments.
Revenue Grants	1,417	22	(211)	1,228	This reserve comprises of government grants received for specific initiatives or new burdens and are held in the reserve for accounting purposes. A commitment of £49k in 2022/23 relates to the funding of three housing posts which were made permanent in the 2020/21 budget process and are funded from the Flexible Homelessness Support Grant. £80,000 of this reserve has been earmarked in the future to fund the Council's share (40%) of a 2 year fixed term senior role to drive customer service and operational efficiency (Hub 13/9/22 - Medium Term Financial Strategy).
Support Services Trading Opportunities	20			20	This reserve was created from external work carried out in other Councils e.g. HR work with Councils also embarking on a Transformation Programme.
Strategic Change (T18)	67			67	£32,567 has been committed as a contribution to the base revenue budget in 2023/24.
Tree Maintenance	17			17	A new reserve set up in 2021/22 to hold in year surpluses generated to reinvest back into the Tree maintenance service in future years
Vehicle Replacement	328	50	0	378	This is a new reserve set up to fund the Council's vehicle replacement programme (Council 4 Dec 2018). £50K a year is contributed to this reserve.
Waste & Cleansing Options Review	658		0	658	Detail is set out in the Hub Committee report of 12 July 2022. Future commitments include the capital work at Hayedown depot and an additional vehicle.
Other Reserves below £15,000 (combined)	42		(3)	39	
Sub Total excluding the Business Rates Reserves	6,471	996	(1,106)	6,361	
Business Rates Retention	1,087		(77)	1,010	This relates to a timing issue on the accounting adjustments required for the localisation of business rates. This reserve also deals with any volatility in Business Rate income. In 2022/23 £75,000 has been earmarked to smooth the volatility in business rates. In addition there are capital programme funding commitments.
S.31 Compensation Grant (Business Rates)	1,631	253	(1,477)	407	This is a new reserve set up to hold the business rates S31 grants received in 2020/21 and 2021/22 to offset the business rate reliefs given to businesses during lockdown. Under current Collection Fund accounting rules, the S31 grants received will not be discharged against the Collection Fund deficit until the following year, 2022/23. This reserve is not money which is available for the Council to spend and it is important that this is not misinterpreted in the Accounts, as this is a national issue.
TOTAL EARMARKED RESERVES	9,189	1,249	(2,660)	7,778	
TOTAL UNEARMARKED RESERVES	1,490		(35)	1,455	Note: This Unearmarked Reserve has a minimum balance of £900,000 and an operating level of a minimum of £1.25million (set by Members as part of the Budget Process). The projected deficit for 2022/23 of £35k would be funded from this Unearmarked Reserve, in accordance with normal accounting practice.
TOTAL REVENUE RESERVES (EARMARKED AND UNEARMARKED RESERVES)	10,679	1,249	(2,695)	9,233	

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Capital Bids for 2023/24					
Priority Criteria					
Statutory Obligations	1	Compliance, H&S, DDA			
	2	Essential to keep Operational Assets open			
Strategic Plan	3	Fit with the Council's Delivery Plans for 'A Plan for West Devon'			
Good Asset Management	4	Rationalise service delivery or service improvement			
	5	Generate income, capital value or reduce revenue costs			
Service	Site	Project	Lead officer	Capital Bids for 2023/24 £'000	Priority code
Placemaking		Community Project Grants (annual bid)	RS	30	1,3,4
Commercial Services		Waste Fleet Replacement - annual contribution (already approved as per the Council minute from December 2018)	SM	50	1,2,3,4
Assets		Communal areas and meeting areas at Kilworthy Park (£50,000) and EV installations (charging point at KP, £15,000). To ensure Kilworthy Park is fit for purpose, meeting the needs of the organisation and in order to continue to provide good quality rental accommodation to our tenants.	LW	65	1,2,3,4,5
Assets		Undertaking decarbonisation studies of our principle assets and operational buildings so as to understand measures that can be implemented to reduce carbon emissions (Scope 2) from our buildings. The surveys will set out the measures needed, the costs of implementation and the ongoing operating and maintenance costs. This would enable us to apply for future Government capital grants to enable the works.	LW	30	1,2,3,4,5
Assets		Yelverton to Clearbrook cycle trail	GB	10	3,4
IT		IT automation software - to be utilised by multiple service areas to automate tasks.	JD	25	3,4,5

Private Sector Renewals (inc Disabled Facility Grants) - funded by Government Grant funding from the Better Care Fund. This funding is passported from Devon County Council to West Devon BC to administer the scheme.	22/23 allocation was £697,230 – assume 23/24 allocation will be of a similar value.	IL	700	1, 3
Totals			910	

TO BE FINANCED BY:-				
New Homes Bonus funding (£156,000 from the 2023/24 allocation and £4,000 from the NHB Earmarked Reserve)	160			
Revenue contribution from the Vehicles and Plant Earmarked Reserve (see Appendix A)	50			
Better Care funding (Government grant scheme) for private sector renewals and disabled facility grants. This funding is passported from Devon County Council to West Devon BC to administer the scheme.	700			
Total financing for the Capital Programme			910	

West Devon Borough Council

Draft Base Revenue Budget for the Financial Year 2023/24

Service Group	SLT Budget Manager	(1)	(2)	(1)+(2)= 2a	(3)	(4)	(5)	(2a)+(3)+(4)+(5)
		22/23 Base Net Budget £'s	22/23 Virements £'s	22/23 Revised Net Budget £'s	23/24 Pressures/ (Savings) £'s	23/24 Budget Preparation Virements £'s	23/24 Salary Estimate Virements (see Note 1) £'s	23/24 Final Base Budget £'s
a) Customer Service & Delivery	Steve Mullineaux	4,839,056	0	4,839,056	703,550	18,400	(43,100)	5,517,906
b) Place & Enterprise	Chris Brook	70,260	16,400	86,660	85,650	0	(45,800)	126,510
c) Governance & Assurance	Drew Powell	1,060,782	8,600	1,069,382	132,300	(14,400)	86,600	1,273,882
d) Strategic Finance	Lisa Buckle	2,353,785	(25,000)	2,328,785	(103,200)	(4,000)	2,300	2,223,885
Total		8,323,883	0	8,323,883	818,300	0	0	9,142,183
Reversal of Depreciation		(554,188)						(554,188)
Net Budget Total		7,769,695						8,587,995
Funded by:								
Localised Business Rates		1,698,534						1,761,000
Business Rates Pooling Gain		200,000						200,000
New Homes Bonus		150,000						150,000
Council Tax (modelling an increase of 2.99% in 23/24)		5,102,220						5,391,371
Collection Fund Surplus		152,000						377,000
Rural Services Delivery Grant		487,296						544,625
Lower Tier Services Grant		75,389						0
Services Grant		113,606						0
Revenue Support Grant		0						89,000
New Services Grant		0						66,650
Funding Guarantee Grant		0						51,044
Less grants rolled into the Funding Guarantee amount		0						(88,262)
Contributions (to)/from Earmarked Reserves		(209,350)						45,567
Total		7,769,695		0				8,587,995

a) Customer Service & Delivery	ELT Budget Manager	(1)	(2)	(1)+(2)= 2a	(3)	(4)	(5)	(2a)+(3)+(4)+(5)
		22/23 Base Net Budget £'s	22/23 Virements £'s	22/23 Revised Net Budget £'s	23/24 Pressures/ (Savings) £'s	23/24 Budget Preparation Virements £'s	23/24 Salary Estimate Virements (See Note 1) £'s	23/24 Final Base Budget £'s
W1010 Customer Contact Centre Salaries	Jim Davis	158,300	0	158,300	10,100	0	23,500	191,900
W1013 Localities Team Salaries	Dale Cropper	258,900	0	258,900	14,700	0	12,000	285,600
W1304 Grounds Maintenance	Dale Cropper	110,527	0	110,527	2,900	0	2,800	116,227
W1309 Tree Maintenance	Dale Cropper	20,000	0	20,000	0	0	0	20,000
W1565 Housing Benefit Payments	Geni Hotchkiss	185,953	0	185,953	(40,000)	0	0	145,953
W1568 Housing Benefit Administration	Geni Hotchkiss	(110,800)	0	(110,800)	10,000	0	0	(100,800)
W1571 Council Tax Collection	Geni Hotchkiss	(201,694)	0	(201,694)	0	0	0	(201,694)
W1574 Council Tax Support	Geni Hotchkiss	(56,000)	0	(56,000)	0	0	0	(56,000)
W1988 ICT Team Salaries	Mike Ward	321,479	0	321,479	20,300	0	(9,600)	332,179
W1989 Waste & Cleansing Team Salaries	Sarah Moody	55,400	0	55,400	8,000	0	3,200	66,600
W1992 Benefits Team Salaries	Geni Hotchkiss	213,400	0	213,400	12,200	0	(9,600)	216,000
W1995 Revenues Team Salaries	Geni Hotchkiss	197,500	0	197,500	14,700	0	2,600	214,800
W2017 Street and Beach Cleaning	Sarah Moody	502,145	(7,750)	494,395	31,050	0	0	525,445
W2701 Waste & Recycling Collection Contract	Sarah Moody	1,593,539	0	1,593,539	541,550	0	0	2,135,089
W2713 Trade Waste Services	Sarah Moody	(13,300)	0	(13,300)	(26,550)	0	0	(39,850)
W2715 Garden Waste Collection	Sarah Moody	14,500	0	14,500	(14,500)	0	0	0
W2721 Hayedown Depot	Sarah Moody	56,101	12,750	68,851	0	0	0	68,851
W4001 Senior Leadership Team (SLT)	Andy Bates	303,025	0	303,025	23,300	0	(41,100)	285,225
W4002 Heads of Service Salaries	Andy Bates	505,100	0	505,100	78,900	0	(67,500)	516,500
W4082 Landline Telephones	Mike Ward	21,000	0	21,000	0	0	0	21,000
W4084 ICT Support Contracts	Mike Ward	483,284	(5,000)	478,284	10,000	0	0	488,284
W4085 Mobile Phones	Mike Ward	14,000	0	14,000	0	0	0	14,000
W4086 ICT Hardware Replacement	Mike Ward	51,697	0	51,697	0	0	0	51,697
W4087 Photocopiers/MFD's	Mike Ward	10,000	0	10,000	0	0	0	10,000
W4155 Digital Mail Room Team (DMR) Salaries	Jim Davis	82,500	0	82,500	2,700	18,400	3,000	106,600
W4501 Performance & Intelligence Team Salaries	Jim Davis	62,500	0	62,500	4,200	0	37,600	104,300
		4,839,056	0	4,839,056	703,550	18,400	(43,100)	5,517,906

