

West Devon Council



West Devon
Borough
Council

Title:	Summons																														
Date:	Tuesday, 19th December, 2023																														
Time:	4.00 pm																														
Venue:	Chamber - Kilworthy Park																														
Full Members:	<p style="text-align: center;">Mayor Cllr Daniel Deputy Mayor Cllr Sellis</p> <p><i>Members:</i></p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">Cllr Ball</td> <td style="width: 50%;">Cllr Leech</td> </tr> <tr> <td>Cllr Blackman</td> <td>Cllr Moody</td> </tr> <tr> <td>Cllr Bridgewater</td> <td>Cllr Mott</td> </tr> <tr> <td>Cllr Calder</td> <td>Cllr Oxborough</td> </tr> <tr> <td>Cllr Casbolt</td> <td>Cllr Renders</td> </tr> <tr> <td>Cllr Cheadle</td> <td>Cllr Saxby</td> </tr> <tr> <td>Cllr Cunningham</td> <td>Cllr Southcott</td> </tr> <tr> <td>Cllr Dexter</td> <td>Cllr Squire</td> </tr> <tr> <td>Cllr Edmonds</td> <td>Cllr Vachon</td> </tr> <tr> <td>Cllr Elliott</td> <td>Cllr Wakeham</td> </tr> <tr> <td>Cllr Ewings</td> <td>Cllr Watts</td> </tr> <tr> <td>Cllr Guthrie</td> <td>Cllr Viney</td> </tr> <tr> <td>Cllr Johnson</td> <td>Cllr West</td> </tr> <tr> <td>Cllr Jory</td> <td>Cllr Mann</td> </tr> <tr> <td>Cllr Kimber</td> <td></td> </tr> </table>	Cllr Ball	Cllr Leech	Cllr Blackman	Cllr Moody	Cllr Bridgewater	Cllr Mott	Cllr Calder	Cllr Oxborough	Cllr Casbolt	Cllr Renders	Cllr Cheadle	Cllr Saxby	Cllr Cunningham	Cllr Southcott	Cllr Dexter	Cllr Squire	Cllr Edmonds	Cllr Vachon	Cllr Elliott	Cllr Wakeham	Cllr Ewings	Cllr Watts	Cllr Guthrie	Cllr Viney	Cllr Johnson	Cllr West	Cllr Jory	Cllr Mann	Cllr Kimber	
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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 3 October 2023

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;

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

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

5. To receive communications from the Mayor or person presiding

The Mayor or the 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 respond to any questions submitted by the public and to receive deputations or petitions under Council Procedure Rule 21

(a) Tavistock Bus Station – petition to be submitted to the Mayor by Mr Graham Parker

7. To consider Motion(s) of which notice has been duly submitted by Members in accordance with Council Procedure Rules:

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 - 46

(i) Development Management & Licensing

Meeting held on 3 October 2023

Meeting held on 31 October 2023

Meeting held on 21 November 2023

(ii) Audit & Governance Committee

Meeting held on 10 October 2023

Meeting held on 5 December 2023

Recommendation to agree:

AC 30 STRATEGIC RISK UPDATE AND FRAMEWORK

RECOMMENDED

That Council be **RECOMMENDED** that

2. the updated Risk and Opportunity Management Strategy be adopted;

(iii) Overview & Scrutiny Committee

Meeting held on 10 October 2023

(iv) Hub Committee

Meeting held on 21 November 2023

Recommendations to agree:

HC 29/23 Review of Capital Programme (Capital Programme Monitoring) and Review of Earmarked Reserves

RECOMMENDED

That Council be RECOMMENDED to:

- 1) withdraw three capital projects from the current Capital Programme, being Parklands Leisure Centre contribution to moveable floor (£50,000) and Tavistock Viaduct (£20,000). It is also recommended to withdraw the Springhill Temporary Accommodation budget from the capital programme, following the Hub Committee decision to put this

project on hold whilst other options are explored, freeing up a further £193,200. Therefore, the review of the capital programme is freeing up capital resources of £263,200 which is potentially available for future corporate priorities and can be re-purposed;

- 2) continue to progress all other capital projects, in line with the existing capital projects within the overall Capital Programme;
- 3) note the content of the Capital Programme Monitoring Report in Appendix C of the agenda report presented to the Hub Committee Meeting, which shows the current expenditure on capital projects between April 2023 and September 2023 of £1.692m, being 21% of the profiled budget for 2023/24 (the first six months of the financial year);
- 4) note the revised capital allocation for the UK Shared Prosperity fund (UKSPF) scheme for 2023/24 and 2024/25 as set out in section 3.2 of the presented agenda report considered by the Hub Committee;
- 5) note the addition of £26,632 to the capital programme for a new boiler at Okehampton Business Centre to be financed from the Maintenance Earmarked Reserve, set out in section 3.3 of the presented agenda report considered by the Hub Committee; and
- 6) approve the outcome of the review of revenue reserves, releasing revenue reserves of up to £871,000 which is potentially available to support the delivery of the emerging Corporate Strategy.