b) Place & Enterprise	Budget Manager	(1)	(2)	(1)+(2)= 2a	(3)	(4)	(5)	(2a)+(3)+(4)+(5)
		22/23 Base Net Budget £'s	22/23 Virements £'s	22/23 Revised Net Budget £'s	23/24 Pressures/ (Savings) £'s	23/24 Budget Preparation Virements £'s	23/24 Salary Estimate Virements (See Note 1) £'s	23/24 Final Base Budget £'s
W1030 Economic Development	Chris Shears	89,691	0	89,691	2,600	0	0	92,291
W1060 Community Development	Chris Shears	52,500	0	52,500	15,000	0	0	67,500
W1082 Strategic Planning Salaries	Chris Shears	86,600	0	86,600	4,700	0	2,400	93,700
W1092a Planning Development Salaries	Ian Sosnowski	37,400	0	37,400	4,000	0	(41,400)	0
W1102 Tamar Valley Trust	Laura Wotton	62,482	0	62,482	1,000	0	0	63,482
W1104 Land & Investment Properties	Laura Wotton	(1,081,600)	0	(1,081,600)	(50,000)	0	0	(1,131,600)
W1161 Kilworthy Park Offices	Laura Wotton	264,992	0	264,992	26,000	0	(17,600)	273,392
W1200 Public Transport Assistance	Chris Shears	13,185	0	13,185	0	0	0	13,185
W1306 Countryside Recreation	Laura Wotton	10,080	0	10,080	51,000	0	0	61,080
W1310 Leisure Centres	Jon Parkinson	20,238	0	20,238	(45,500)	0	0	(25,262)
W1311 Outdoor Sports & Recreation	Laura Wotton	12,810	0	12,810	0	0	0	12,810
W1400 Employment Estates	Laura Wotton	(90,531)	0	(90,531)	(50,000)	0	0	(140,531)
W1501 General Health	Ian Luscombe	14,170	0	14,170	0	0	0	14,170
W1531 Licensing	Ian Luscombe	(90,551)	0	(90,551)	0	0	0	(90,551)
W1533 Pest Control	Ian Luscombe	16,293	0	16,293	0	0	0	16,293
W1534 Pollution Control	Ian Luscombe	(2,071)	0	(2,071)	0	0	0	(2,071)
W1535 Food Safety	Ian Luscombe	698	0	698	0	0	0	698
W1536 Health & Safety at Work	Ian Luscombe	1,500	0	1,500	0	0	0	1,500
W1544 Community Safety	Ian Luscombe	6,500	0	6,500	0	0	0	6,500
W1545 Emergency Planning	Ian Luscombe	5,370	0	5,370	0	0	0	5,370
W1551 Homelessness	Isabel Blake	137,777	0	137,777	16,000	0	0	153,777
W1552 Housing Advice	Isabel Blake	1,200	0	1,200	0	0	0	1,200
W1553 Housing Enabling	Laura Wotton	240	0	240	0	0	0	240
W1555 Private Sector Housing Renewal	Ian Luscombe	31,595	0	31,595	0	0	0	31,595
W1993 Environmental Health Salaries	Ian Luscombe	404,500	0	404,500	33,100	0	(6,000)	431,600
W1994 Assets Team Salaries	Laura Wotton	378,700	(85,100)	293,600	21,600	0	(35,500)	279,700
W1999 Housing Team Salaries	Isabel Blake	170,300	35,400	205,700	(130,700)	0	44,600	119,600
W2101 Car & Boat Parking	Emma Widdicombe	(605,529)	0	(605,529)	179,800	0	6,400	(419,329)
W2310 Dog Warden Service	Emma Widdicombe	3,422	0	3,422	0	0	0	3,422
W2400 Public Conveniences	Emma Widdicombe	118,299	0	118,299	3,450	0	0	121,749
W4105 Economy Service Salaries	Chris Shears	0	66,100	66,100	3,600	0	1,300	71,000
		70,260	16,400	86,660	85,650	0	(45,800)	126,510

c) Governance & Assurance	Budget Manager	(1)	(2)	(1)+(2)= 2a	(3)	(4)	(5)	(2a)+(3)+(4)+(5)
		22/23 Base Net Budget £'s	22/23 Virements £'s	22/23 Revised Net Budget £'s	23/24 Pressures/ (Savings) £'s	23/24 Budget Preparation Virements £'s	23/24 Salary Estimate Virements (See Note 1) £'s	23/24 Final Base Budget £'s

		£'s	£'s	£'s	£'s	£'s	£'s	£'s	
W1003	Land Charges Salaries	Helen Smart	40,900	0	40,900	2,200	0	1,600	44,700
W1020	Planning Applications and Advice	Pat Whymer	(440,795)	0	(440,795)	0	0	0	(440,795)
W1040	Local Land Charges	Pat Whymer	(73,806)	0	(73,806)	0	0	0	(73,806)
W1996	Human Resources Salaries	Andy Wilson	41,140	0	41,140	2,100	0	(13,400)	29,840
W1997	Strategy & Governance Salaries	Neil Hawke	129,600	(41,100)	88,500	7,200	0	36,100	131,800
W1998	Planning Service Salaries	Helen Smart	440,700	49,700	490,400	67,200	(14,400)	33,300	576,500
W3001	Electoral Registration	Clare Chapman	99,045	0	99,045	3,800	0	4,800	107,645
W3030	Staff Forum	Michelle Pierce	5,000	0	5,000	0	0	0	5,000
W3041	Communications & Media Team Salaries	Michelle Pierce	58,430	0	58,430	2,800	0	6,000	67,230
W3050	Democratic Representation & Management	Darryl White	246,035	0	246,035	8,900	0	0	254,935
W3051	Member Support & Democratic Services	Darryl White	124,250	0	124,250	7,800	0	23,400	155,450
W4004	Corporate Training & Occupational Health	Andy Wilson	18,183	0	18,183	0	0	0	18,183
W4005	Case Management Service Based Training	Andy Wilson	11,700	0	11,700	0	0	0	11,700
W4015	Specialists Service Based Training	Andy Wilson	12,400	0	12,400	0	0	0	12,400
W4041	Internal Audit	Neil Hawke	37,100	0	37,100	3,800	0	3,000	43,900
W4101	Legal Team Salaries	David Fairbairn	160,900	0	160,900	24,900	0	(1,000)	184,800
W4102	Design Team Salaries	Michelle Pierce	28,300	0	28,300	1,600	0	(7,200)	22,700
W4200	Insurance	Neil Hawke	83,231	0	83,231	0	0	0	83,231
W4511	Building Control Services	Jacqueline Houslander	38,469	0	38,469	0	0	0	38,469
			1,060,782	8,600	1,069,382	132,300	(14,400)	86,600	1,273,882
			(1)	(2)	(1)+(2)= 2a	(3)	(4)	(5)	(2a)+(3)+(4)+(5)
d)	Strategic Finance	Budget Manager	22/23 Base Net Budget	22/23 Virements	22/23 Revised Net Budget	23/24 Pressures/ (Savings)	23/24 Budget Preparation Virements	23/24 Salary Estimate Virements (See Note 1)	23/24 Final Base Budget
			£'s	£'s	£'s	£'s	£'s	£'s	£'s
W1001	Business Support Team Leader Salaries	Pauline Henstock	141,200	0	141,200	10,200	0	(100,800)	50,600
W1991	Finance Team Salaries	Pauline Henstock	170,463	0	170,463	12,100	(1,200)	146,900	328,263
W4009	Non Distributed Costs and Pensions costs	Pauline Henstock	490,442	(25,000)	465,442	175,000	0	148,000	788,442
W4150	Support Services Salaries	Pauline Henstock	180,100	0	180,100	14,500	(2,800)	(191,800)	0
W4160	Corporate Management and External Audit	Pauline Henstock	115,345	0	115,345	60,000	0	0	175,345
W4199	Central Service Overheads	Pauline Henstock	17,642	0	17,642	0	0	0	17,642
W6040	Borrowing Costs	Pauline Henstock	1,303,914	0	1,303,914	0	0	0	1,303,914
W6050	Interest & Investment Income	Pauline Henstock	(25,321)	0	(25,321)	(375,000)	0	0	(400,321)
W6101	Business Rates Income	Pauline Henstock	(40,000)	0	(40,000)	0	0	0	(40,000)
			2,353,785	(25,000)	2,328,785	(103,200)	(4,000)	2,300	2,223,885

Note 1. Salary costs for Business Support staff have been re-allocated into their respective Service Delivery teams, as the Heads of Service are now responsible for both Specialist and Business Support salary budgets within their service areas.

Sensitivity analysis and risk analysis of the Budget Proposals 2023-24

1. The budget assumes approximately £3.5 million of income from fees and charges and investments. Whilst this assumption is realistic, given the position of the economy there is a risk that income could fall or be less than anticipated. A 7.5% reduction in income would result in a loss of £262,500.
2. The Budget Proposals rely on proposed savings over the next 3 years of 1,815,000. A 5% reduction in the savings would equate to £90,750.
3. The Budget Proposals assume budget pressures over the next 3 years of £3,180,800. A 5% increase in the budget pressures would equate to £159,040.
4. Council Tax Income has been modelled based on an extra 300 Band D Equivalent properties per annum increase. If this figure were to actually be Nil, this would mean that Council Tax Income would be £76,200 less.
5. Council Tax has been assumed in the Budget Proposals to increase by 2.99% to £254.00 in 2023/24. The additional council tax income this would generate is £156,400. If council tax for 2023/24 were to remain at £246.63, the income from council tax would be overstated by this amount in the Budget Proposals.
6. If Council Tax income collection fell by 1% (collection in 21/22 was 97.8%), this would mean a reduction of council tax income of £54,000. Similarly if Business Rates income collection fell by 1% (collection in 21/22 was 93.67%), this would mean a reduction in business rates income of £18,000.
7. Income from investments has been assumed to increase in line with the expected interest rate forecasts. A 0.25% variation in interest rates on investment income equates to £30,000.