HC 35/23 Climate Change – EV Strategy Update

RECOMMENDED

That Council be **RECOMMENDED** to adopt the West Devon Borough Council Electric Vehicle Strategy 2023-2025 as set out at Appendix B of the presented agenda report.

9. Scheme of Members Allowances Review	47 - 90
10. Member Appointments	91 - 100

11. 20 Plymouth Road, Tavistock PL19 8AY - Conversion of Existing Office Accommodation to Residential Units

101 - 114

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Agenda Item 2

At the Annual Meeting of the **WEST DEVON BOROUGH COUNCIL** held in the **COUNCIL CHAMBER, KILWORTHY PARK, TAVISTOCK** on **TUESDAY** the **3rd** day of **OCTOBER 2023** at **4.00pm** pursuant to Notice given and Summons duly served.

Members in attendance

- * Denotes attendance
- ∅ Denotes apology for absence
- ** Denotes attendance via Teams

* Cllr L Daniel – The Mayor (In The Chair)

* Cllr K Ball	* Cllr T Leech
∅ Cllr A Blackman	* Cllr U Mann
* Cllr A Bridgewater	* Cllr J Moody
* Cllr M Calder	* Cllr C Mott
* Cllr M Casbolt	* Cllr R Oxborough
∅ Cllr R Cheadle	* Cllr M Renders
* Cllr A Cunningham	* Cllr I Saxby
* Cllr L Daniel	* Cllr D Sellis (Deputy Mayor)
* Cllr G Dexter	* Cllr T Southcott
* Cllr C Edmonds	* Cllr P Squire
* Cllr J Elliott	* Cllr P Vachon
* Cllr M Ewings	* Cllr N Viney
* Cllr S Guthrie	* Cllr S Wakeham
* Cllr A Johnson	∅ Cllr L Watts**
* Cllr N Jory	* Cllr C West
* Cllr P Kimber	

Officers in attendance

Chief Executive, Director – Strategy & Governance; Monitoring Officer; Democratic Services Manager, Assistant Director – Strategy & Organisational Development (via Teams); Head of Revenues & Benefits (via Teams); and Head of Finance (via Teams)

CM 35/23 APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllrs Blackman, Cheadle and Watts, who joined the meeting in a non-voting capacity via Teams.

CM 36/23 CONFIRMATION OF MINUTES

It was moved by Cllr Ewings, seconded by Cllr Renders and upon the motion being submitted to the Meeting was declared to be **CARRIED** and “**RESOLVED** that the Council agree the Minutes of the 18 July 2023 meeting.”

CM 37/23 DECLARATIONS OF INTEREST

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

Having previously sought the advice of the Monitoring Officer, Cllr T Leech declared a personal interest in agenda item 10: '*Okehampton and Sydenham Damerel Community Governance Reviews – Initial Submissions*' (Minute CM 44/23 below refers) by virtue of being a serving Okehampton Town Councillor and proceeded to remain in the meeting during the debate, but abstain from the vote, on this agenda item.

CM 38/23 BUSINESS BROUGHT FORWARD BY THE MAYOR

The Mayor proceeded to inform the meeting of:

(a) Mayor's Young Persons Environment Award

The Mayor took pleasure in advising those present that Okehampton Brownies had won her inaugural 'Mayor's Young Persons Environment Award' for September.

(b) King Charles III's Coronation

The Mayor stated that the Council had recently received a card from King Charles III formally thanking Members for their congratulations following his Coronation.

CM 39/23 PUBLIC QUESTIONS

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

CM 40/23 QUESTIONS ON NOTICE

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

CM 41/23 MOTIONS ON NOTICE

The Mayor advised that one Motion on Notice had been received from the membership in accordance with the Council Procedure Rules.

(a) By Cllr C Mott:

'With West Devon's long connection with the armed forces within the Borough, in particular the army, this council formally reaffirms its commitment to the Armed Forces Covenant and support to the Armed Forces Community. The council recognises the contribution that Service Personnel, both regular, reservist, veterans' and their families make to our council, community, and country.'

In order to support this, we will formally apply for the bronze level in The Defence Employer Recognition Scheme and appoint a Member to become a spokesperson for this worthy cause.

In her introduction, Cllr Mott made reference to:

- having had the honour of attending several military functions on behalf of the Council. Cllr Mott informed that one such event had been the Lord Lieutenant of Devon's Awards Ceremony where members of the community who worked or volunteered within the reserves and cadets were recognised for their hard work. At the Ceremony, businesses were recognised with Silver Awards under the Defence Employer Recognition Scheme if they had demonstrated notable support for all in the Defence community. Finally at the Ceremony, appointments of the Lord Lieutenant's Cadets were announced and to hear them speak in person of their achievements had been a real privilege;
- this Motion on Notice having been brought forward due to the importance of the Council formally recognising the contribution our Armed Services make to society, the sacrifices made and the difficulties that some had in returning to civilian life;
- the covenant was a promise from the nation to all those who served and specifically stated that: *'we will do all we can to ensure they are treated fairly and are not disadvantaged in their day to day lives'* and the Motion sought to reaffirm the support of the Borough Council and promote our commitment to support the Devon Forces Family website and directed users to help and support in the wider region;
- the Motion intending to take that commitment one step further and sign the Council up for the bronze level in the Defence Employer Recognition Scheme. To obtain this level, the Council will need to, in addition to signing the covenant, commit to:
 - o support the armed forces, including existing or prospective employees who are members of the community; and
 - o promoting being armed forces-friendly and being open to employing reservists, armed forces veterans (including the wounded, injured and sick, cadet instructors and military spouses and partners; and
- her hope that Members could be formally appointed to serve as the Council's:
 - o Armed Forces Champion for the Armed Forces Covenant; and
 - o Lead Member for the SSAFA (Soldiers', Sailors' and Airmen's Families Association).