Borrowing Levels

Exempt Appendix G of the Medium Term Financial Strategy presented to Council in September 2018, gave advice on the borrowing level for the Council (recommended at £50 million) and the Interest payments on the borrowing as a percentage of available Reserves. The table below shows the impact that Interest payable at 4% on borrowing has on this Indicator.

Total Borrowing	Interest repayments at 4%	Level of Reserves £9.233m*	Interest payments (at 4%) as % of available Reserves
£50m	£2,000,000	£9.233m	21.7%

*(£1.455m of Unearmarked Reserves and £7.778m of Earmarked Reserves)

8. The capital programme is funded by receipts, grants, and contributions. Realistic assumptions about these have been made for the future.
9. Known liabilities have been provided for and there are no significant outstanding claims.

CIPFA’S Financial Resilience Index 2022

CIPFA has published a Financial Resilience Index which is a comparative analytical tool that can be used by Chief Financial Officers (S151 Officers) to support good financial management and to provide a common understanding within a Council of its financial position. The index shows a Council’s position on a range of measures associated with financial risk. Section 151 Officers can use the index in the annual budget report.

The extracts below show the financial resilience indicators for West Devon Borough Council for 2022, when compared against Nearest Neighbours and Non-Metropolitan Districts. Bars on the left show a higher risk of financial stress for different categories e.g. level of Reserves, Gross External Debt, interest payments as a proportion of net revenue expenditure etc. Similarly bars on the right show a lower risk of financial stress for each indicator.

Resilience Index 2022



The tables show that when compared against nearest neighbours and non metropolitan districts, West Devon has a higher than average risk around its level of reserves and the interest payable on borrowings. Gross External Debt is higher than average risk when compared against nearest neighbours, but slightly lower than average when compared against Non Metropolitan Districts. The reliance on fees and charges in comparison to service expenditure is also higher risk when compared against nearest neighbours. All other indicators are lower risk when benchmarked against nearest neighbours and non-metropolitan districts.

Summary & conclusion

Sensitivity analysis and risks are identified above with a potential total adverse revenue effect for 2023/24 of **£846,890**.

I therefore confirm the robustness of the Budget Proposals and the adequacy of the reserves.

Mrs Lisa Buckle, Corporate Director for Strategic Finance (S151 Officer)

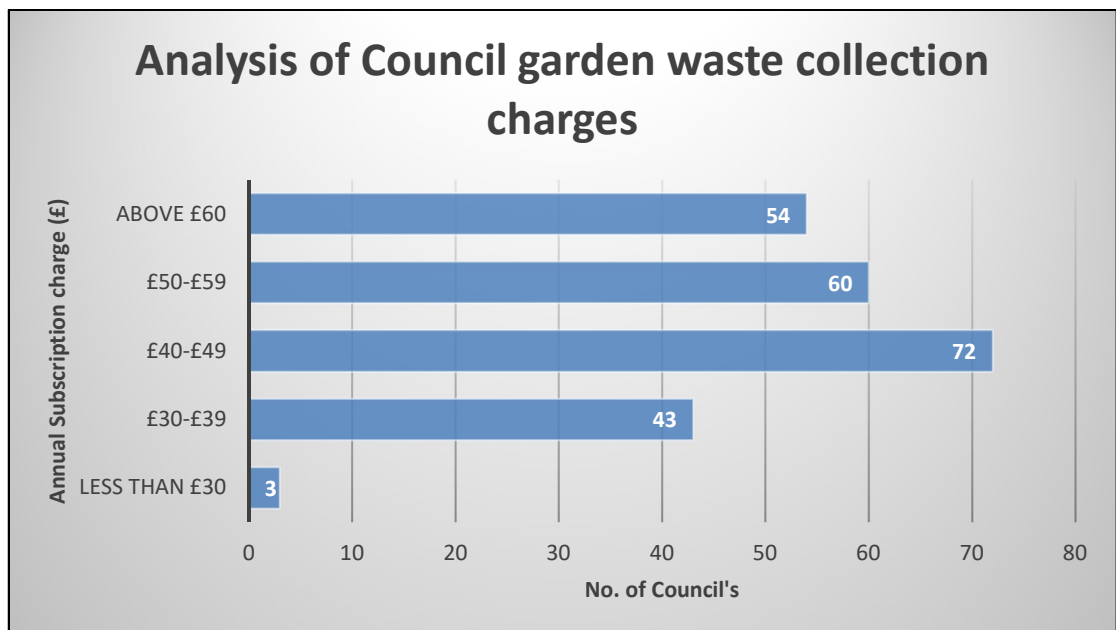
9 February 2023

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APPENDIX G

Garden Waste subscription annual charge from 1.4.2023

- 1.1 A chargeable garden waste service was first introduced in 2017 at an annual cost of £40 per annum. The fee has not been increased for over 5 years and has remained at £40 per annum since 2017.
- 1.2 Over the past 5 to 6 years there have been significant increasing inflationary costs such as fuel and wages costs.
- 1.3 Benchmarking has been carried out of the current garden waste subscription charges for the current year, 2022/23.
- 1.4 The table below shows the analysis of the annual charges Councils apply across the country for a garden waste collection service (annual subscription cost). For example, 60 Councils currently charge between £50 and £59 for the collection of garden waste, as shown below.



Source www.local.gov.uk (where Councils have provided this information). It should be noted that these are the current year (2022-2023) charges and do not reflect the increasing inflationary costs such as fuel and wages.

1.5 The table below shows the current year (2022/2023) subscription costs and the take up of services in Devon.

Council	Service offered	Cost	% take up
East Devon	11 month Fortnightly (Not over Christmas)	£48 per bin	25-30%
Exeter	11 month Fortnightly (Not over Christmas)	Up to £51.50	61%
Mid Devon	12 month Fortnightly	Up to £50	32%
North Devon	Fortnightly (Feb to Nov) Monthly (Dec & Jan)	£45 per bin	55%
Teignbridge	11 month Fortnightly (Not over Christmas)	£50 per bin	37%
Torridge	11 month Fortnightly (Not over Christmas)	£45 per bin	34%
West Devon	11 month Fortnightly (Not over Christmas)	£40 for 4 sacks	24%

1.6 Garden waste is a non-statutory discretionary service and a chargeable garden waste collection service enables residents to choose how they dispose of their garden waste:

Option	Environmental impact	Cost to Resident
Home composting	None	None
Disposal at a recycling centre	Some	Travel costs to recycling centre
Collection by West Devon Borough Council	High	Approximately £2 per collection (based on a biweekly collection)
Collection by independent contractor	High	£10 - £20 per collection

- 1.7 **It is recommended by both the Overview and Scrutiny Committee and the Hub Committee to increase the garden waste subscription from April 2023 to £52 per annum.** At the Overview and Scrutiny Committee meeting on 17th January 2023, the report initially recommended increasing the charge to £49 per annum from April 2023. On considering the report, the Overview and Scrutiny Committee recommended to the Hub Committee to increase the garden waste subscription charge to £52 per annum from April 2023. The Hub Committee agreed with this recommendation and have recommended this to Council. The final decision on this will be taken by Council on 21st February.
- 1.8 This would reflect the fact that the charge has not been increased for over five years and would take account of the increasing inflationary costs of fuel and wages since that time.
- 1.9 It is estimated that the costs of the garden waste service would be in the region of £325,000 for the 2023-24 year and the increased subscription charge would cover the costs of delivering the service. The current income in 2022-23 is around £266,000 based on a £40 charge.
- 1.10 The increased annual charge would be a cost of approximately £2 per collection, based on a biweekly collection over 11 months. This is significantly less than the cost of collection by an independent contractor and also less than the cost of taking garden waste to the local collection centre for many residents, when mileage and travel costs are taken into consideration.
- 1.11 A number of other Councils (already charging more than West Devon) are considering increasing their charges as part of their budget proposals for 2023/24 and West Devon would still be below these.
- 1.12 The benefits of a chargeable garden waste collection service include:
- Reduces the overall environmental impact
 - Reduced cost to the Council of providing a non-statutory discretionary service
 - Residents have a choice - only those that want the service pay for it. i.e. reduced cross subsidisation by council tax payers
 - With limited availability of HGV drivers, it enables the Council to prioritise statutory services (residual, recycling, street cleaning services)
 - Manage resources effectively – we only collect only where needed

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Report to: **Council**
Date: **21 February 2023**
Title: **Council Tax Discounts and Premiums**
Portfolio Area: **Cllr Neil Jory – Leader of the Council**

Wards Affected: **All**

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

Date next steps can be taken:

Author: **Geni Hotchkiss** Role: **Head of Revenues and Benefits**

Contact: **geni.hotchkiss@swdevon.gov.uk**

Recommendations:

That Council RESOLVES:

- 1. To adopt Council Tax discounts as follows with effect from 1 April 2023:**
 - The discount for unoccupied and substantially unfurnished dwellings is 100% for a maximum period of 1 month;**
 - The discount for unoccupied and substantially unfurnished dwellings for 1 month to 2 years is zero;**
 - The discount for dwellings which are vacant and require major repair work to render them habitable is 50% for a maximum period of 12 months;**
 - The discount for unoccupied furnished dwellings (second homes) is zero;**
 - An empty homes premium of an additional 100% is levied on dwellings that have remained unoccupied and substantially unfurnished for at least two years, but less than 5 years;**
 - An empty homes premium of an additional 200% is levied on dwellings that have remained unoccupied and substantially unfurnished for at least five years, but less than 10 years;**

- **An empty homes premium of an additional 300% is levied on dwellings that have remained unoccupied and substantially unfurnished for at least 10 years.**
- 2. That, subject to the Levelling Up and Regeneration Bill receiving Royal Assent, from 1 April 2024 the current 100% premium for dwellings which are unoccupied and substantially unfurnished will be levied after a period of one year.**
- 3. That subject to the Levelling Up and Regeneration Bill receiving Royal Assent, from 1 April 2024 a premium of 100% will be levied on all dwellings which are unoccupied and substantially furnished (second homes).**

1. Executive summary

- 1.1 The Local Government Finance Act 2012 abolished certain council tax discounts with effect from 1 April 2013 and replaced them with discounts which can be determined locally.
- 1.2 The majority of council tax legislation incorporates mandatory discounts such as single person discounts, disregards and exemptions where no local discretion is allowed.
- 1.3 The report confirms the council tax discounts already in place and makes recommendations for changes from 1 April 2024 to the levying of council tax premiums in the District.
- 1.4 The changes are contained in the Levelling Up and Regeneration Bill which is currently making its way through Parliament. The changes impacting on council tax are in two parts and relate to second homes and long term empty dwellings.
- 1.5 The Bill proposes to bring forward the period from two years to one year when an unoccupied and unfurnished dwelling can be charged a council tax premium of 100%. All other empty homes premiums remain unchanged, namely:
 - A premium of 200% can be levied where a dwelling has remained empty for a period of 5 years or more;
 - A premium of 300% can be levied where a dwelling has remained empty for a period for 10 years or more;
- 1.6 Any decision must be taken by Full Council as a Billing Authority. The Levelling Up and Regeneration Bill will require one year's notice to be given and, if adopted, the premiums would be effective from 1 April 2024.
- 1.7 Due to the likely timescale, it is imperative that a decision is taken by Full Council by 31 March 2023. Any resolution will be

subject to the Levelling Up and Regeneration Bill receiving Royal Assent.

2. Background

- 2.1 The Local Government Finance Act 2012 abolished certain council tax discounts with effect from 1 April 2013 and replaced them with discounts which can be determined locally.
- 2.2 Prior to 1 April 2013, billing authorities could charge up to a maximum 100% council tax on dwellings that had been empty for more than two years. From 1 April 2013, billing authorities were given new powers to charge a premium of up to 50% of the council tax payable. Further legislation was then introduced allowing a 100% empty homes premium to be levied from 1 April 2019.
- 2.3 There were then further incremental changes leading to the current position as follows:
 - Dwellings left unoccupied and substantially unfurnished for two years or more can be charged a premium of up to 100%
 - Dwellings left unoccupied and substantially unfurnished for 5 years or more up to 200%
 - Dwellings left unoccupied and substantially unfurnished for 10 years or more up to 300%
- 2.4 The original legislation and subsequent amendments were introduced with the express intention to encourage owners to bring empty properties back into use and the Council charges the maximum premium in all cases.
- 2.5 Both the Government and local authorities have recognised that as well as there having been an increase in the number of empty properties, there is also a loophole regarding second homes which requires further legislation to address. A premium can be avoided by the dwelling being unoccupied and 'furnished' which means it is classed as a second home for council tax purposes as it is non-one's sole or main residence.
- 2.6 Clauses in the Levelling Up and Regeneration Bill have been introduced to seek to address this loophole and bring more empty properties back into use.
- 2.7 The table below the current discounts and premiums the Council has adopted:

	Definition	Current discount/premium
Class A – Second Homes	Dwellings which are no one's sole or main residence which are substantially furnished and subject to a 28 day planning restriction.	0% discount
Class B – Second Homes	Dwellings which are no one's sole or main residence and are substantially furnished.	0% discount
Class C	Dwellings which are unoccupied and substantially unfurnished.	100% discount for a period of 1 month.
Class D	Dwellings which are unoccupied and substantially unfurnished and require major repair work to render them habitable.	50% for a maximum period of 12 months.
Empty Homes Premium	Dwellings which are unoccupied and substantially unfurnished for more than 2 years and less than 5 years.	100% premium.
Empty Homes Premium	Dwellings which are unoccupied and substantially unfurnished for between 5 years and 10 years.	200% premium.
Empty Homes Premium	Dwellings which are unoccupied and unfurnished for 10 years or more.	300% premium.

The Council's lobbying of Government in response to the Housing crisis

- 2.8 The Council declared a housing crisis in February 2022 and has agreed an Action Plan for 2022-23 within its Housing Strategy 'Better Homes, Better Lives'. One of those actions included lobbying the Government to allow councils to charge a 100% premium, i.e. 200% council tax, on second or holiday homes, to ensure they contribute fairly to the services they receive.
- 2.9 The Council's lobbying has proved successful, as in May 2022, the Government published the Levelling Up and Regeneration Bill which includes proposals aimed at addressing the negative impact of second homes on the supply of homes available to meet local housing need.

- 2.10 The Bill proposes that billing authorities will be able to introduce a council tax premium of up to 100% in respect of second homes, meaning second homes would pay double the amount of council tax for an area.

Introduction of a council tax premium for second homes

- 2.11 At present an empty homes premium can only be charged in respect of dwellings which are unoccupied and substantially unfurnished. This term is not defined by legislation and instead use must be made of case law. Dwellings which are no one's sole or main residence and furnished are classed as second homes.
- 2.12 Second home ownership in West Devon is significant and is recognised to have a negative impact in terms of the supply of homes available to meet local housing need.
- 2.13 The long-term viability of communities within West Devon has been detrimentally affected by the level of second homes ownership. The sheer quantity of second homes means that house prices are pushed upwards. This can deny a home to a local resident as prices are pushed outside of what they can reasonably afford. This is especially acute for the younger generation.
- 2.14 Clause 73 of the Levelling Up and Regeneration Bill will insert a new section 11C into the Local Government Finance Act 1992. This will allow billing authorities to apply a premium to dwellings which have no resident and are "substantially furnished". The maximum council tax charge in these cases would be a standard 100% plus a further 100% premium resulting in a total council tax charge of 200%.
- 2.15 There would be no requirement for the dwelling to have been used as a second home for a fixed period of time before the premium could be levied.
- 2.16 During the 2023/24 financial year the level of income from second homes will be maintained at the same level as at present, subject to any natural movement in the property market.
- 2.17 For 2024/25 the implementation of a second homes premium would increase the amount of council tax received in the Collection Fund and would also increase the council tax base.
- 2.18 Based on the CTB (October 2022) form, the Council has 650 second homes. The table below illustrates the number by council tax band.

Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H	Total
128	150	128	93	65	54	28	4	650

- 2.19 Council tax is charged to households to help fund the services that the area's local town, district, county council, police and crime commissioner and fire and rescue service provide. These services are essential for a community to function and are designed to improve the quality of life for people who live in these communities. Many services provided by local authorities such as waste services, highways and the blue light services all increase with an increase in seasonal population.
- 2.20 Initial high level analysis shows that the levying of a 100% premium on second homes could generate further council tax income of £1.38million, with West Devon's share being £157,000.
- 2.21 These estimated figures may be revised subject to the Bill receiving Royal Assent and any subsequent guidance regarding the circumstances in which a council tax premium can be charged.
- 2.22 The Secretary of State has the power to prescribe certain classes of dwelling that will not be subject to a council tax premium. Currently these are dwellings that are empty due to the council taxpayer living in armed forces accommodation for job-related purposes or where annexes are being used as part of the main dwelling. It is anticipated that there may be similar exceptions in any new guidance and the Council would look to exercise these in a fair and equitable manner, particularly on the grounds of unique and extenuating circumstances.

Reducing the minimum period for an empty homes premium

- 2.23 The second key measure in the bill is a proposal to reduce the minimum period for charging a council tax premium for empty properties from two years to one year.
- 2.24 Clause 72(1) (b) of the Bill will allow billing authorities in England to charge an empty homes premium after one year rather than the current two. This gives effect to a commitment given by the Government in the Levelling Up White Paper.
- 2.25 Clause 72(1) (a) requires billing authorities to have regard to any guidance issued by the Secretary of State when deciding whether to charge an empty homes premium. It is expected that the current guidance, which was published in 2013, will be updated.

- 2.26 Clause 72(2) of the Bill proposes that from 1 April 2024, that billing authorities can charge an empty homes premium of 100% after one year even if it became empty before this date.
- 2.27 Potential income related to this proposal is difficult to estimate as the eligibility of a dwelling for this premium changes over time. Financial benefit is likely to decrease in time as the premium is there to incentivise bringing empty properties back into use and change behaviours.
- 2.28 The table below sets out the number of dwellings recorded on the CTB (October 2022) form as empty and being charged an Empty Homes Premium as they have been unoccupied and substantially unfurnished for more than two years. Of these, 1 has been empty for between 5 and 10 years and 1 has been empty for more than 10 years.

Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H	Total
16	5	3	5	3	0	2	1	35

- 2.29 The table below sets out the number of properties recorded on the CTB (October 2022) form that have been empty for more than 6 months and are therefore likely to be subject to a premium in the future, if the qualifying period is reduced to one year.

Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H	Total
42	35	26	15	9	5	3	1	136

- 2.30 Due to the nature of the housing market there is always some movement in the number of empty homes, however the figures above give an estimate of the number of additional dwellings likely to be subject to a premium in the future.

3. Outcomes/outputs

- 3.1 The Government encourages all billing authorities to charge council tax premiums on empty properties with a view to incentivising property owners to bring those properties back into use.
- 3.2 Whilst recognising the importance of second homes to the visitor economy, the Council has long recognised the negative impact of second homes in terms the supply of homes to meet local housing need and the affordability of housing for local people. Some business sectors may also be negatively impacted by the decline in year round residential populations due to properties being purchased as second homes.

- 3.3 It is not unreasonable to expect second home owners to make a financial contribution to the areas in which their properties are located with the assumption that generally they are in a better position to make that contribution.
- 3.4 West Devon has a significant level of second home ownership and is clearly the type of area the Government has in mind in bringing forward this legislation.
- 3.5 Financially the levying of a 100% second homes premium could generate a significant amount of additional council tax for the Council and precepting authorities in Devon.
- 3.6 Second home owners could decide to sell their properties rather than pay the additional council tax, which although potentially reducing income from council tax, would release properties onto the market to help address local housing need.

4. Options available and consideration of risk

- 4.1 The Council could choose not to charge a 100% premium on second homes. This option is not recommended for the reasons outlined in the report.
- 4.2 A number of concerns have been raised regarding whether charging a second homes premium would encourage council tax 'avoidance', for example through owners transferring such dwellings to business rates. Given that the current discount for second homes is zero and therefore is the same as full council tax charge, the levying of a second home premium may result in some customer contact seeking to reclassify the dwelling for genuine reasons and reducing the potential revenue which could be derived from the premium.
- 4.3 At the present time, dwellings that are available to let for 140 days in a calendar year can be assessed as business rates by the Valuation Office Agency. Limited evidence is required by the Valuation Office Agency, such as an advertisement letting the dwelling, in support of this assessment. From 1 April 2023, the Valuation Office Agency (VOA) will look at letting information from the previous operating year. In order to be liable for business rates rather than council tax, the property must be:
 - Available for letting commercially (with a view to making a profit) for short periods. These short periods must total 140 days or more in the previous and current year.
 - Actually let commercially for 70 days or more in the previous 12 months.
- 4.4 The new rules will apply equally to all self-catering properties across England. New holiday lets will be liable for council tax each day until the property meets the eligibility rules.

- 4.5 In order to pre-empt some of these issues, the Revenues team will be undertaking an exercise over the coming months to ensure that all dwellings are properly classified as a second home. The council taxpayer will be required to provide evidence in the form of a council tax bill that they are liable for full council tax on their main residence.
- 4.6 The initial burden of proof, where the owner says the property should be business rated rather than subject to council tax, lies on the owner of the property. Any information provided will be verified by the Council and reported to the VOA who will then contact the owner for further information.
- 4.7 A further concern is that couples who own second homes may claim that they are living separately and occupy each property on their own. If such cases arise the Council can check and validate the circumstances giving rise to any discount or exemption claimed, including single person discounts. Financial penalties can be imposed where false information is provided and will assist in ensuring that data held is accurate.

5. Proposed Way Forward

- 5.1 The Council confirms the council tax discounts and premiums applicable from 1 April 2023 and the premiums which will be charged from 1 April 2024, subject to the Levelling Up and Regeneration Bill receiving Royal Assent before 31 March 2023.
- 5.2 The approach taken by the Council is to encourage council taxpayers to use a dwelling as their main residence or allow others to do the same. It also seeks to bring empty properties back into use to increase the supply and affordability of housing in the Borough.
- 5.3 The implementation of revised and additional council tax premiums, will provide additional income from council tax which will be used to provide services to residents.

6. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance		Section 11B of the Local Government Finance Act 1992 (as amended) allows the Council to charge a council tax premium. Section 67(2) of that Act provides that the power to decide to charge a premium can only be exercised by full Council. Further, The Rating (Property in Common Occupation) and Council Tax Empty Dwellings Act 2018 allows billing authorities, from 1 April 2020, to

		<p>apply a premium of an additional 200% of the council tax due where a dwelling has been empty for five years and over. A premium of an additional 300% can be applied where the dwelling has been empty for ten years and over from April 2021.</p> <p>The recommendations set out within this report are subject to the Levelling Up and Regeneration Bill receiving Royal Assent.</p>
Financial implications to include reference to value for money		<p>Although a key driver for levying a premium is to bring empty dwellings back into use, charging council tax premiums will result in additional council tax income being generated.</p> <p>Initial high level analysis shows that the levying of a 100% premium on second homes could generate further council tax income of £1.38million, with West Devon's share being £157,000.</p> <p>The levying of council tax premiums also increases the taxbase.</p>
Risk		<p>There is a risk that the implementation of a second homes premium may encourage council tax 'avoidance' through owners seeking to transfer their properties to business rates as holiday lets. This will be reduced by the new evidence requirements being introduced by the Valuation Office Agency. It is for the Valuation Office Agency to make the decision if a property is entered into the Rating List or the Valuation List.</p> <p>There is a risk that the legislation may be delayed, making it more challenging to build assumptions into the medium-term financial strategy.</p>
Supporting Corporate Strategy		<p>Maximising our resources. 'Better Homes, Better Lives'</p>
Consultation & Engagement Strategy		<p>As this relates to an amendment to council tax legislation, no consultation is required.</p>
Climate Change - Carbon / Biodiversity Impact		<p>No impact.</p>
Comprehensive Impact Assessment Implications		

Equality and Diversity		There are no specific equality and diversity issues emerging from the potential implementation of additional council tax premiums. If adopted, there will be additional revenue to invest in services for the residents of West Devon.
Safeguarding		None as a direct result of this report, however if more dwellings are brought back into use it may help to keep vulnerable children and adults safe.
Community Safety, Crime and Disorder		None as a direct result of this report, however there may be a reduction in anti-social behaviour in respect of empty properties.
Health, Safety and Wellbeing		There is a potential positive impact on the wellbeing of residents if under used or empty properties are brought back into use.
Other implications		The recommendations in the report are subject to the Levelling Up and Regeneration Bill receiving Royal Assent.

Appendices:

None

Background Documents:

None

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Report to: **Council**

Date: **21 February 2023**

Title: **Business Rates Relief: 2023/4 Retail, Hospitality and Leisure Scheme and 2023 Supporting Small Business Relief**

Portfolio Area: **Economic responsibilities – Cllr Peter Crozier**

Wards Affected: **All**

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

Date next steps can be taken:

Author: **Geni Hotchkiss** Role: **Head of Revenues and Benefits**

Contact: **geni.hotchkiss@swdevon.gov.uk**

Recommendations:

That the Council:-

1. Approves the Business Rates Relief: 2023/24 Retail, Hospitality and Leisure Scheme Policy attached at Appendix A.
2. Approves the implementation of the 2023 Supporting Small Business Relief scheme.

1. Executive summary

- 1.1 The report sets out changes to discretionary relief for business rates announced as part of the Autumn Budget.
- 1.2 Although the Council intends to follow the Government guidance in implementing the changes, it is a discretionary decision and is therefore good practice for the Council to endorse the implementation of the relief schemes through a policy document which clearly sets out the eligibility criteria for awarding the relief.
- 1.3 The 2023/24 Retail, Hospitality and Leisure Scheme will provide eligible, occupied retail, hospitality and leisure properties with a 75% relief up to a cash cap limit of £110,000 per business.

- 1.4 As this is a temporary measure for 2023/24, the government is not changing the legislation relating to the reliefs available to properties. Instead, the government will, in line with the eligibility criteria set out in the guidance, reimburse local authorities that use their discretionary relief powers under section 47 of the Local Government Finance Act 1988 (as amended) to grant relief. It will be for individual billing authorities to adopt a local scheme and determine each individual case when, having regard to the guidance to grant relief under section 47.
- 1.5 The Chancellor also announced a 2023 Supporting Small Business scheme. This will cap bill increases at £600 per year for businesses losing eligibility for some or all Small Business Rate Relief or Rural Rate Relief at the 2023 revaluation.
- 1.6 Again, as this is a temporary measure, the Government is not amending the legislation and expects local authorities to use their discretionary powers to award the relief.

2. Background

- 2.1 At the Autumn Statement on 17 November 2022 the Chancellor announced the introduction of a new business rates relief scheme for retail, hospitality and leisure properties worth around £2.1 billion in 2023 to 2024.
- 2.2 The 2023/24 Retail, Hospitality and Leisure Scheme will provide eligible, occupied retail, hospitality and leisure properties with a 75% relief up to a cash cap limit of £110,000 per business.
- 2.3 As this is a temporary measure for 2023/24, the government is not changing the legislation relating to the reliefs available to properties. Instead, the government will, in line with the eligibility criteria set out in the guidance, reimburse local authorities that use their discretionary rate relief powers under section 47 of the Local Government Finance Act 1988 (as amended) to grant relief. It will be for individual billing authorities to adopt a local scheme and determine each individual case when, having regard to the guidance to grant relief under section 47.
- 2.4 The Chancellor also announced a 2023 Supporting Small Business scheme. This will cap bill increases at £600 per year for businesses losing eligibility for some or all Small Business Rate Relief or Rural Rate Relief at the 2023 revaluation.
- 2.5 Again it is for individual local authorities, which administer the 2023 Supporting Small Business Relief, to adopt a local scheme and determine in each individual case when, having regard to the guidance, to grant relief under section 47.

- 2.6 It is important that the Council agrees to implement the guidance in February 2023, to enable the relief to be applied to the 2023/24 annual bills due to be issued in the coming weeks.
- 2.7 2023 Supporting Small Business Relief will apply for the duration of the 2023 Rating List i.e. for the period 2023/24 to 2025/26.
- 2.8 Due to the complexity of the eligibility criteria, this scheme is not attached to this report as a policy document. Officers will, however, award relief in accordance with the requirements of the Government guidance.

3. Outcomes/outputs

- 3.1 A decision to adopt the Business Rates Relief: 2023/24 Retail, Hospitality and Leisure Scheme and the 2023 Supporting Small Business scheme will mean that the Council will continue to be able to support businesses who are continuing to experience difficult trading conditions post pandemic and through the cost of living crisis.
- 3.2 By agreeing a scheme now we will be able to award the relief to ratepayers 2023/24 annual bills which will have an immediate benefit in reducing the amount of business rates payable.
- 3.3 Initial estimates suggest that we will be able to support approximately 542 businesses through the award of this relief.

4. Options available and consideration of risk

- 4.1 The Council could choose not to access the government funding and exercise its discretionary powers in awarding rate relief. This means that businesses would pay more business rates than they need to and may cause the Council unnecessary reputational damage.

5. Proposed Way Forward

- 5.1 Approve the Business Rates Relief: 2023/24 Retail, Hospitality and Leisure Scheme attached at Appendix A.
- 5.2 Approve the award of 2023 Supporting Small Business Relief to those businesses that meet the Government’s eligibility criteria.

6. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance		Both relief schemes will be administered through discretionary rate relief powers, introduced by the Localism Act 2011, which amended section 47 of the Local Government Finance Act 1988.

Financial implications to include reference to value for money		<p>The government will fully reimburse billing authorities and major precepting authorities for their loss of income under the rates retention scheme as a result of awarding the relief that falls within the definitions in the guidance, using a grant under section 31 of the Local Government Act 2003.</p> <p>Local authorities will be asked to provide an estimate of their likely total cost for providing the relief in their National Non-Domestic Rate Return 1 (NNDR1) for 2023/24. Central government will provide payments to authorities to cover the local share. Local authorities will also be asked to provide outturn data on the actual total cost of providing the relief, via the National Non-Domestic Rate 3 (NNDR3) forms. Any required reconciliations will then be conducted at these points.</p>
Risk		If the recommendations in this report are not approved, funding will not be distributed to businesses in need of support which could cause reputational damage to the Council.
Supporting Corporate Strategy		Stimulating a thriving economy.
Consultation & Engagement Strategy		As this is the implementation of a central Government change no consultation is required.
Climate Change - Carbon / Biodiversity Impact		None directly arising from this report.
Comprehensive Impact Assessment Implications		
Equality and Diversity		None directly arising from this report.
Safeguarding		None directly arising from this report.
Community Safety, Crime and Disorder		None directly arising from this report.
Health, Safety and Wellbeing		None directly arising from this report.
Other implications		None directly arising from this report.

Supporting Information

Appendices

Appendix A – Business Rates Relief: 2023/25 Retail, Hospitality and Leisure Scheme

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**West Devon
Borough
Council**

Business Rates Relief: 2023/24 Retail, Hospitality and Leisure Scheme

1. Introduction

- 1.1 At the Autumn Statement on 17 November 2022, the Chancellor announced the introduction of a new business rates relief scheme for retail, hospitality and leisure properties worth around £2.1 billion in 2023/2024.
- 1.2 The 2023/24 Retail, Hospitality and Leisure business rates relief scheme will provide eligible, occupied, retail, hospitality and leisure properties with a 75% relief up to a cash cap limit of £110,000 per business.
- 1.3 This document explains how the scheme will operate and the eligibility criteria for businesses in the West Devon Borough Council area.

2. Eligibility for the Retail, Hospitality and Leisure Relief Scheme

- 2.1 Hereditaments that meet the eligibility criteria for the Retail, Hospitality and Leisure Scheme 2023/24 will be occupied hereditaments which meet all of the following conditions for the chargeable day:
 - a. they are wholly or mainly being used:
 - i. as shops, restaurants, cafes, drinking establishments, cinemas or live music venues,
 - ii. for assembly and leisure; or
 - iii. as hotels, guest and boarding premises or self-catering accommodation.
- 2.2 We consider shops, restaurants, cafes, drinking establishments, cinemas and live music venues to mean:

i. Hereditaments that are being used for the sale of goods to visiting members of the public:

- Shops such as florists, bakers, butchers, grocers, greengrocers, jewellers, stationers, off licences, chemists, newsagents, hardware stores and supermarkets)
- Charity shops
- Opticians
- Post offices
- Furnishing shops/display rooms (such as carpet shops, double glazing and garage doors)
- Car/caravan show rooms
- Second-hand car lots
- Markets
- Petrol stations
- Garden centres
- Art galleries (where art is for sale/hire)

ii. Hereditaments that are being used for the provision of the following services to visiting members of the public

- Hair and beauty services (such as hairdressers, nail bars, beauty salons and tanning shops)
- Shoe repairs/key cutting
- Travel agents
- Ticket offices e.g for theatre
- Dry cleaners
- Launderettes
- PC/TV/domestic appliance repair
- Funeral directors
- Photo processing
- Tool hire
- Car hire

iii. Hereditaments that are being used for the sale of food and/or drink to visiting members of the public:

- Restaurants
- Takeaways
- Sandwich shops
- Coffee shops
- Pubs
- Bars

iv. Hereditaments which are being used as cinemas

v. Hereditaments that are being used as live music venues

- Live music venues are hereditaments wholly or mainly used for the performance of live music for the purpose of entertaining an audience. Hereditaments cannot be considered a live music venue for the purpose of business rates relief where a venue is wholly or mainly used as a nightclub or a theatre, for the purposes of the Town and Country Planning (Use Classes) Order 1987 (as amended).
- Hereditaments can be a live music venue even if used for other activities, but only if those other activities (i) are merely ancillary or incidental to the performance of live music (e.g. the sale/supply of alcohol to audience members) or (ii) do not affect the fact that the primary activity for the premises is the performance of live music (e.g. because those other activities are insufficiently regular or frequent, such as a polling station or a fortnightly community event).
- There may be circumstances in which it is difficult to tell whether an activity is a performance of live music or, instead, the playing of recorded music. Although we would expect this would be clear in most circumstances, guidance on this may be found in [Chapter 16 of the statutory guidance](#) issued in April 2018 under section 182 of the Licensing Act 2003.

2.3 We consider assembly and leisure to mean:

i. Hereditaments that are being used for the provision of sport, leisure and facilities to visiting members of the public (including for the viewing of such activities).

- Sports grounds and clubs
- Museum and art galleries
- Nightclubs
- Sport and leisure facilities
- Stately homes and historic houses
- Theatres
- Tourist attractions
- Gyms
- Wellness centres, spas and massage parlours
- Casino, gambling clubs and bingo halls

ii. Hereditaments that are being used for the assembly of visiting members of the public.

- Public halls
- Clubhouses, clubs and institutions

2.4 We consider hotels, guest and boarding premises and self-catering accommodation to mean:

i. Hereditaments where the non-domestic part is being used for the provision of living accommodation as a business:

- Hotels, guest and boarding houses
- Holiday homes
- Caravan parks and sites

2.5 To qualify for the relief the hereditament should be wholly or mainly being used for the above qualifying purposes. In a similar way to other reliefs (such as charity relief), this is a test on use rather than occupation. Therefore, hereditaments which are occupied but not wholly or mainly used for the qualifying purpose will not qualify for the relief.

2.6 The list set out above is not intended to be exhaustive as it would be impossible to list the many and varied uses that exist within the qualifying purposes. We will consider if particular properties not listed are broadly similar in nature to those above and, if so, the Council considers them eligible for relief.

3. Hereditaments not eligible for relief

3.1 The list below sets out the types of use the Government does not consider to be an eligible use for the purpose of this relief.

3.2 I. Hereditaments that are being used for the provision of the following services to visiting members of the public

- Financial services (e.g banks, building societies, cash points, bureaux de change, short-term loan providers and betting shops)
- Medical services (e.g vets, dentists, doctors, osteopaths and chiropractors)
- Professional services (e.g solicitors, accountants, insurance agents/financial advisers, employment agencies, estate agents and letting agents)
- Post office sorting offices

4. Duration of relief awards

4.1 This relief will apply effective from 1 April 2023 for the 2023/24 financial year only.

4.2 If a ratepayer moves out of a property, the relief will be apportioned on a daily basis for the number of days the property is occupied.

4.3 Ratepayers are required to notify the Council immediately of any change in circumstances which may affect their entitlement to the relief.

5. The Cash Cap and Subsidy Control

5.1 Under the cash cap, no ratepayer can in any circumstances exceed the £110,000 cash cap across all hereditaments in England.

5.2 Where a ratepayer has a qualifying connection with another ratepayer then those ratepayers should be considered as one ratepayer for the purposes of the cash caps. A ratepayer shall be treated as having a qualifying connection with another:

- a. where both ratepayers are companies, and
 - i. one is a subsidiary of the other, or
 - ii. both are subsidiaries of the same company; or
 - b. where only one ratepayer is a company, the other ratepayer (the “second ratepayer”) has such an interest in that company as would, if the second ratepayer were a company, result in its being the holding company of the other.
- 5.3 The Retail, Hospitality and Leisure Scheme is likely to amount to a subsidy. Any relief provided by local authorities under this scheme will need to comply with the UK’s domestic and international subsidy control obligations. See the BEIS guidance for public authorities which contains guidance and information for the new UK subsidy control regime, which commenced on 4 January 2023.
6. If a ratepayer disagrees with a decision made under this policy, they must write and tell us why they think the decision is wrong. We will consider any additional information in deciding if the eligibility criteria has been properly applied.

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Report to: **Council**
Date: **16 February 2023**
Title: **Calendar of Meetings 2023/24**
Portfolio Area: **Council – Cllr Jory, Leader**

Wards Affected: **All**

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

Date next steps can be taken: Immediately following this meeting

Author: **Darryl White** Role: **Democratic Services Manager**

Contact: **Email: darryl.white@swdevon.gov.uk**

RECOMMENDATION:

That Council be RECOMMENDED to approve the draft Calendar of Meetings for 2023/24 (as presented at Appendix A).

1. Executive summary

- 1.1 Each year, the Council is required to approve a Calendar of formal decision-making Meetings for the forthcoming year.

2. Background

- 2.1 The Constitution sets out requirements relating to the number and frequency of meetings of Council Bodies. In setting the Calendar of Meetings each year, the Council can ensure that these requirements are met. Adoption of a twelve-month Calendar also enables for forward planning and avoids potential meeting clashes.

3. Outcomes/outputs

- 3.1 Set out at Appendix A is the draft Calendar of Meetings for 2023/24.
- 3.2 In drawing up the calendar of meetings, a number of parameters have been taken into account. These include:
- 3.2.1 Constitutional requirements which, for some Bodies, sets the number and frequency of meetings that are to be held annually;

3.2.2 The wishes of Members that Tuesdays are seen as 'Member Days' and therefore as many meetings as possible are arranged to take place on this day; and

3.2.3 The wishes of Members, wherever possible, to avoid formal meetings being held during school holidays. In particular, that a reasonable break be factored in during the summer (August) and over the Christmas and New Year break.

4. Options available and consideration of risk

4.1 By approving the Calendar of Meetings each year, the Council will avoid potential Member meeting clashes and ensure that its Constitutional requirements are provided for with the wishes of Members, wherever possible, being taken into account.

5. Proposed Way Forward

5.1 Approval of the Calendar of Meetings will support the organisation in its corporate work programming for the next twelve months and will enable potential candidates who are considering standing for Council in the May 2023 local elections to be aware of formal meeting date commitments.

6. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance	Y	Statutory Powers – Local Government Act 1972
Financial implications to include reference to value for money	N	There are no direct financial implications
Risk	N	These are addressed in the report
Supporting Corporate Strategy		Efficient and Effective Council
Climate Change - Carbon / Biodiversity Impact		Attendance at formal Member meetings is required for voting Members, however car sharing is actively encouraged. The use of Microsoft Teams is also now actively encouraged for all informal Member Briefing sessions and Workshops
Comprehensive Impact Assessment Implications		

Equality and Diversity		Not applicable
Safeguarding		Not applicable
Community Safety, Crime and Disorder		Not applicable
Health, Safety and Wellbeing		Not applicable
Other implications		Not applicable

Supporting Information

Appendices:

Calendar of Meetings 2022/23 – Appendix A

Background Papers:

None

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Draft Calendar of Meetings 2023/24 - West Devon

	2023								2024				
	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Easter 29 March to 1 April		May
Audit & Governance Committee			4		26			5			12		
Council	30		18			3		19		20	26		21
Hub Committee		13	11		19		21		30		5	9	
Overview & Scrutiny Committee		27	25			10			16	13		23	
Council Tax Setting Panel										22 (or later)			
Development Management & Licensing (DM&L) Committee		27	18		5	3 & 31	21	19	23	27	19	16	14
<i>DM&L Committee Site Inspections</i>		22	13	31	28	26	16	14	18	22	14	11	9

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Report to: **Council**

Date: **21 February 2023**

Title: **COMMUNITY GOVERNANCE REVIEW –
DRAFT TERMS OF REFERENCE**

Portfolio Area: **Strategy & Governance**

Lead Member: **Cllr Jory – Leader of the Council**

Wards Affected: **Milton Ford, Okehampton South and
Okehampton North**

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

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

**Publication of the
approved Terms
of Reference is
due to commence
on Thursday, 23
February 2023.**

Author: **Darryl White –
Head of
Democratic
Services**

Contacts: darryl.white@swdevon.gov.uk

RECOMMENDATIONS:

That the Council RESOLVES to approve the Community Governance Review draft Terms of Reference (as set out at Appendix A).

1. Executive summary

- 1.1 Having formally received two separate petitions each calling for the Council to invoke a Community Governance Review, this report seeks the approval of the draft Terms of Reference that will underpin the Review.

2. Background

- 2.1 At its meeting held on 22 September 2022, the Mayor (on behalf of the Council) was formally presented with two separate petitions (Minute CM 38/22 refers);
- 2.2 The petitions sought to consult on two standalone proposals being to:
- (a) abolish the Sydenham Damerel Parish Council and establish the parish as a 'Parish Meetings' only parish; and
 - (b) review the existing parish boundaries of Okehampton Town Council in addition to the surrounding Okehampton Hamlets Parish Council area boundaries.
- 2.3 Upon their receipt, officers can now confirm that both petitions were valid (i.e. were compliant with the following requirements):
- *For an area with less than 500 local electors, the petition must be signed by at least 37.5% of them;*
 - *For an area with between 500 and 2,500 local electors, the petition must be signed by at least 250 of them; and*
 - *For an area with more than 2,500 local electors, the petition must be signed at least 10% of them.*
- 2.4 As the Principal Authority, West Devon Borough Council has responsibility for considering this Review and undertaking the statutory consultative requirements which include:
- Consulting local government electors for the area under review;
 - Consulting any other person or body (including a local authority) which appears to the Borough Council to have an interest in the Review;
 - Notifying and consulting Devon County Council; and
 - Taking into account any representations received in connection with the Review;
- 2.5 Officers have drafted a set of terms of reference (as set out at Appendix A) for which Council approval is now sought;
- 2.6 In drafting the Terms of Reference, officers have considered the timescales associated with the pre-election period and have recognised the need to enable for the new administrations of the Borough Council and the affected Town and Parish Councils some time to settle in following the local elections that are to be held on 4 May 2023;
- 2.7 Given the emphasis that a Community Governance Review is required to place on '*Community Cohesion*', Members will note that the draft Terms of Reference propose that the People & Community Hub Advisory Group is the lead Member Working Group that takes on responsibility for the

Review and makes consequent recommendations to Full Council at the appropriate stages.

3. Options Available and Consideration of Risk

- 3.1 The Council could opt to defer the Terms of Reference to a future meeting. However, officers recognise that both petitions were received on 22 September 2022 and there is a wish amongst the petition organisers (and signatories) for the Review to now commence.
- 3.2 It is recognised that the local elections on 4 May 2023 could have a significant impact on the composition of the affected town and parish councils. Officers have attempted to mitigate the impact of the elections by recommending that the period of the 'Introductory Stage' runs from 23 February to 14 June 2023.

4. Implications

Legal/Governance		<p>The Local Government and Public Involvement in Health Act 2007 requires the Council to 'consult the local government electors for the area under review and any other person or body who appears to have an interest in the review and to take the representations that are received into account by judging them against the statutory criteria (as below):</p> <p>'That Community governance within the area under review reflects the identities and interests of the community in that area and is effective and convenient.'</p> <p>The Council is required to complete the Community Governance Review within 12 months from the day on which it publishes the Terms of Reference. A Community Governance Review is concluded on the day on which the Council publishes the recommendations made by the Community Governance Review.</p>
Financial		There are no additional financial implications directly related to this report
Risk		The risk implications are set out at Section 3 above.
Supporting Corporate Strategy		Council Theme – <i>Strengthening Communities</i>
Consultation & Engagement Strategy		The requirements to consult and engage at each stage are set out in the draft Terms of Reference and are in line with the requirements of the Local

		Government and Public Involvement in Health Act 2007.
Comprehensive Impact Assessment Implications		
Equality and Diversity		There are no equality and diversity implications directly related to this report.
Safeguarding		There are no safeguarding implications directly related to this report.
Community Safety, Crime and Disorder		There are no community safety or crime and disorder implications directly related to this report.
Climate Change & Biodiversity		There are no Climate Change & Biodiversity implications directly related to this report.
Health, Safety and Wellbeing		There are no health, safety and wellbeing implications directly related to this report.
Other implications		N/A

Supporting Information

Appendices:

A. Community Governance Review – Draft Terms of Reference.

Background Papers:

- The petitions received at the Council Meeting on 22 September 2022; and
- Central Government Guidance on Community Governance Reviews.

West Devon Borough Council

Community Governance Review – Terms of Reference

At its meeting held on 22 September 2022, the Mayor of West Devon Borough Council was formally presented with two petitions (Minute CM 38/22 refers).

The two petitions (which have since been determined as being ‘valid’) call on the Borough Council to instigate a Community Governance Review on the following:

- (a) A proposal that seeks to abolish Sydenham Damerel Parish Council; and
- (b) A wish to review the existing parish boundaries of Okehampton Town Council.

The Borough Council will be guided by the relevant legislation and guidance, in particular the Local Government and Public Involvement in Health Act 2007 and Guidance on Community Governance Reviews (published jointly by the Department for Communities and Local Government and the Local Government Boundary Commission for England).

What is a Community Governance Review?

A Community Governance Review provides the opportunity for ‘principal councils’ (borough councils and unitary councils) to review and make changes to community governance within their areas. Such a Review can be helpful in circumstances such as where there have been changes in population, or in reaction to specific or local new issues.

In so doing, a Community Governance Review offers an opportunity to put in place strong, clearly defined boundaries, tied to firm ground features and remove the many anomalous parish boundaries that exist in England.

Why is the Borough Council undertaking the Review?

In light of the formal validation of the two petitions, the main purpose of this Review will be to consult on two standalone proposals. Namely to:

- (a) abolish the Sydenham Damerel Parish Council and establish the parish as a ‘Parish Meetings’ only parish; and
- (b) review the existing parish boundaries of Okehampton Town Council in addition to the surrounding Okehampton Hamlets Parish Council area boundaries.

The government has emphasised that recommendations made in a Review ought to bring about '*improved community engagement, more cohesive communities, better local democracy and result in a more effective and convenient delivery of local services.*'

As the principal authority, West Devon Borough Council is responsible for undertaking any such Review within its electoral area. The body responsible for overseeing this process is the Full Council, who will be responsible for producing draft and final recommendations. The Council will approve the final recommendations before a Community Governance Order is then made.

How will the Borough Council conduct consultations during this Review?

Before making any recommendations or publishing final proposals, the Borough Council will take full account of the views of local residents. The Borough Council will comply with the statutory consultative requirements by:-

- Consulting local government electors for the area under review;
- Consulting any other person or body (including a local authority) which appears to the Borough Council to have an interest in the review;
- Notifying and consulting Devon County Council; and
- Taking into account any representations received in connection with the review.

Information relating to the review will be available on the Council website (www.westdevon.gov.uk) and key documents will be available on request via democratic.services@swdevon.gov.uk and/or from the Borough Council offices at: Kilworthy Park, Drake Road, Tavistock PL19 OBZ.

The Borough Council will publish its recommendations as soon as practicable and will take such steps as it considers sufficient to ensure that persons who may be interested in the review are informed of the recommendations and the reasons behind them. The Borough Council will notify each consultee and any other persons or bodies who have made written representations of the outcome of the review.

What will be the timetable for this Review?

It is a statutory requirement whereby a review must be concluded within a twelve month period from the day on which it commences. A review starts when the Borough Council publishes its Terms of Reference and concludes when the Borough Council publishes its final recommendations.

Outlined below is the proposed timetable for the review:-

Stage 1	Publication of the Terms of Reference for the Review	Thursday, 23 February 2023
Stage 2	Introductory Stage: Submissions and views sought and invited on existing arrangements. The Borough Council invites proposals from stakeholders on future arrangements in accordance with the Terms of Reference.	Thursday, 23 February – Wednesday, 14 June 2023
Stage 3	Consideration of Initial Submissions: Draft proposals to be considered by the Council's People & Community Hub Advisory Group before recommendations are made to the Council meeting to be held on 18 July 2023 (**).	Wednesday, 14 June – Tuesday, 18 July 2023 (**)
Stage 4	Consultation on Published Draft Proposals: In publishing the draft proposals, the Borough Council will notify stakeholders and invite further comments and/or recommendations.	Thursday, 20 July – Friday, 29 September 2023
Stage 5	Final Recommendations Consideration of consultation responses and production of final recommendations to be presented to the Council's People & Community Hub Advisory Group before final recommendations are made to the Council meeting on 28 November 2023 (**).	Monday, 2 October – Tuesday, 28 November 2023 (**)
Stage 6	Implementation Final recommendations are then published and the Council resolves (if appropriate) to make a Reorganisation of Community Governance Order. For administrative and financial purposes, the Order should take effect on 1 April 2025. Electoral arrangements for an existing town and/or parish council will come into force at the first elections to the town and/or parish council following (any) Reorganisation Order, which will be May 2027.	Tuesday, 28 November 2023 (**) 1 April 2025 May 2027

*(**) subject to Council approving these meeting dates as part of the Calendar of Meetings for 2023/24).*

The review will be formally completed when the Council adopts and publishes the Reorganisation of Community Governance Order and requests that the Electoral Commission approve any consequential changes.

How to contact us

Should you wish to submit a written representation regarding this review, please address this to:

Community Governance Review
Democratic Services
West Devon Borough Council
Kilworthy Park
Tavistock
PL19 0BZ

Alternatively, your submission may be emailed to:
democratic.services@swdevon.gov.uk

Date of publication

Thursday, 23 February 2023.

Report to: **Council**
Date: **21 February 2023**
Title: **Pay Policy Statement**
Portfolio Area: **Leader – Cllr N Jory**

Wards Affected: **All**

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

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

Author: **Andy Wilson** Role: **Head of Human Resources**

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

RECOMMENDATION:

That Council agrees the Pay Policy Statement for 2022/23 (as set out at Appendix A).

1. Executive summary

- 1.1. The Council is required under the Localism Act 2011 to agree and publish a pay policy statement each year before 31 March, which includes details of remuneration received by chief officers.
- 1.2. The report proposes that the Council agrees the pay policy statement (attached at Appendix A).

2. Background

- 2.1. Section 38 of the Localism Act 2011 requires local authorities in England and Wales to prepare and publish a statutory pay policy statement for 2012/2013 and each financial year thereafter. Once agreed, the policy will be published on the Council's website.
- 2.2. The pay policy statement sets out the authority's policies for the financial year relating to the remuneration of its chief officers, the remuneration of its median and lowest-paid employees and the

relationship between the salary of the Head of Paid Service and the salaries of the median and lowest paid employees.

3. Outcomes/outputs

3.1. Pay Policy Statement

3.2. The Hutton Report identified that the most appropriate way of measuring pay dispersion within an organisation is the multiple of Head of Paid Service to median earnings. Tracking this multiple will ensure that the Council is accountable for the relationship between the pay of its executives and the wider workforce. Through the pay policy statement, the Council can track this multiple on an annual basis.

3.3. If the relationship between the salary of the Head of Paid Service and the lowest paid employee exceeds a factor of 10, the Full Council is required to consider a report.

3.4. The annual median salary of all employees is £30,095pa.

3.5. The annual salary of the lowest paid employee is £20,043pa.

3.6. The relationship between the remuneration of the Head of Paid Service and the median salary of all employees is 4.6.

3.7. The relationship between the remuneration of the Head of Paid Service and the salary of the lowest paid employee is 6.24.

3.8. Gender Pay Gap

3.9. Although the Council does not have a separate statutory duty to publish a report on the gender pay gap of its employees by 30 March 2022 because it currently employs less than 250 employees, the Council chooses to publish a report on its website.

4. Options available and consideration of risk

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

5. Proposed Way Forward

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

6. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address

Legal/Governance	Yes	The Localism Act 2011 requires the Council to adopt and publish a Pay Policy Statement annually on or before 31 March.
Financial	Y	There are no risks associated with the report, Pay Policy Statement.
Risk	N	There are no risks associated with the report, Pay Policy Statement.
Comprehensive Impact Assessment Implications		
Equality and Diversity	N	There are no Equality or Diversity implications associated with the report or the Pay Policy Statement or the Pay and Reward Strategy.
Safeguarding	N	There are no Safeguarding implications associated with the report or the Pay Policy Statement.
Community Safety, Crime and Disorder	N	There is no positive or negative impact on crime and disorder reduction associated with the report or the Pay Policy Statement.
Health, Safety and Wellbeing	N	There are no Health, Safety and Wellbeing implications associated with the report or the Pay Policy Statement.
Other implications	N	There are no other implications associated with the report or the Pay Policy Statement.

Supporting Information

Appendices:

A: Pay Policy Statement 2022/23

Background Papers:

There are none

Process checklist	Completed
Portfolio Holder briefed	Yes
SLT Rep briefed	Yes
Relevant Exec Director sign off (draft)	Yes

Data protection issues considered	Yes
If exempt information, public (part 1) report also drafted. (Cabinet/Scrutiny)	Yes/No



West Devon
Borough
Council

PAY POLICY STATEMENT (Appendix A)

Purpose and scope of the Policy

1. Section 38 of the Localism Act 2011 (the Act) requires local authorities in England and Wales to produce a statutory pay policy statement for 2012/2013 and each financial year thereafter.
2. The pay policy statement must be approved by a resolution of the Council before it comes into force and each subsequent statement must be prepared and approved before the end of the preceding financial year to which it relates.
3. The Council may by resolution amend this pay policy statement at any time during the year, subject to the amended statement being published as soon as is reasonably practicable.
4. This Pay Policy Statement reflects the position on the reporting date of 31st March 2022.
5. The pay policy must set out the authority's policies for the financial year relating to—
 - 5.1. the remuneration of its chief officers,
 - 5.2. the remuneration of its lowest-paid employees, and
 - 5.3. the relationship between—
 - 5.3.1. (i) the remuneration of its chief officers, and
 - 5.3.2. (ii) the remuneration of its employees who are not chief officers.
6. For the purposes of this pay policy, and in accordance with section 43 (2) of the Act, the following officers are considered to be relevant chief officers and deputy chief officers within scope of the Council's statutory obligations:
 - Chief Executive
 - Directors
 - Section 151 Officer
 - Monitoring Officer

7. The above officers are collectively known as Chief Officers for the purpose of this pay policy statement.

Shared Services

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

Current Senior Leadership Arrangements

9. . The current senior leadership structure was introduced in September 2019 and comprises of a Chief Executive, and Directors of Customer Service and Delivery, Strategy and Governance, Place and Enterprise, and Strategic Finance.
10. The substantive salaries of the Senior Leadership Team were agreed by the Council on the recommendation of the Leader after taking advice on comparable salary levels in other organisations.
11. The salary of the Monitoring Officer includes an additional responsibility allowance, set at 20% of their substantive salary, in recognition of carrying out the duties of the Monitoring Officer.

Remuneration for Chief Officers

12. The Council has chosen to introduce local arrangements for the Senior Leadership Team pay because it believes that this delivers a better outcome in terms of managing performance and flexibility.
13. Changes to the remuneration package may be recommended to full Council following a review and after taking independent pay advice from the Local Government Association, South West Councils or a similar body..
14. Salary increases in relation to cost of living will be made in line with the relevant recommendation of the National Joint Council for Local Government Services (the NJC), the Joint Negotiating Committee for Chief Executives (the JNC) or other relevant national negotiating body for each chief officer.
15. The salary for the Chief Executive includes remuneration for holding the statutory office of Head of Paid Service.
16. The salary for the Chief Executive is a spot salary. Directors will be paid in accordance with an incremental grade as part of the Council's pay and grading structure. The pay band has four incremental points and post holders can progress through the increments each April, subject to satisfactory performance.

17. From time to time, the Chief Executive will designate a Chief Officer to carry out the role of Deputy Chief Executive in addition to their substantive role. The nominated Deputy Chief Executive receives a special responsibility allowance of £8135pa.
18. Where possible, salary levels will be consistent with similar organisations, although the Council will retain the right to have due regard to market forces that may affect its ability to recruit and retain high quality officers, whilst balancing this against the need to ensure value for money for residents.
19. The salaries, including the special responsibility allowances paid to the Deputy Chief Executive and the Monitoring Officer are the only remuneration for work carried out. At present, there are no additional payments made to chief officers relating to performance or any other matters and no bonus is payable.
20. Additional payments are made by Central Government to officers carrying out additional duties at elections. The determination of the allowance is made by the Government and these payments are not within the scope of this policy. There are no payments made by the Council for election duties.
21. In accordance with the provisions of the Council's Travel and Subsistence Policy, that applies equally to all employees, the relevant chief officers may attract an essential car user lump sum allowance and be reimbursed with business expenses subject to the submission of a claim with receipts. For 2021/22, all of the Chief Officers are designated as casual car users and will not receive an essential car user lump sum allowance.
22. From 1 April 2013, all business mileage will be reimbursed in accordance with the approved HMRC rates, currently 45p per mile. This replaces the previous policy under which business mileage was reimbursed at the higher rate agreed by the NJC, currently 50.5p per mile for essential users and 65p per mile for casual users.

Severance payments

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

Relationship with the remuneration of other employees of the Council

24. The Hutton Report identified that the most appropriate way of measuring pay dispersion within an organisation is the multiple of highest earnings to median earnings. Tracking this multiple will ensure that the Council is accountable for

the relationship between the pay of its executives and the wider workforce. Through this pay policy statement, the Council will track this multiple on an annual basis and will publish the following information on its website each year (see Appendix A):

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

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

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

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

Appendix A

1. The levels and elements of remuneration for each Chief Officer at the reporting date of 31 March 2022 are as follows:

Post	Salary (£) per annum	Comments
Chief Executive*	£125,150	
Director of Customer Service and Delivery	£87,592	Includes a special responsibility allowance of £8135 pa for carrying out the duties of Deputy Chief Executive.
Director of Place and Enterprise	£79,457	
Director of Governance and Assurance*	£79,457	
Director of Strategic Finance and Section 151 Officer	£79,457	
Monitoring Officer*	£58,869	Including a Responsibility Allowance of 20%
* employed by South Hams District Council		

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

The Senior Leadership Team (SLT) consists of the Chief Executive and the four Directors, but excludes the Monitoring Officer.

2. The lowest paid employee is a Corporate Business Support Officer, paid in accordance with spinal column point 6 of the National Joint Council for Local Government Services pay spine, currently £20,043 pa.
3. The annual median salary of all employees £30,095
4. The Chief Executive's salary is a pay multiple of 4.16 times the median earnings.

5. The Chief Executive's salary is a pay multiple of 6.24 times the lowest paid employee.