During the ensuing debate, there was widespread support expressed for the Motion and the following Member nominations were **PROPOSED** and **SECONDED**:

- That Cllr R Oxborough be appointed as the Council's Armed Forces Champion for the Armed Forces Covenant; and
- That Cllr K Ball be appointed as the Council's lead Member for the SSAFA.

Having received these nominations, both Members expressed their thanks and set out their commitment to fulfilling these roles to the best of their abilities.

It was then proposed by Cllr C Mott, seconded by Cllr M Ewings and upon being submitted to the Meeting was declared to be **CARRIED** and **"RESOLVED** that, with West Devon's long connection with the armed forces within the Borough, in particular the army, this council formally reaffirms its commitment to the Armed Forces Covenant and support to the Armed Forces Community. The council recognises the contribution that Service Personnel, both regular, reservist, veterans' and their families make to our council, community, and country. In order to support this, we will formally apply for the bronze level in The Defence Employer Recognition Scheme and appoint Members to the following roles:

- That Cllr R Oxborough be appointed as the Council's Armed Forces Champion for the Armed Forces Covenant; and
- That Cllr K Ball be appointed as the Council's lead Member for the SSAFA.

(NB. these appointments will initially be for the 2023/24 Municipal Year and, for the purposes of the Scheme of Members Allowances, will be considered to be 'Approved Duties')."

CM 42/23 MINUTES OF COMMITTEES

(a) Development Management & Licensing Committee – 18 July and 5 September 2023

It was moved by Cllr T Southcott, seconded by Cllr P Squire and upon being submitted to the Meeting was declared to be **CARRIED** and **"RESOLVED** that the Minutes of the meetings held on 18 July 2023 and 5 September 2023 be received and noted."

(b) Audit & Governance Committee – 25 July 2023

It was moved by Cllr G Dexter, seconded by Cllr M Renders and upon being submitted to the Meeting was declared to be **CARRIED** and **"RESOLVED** that the Minutes of the meeting held on 25 July 2023 be received and noted."

(c) Overview & Scrutiny Committee – 25 July 2023

It was moved by Cllr P Kimber, seconded by Cllr A Johnson and upon being submitted to the Meeting was declared to be **CARRIED** and **“RESOLVED** that the Minutes of the meeting held on 25 July 2023 be received and noted.”

(d) Hub Committee – 19 September 2023

It was moved by Cllr M Ewings, seconded by Cllr M Renders and upon being submitted to the Meeting was declared to be **CARRIED** and **“RESOLVED** that the Minutes of the meeting held on 19 September 2023 be received and noted.”

In respect of Recommendation:

HC 15/23 Supporting Our Care Leavers: Council Tax

It was noted that this item was to be considered at agenda item 9 later in the meeting (Minute CM 43/23 below refers).

CM 43/23 SUPPORTING OUR CARE LEAVERS: COUNCIL TAX

A report was considered that sought approval for the adoption of a Council Tax Discount Scheme relating to Care Leavers.

During the ensuing discussion, the following points were raised:

- (a) Members welcomed the leading role that had been taken on by the Council in the development of this Scheme and expressed their full support for its approval;
- (b) With regard to funding the Scheme, it was noted that the Borough Council proportion would be funded from the Borough Council’s share of the Council Tax Collection Fund surplus.

It was then proposed by Cllr M Ewings, seconded by Cllr P Squire and upon being submitted to the Meeting was declared to be **CARRIED** and **“RESOLVED** that, with effect from 1 October 2023, the Council Tax Discount Scheme for Care Leavers, as presented at Appendix A of the published agenda report be adopted.”

CM 44/23 OKEHAMPTON & SYDENHAM DAMEREL COMMUNITY GOVERNANCE REVIEWS - INITIAL SUBMISSIONS

In line with Stage 3 of the adopted Terms of Reference, Members considered the report of the People and Communities Hub Advisory Group regarding the two Community Governance Reviews currently being undertaken within the Borough.

The report set out the recommendations of the Advisory Group on the next steps to be taken, following its review of the initial submissions received during the first public consultation phase of each respective Review.

During the ensuing discussion, clarity was sought over the boundary lines contained within Appendix A of the published agenda papers and it was then proposed by Cllr A Bridgewater, seconded by Cllr M Ewings and upon being submitted to the Meeting was declared to be **CARRIED** and **"RESOLVED** that :

1. the initial submissions received on the Community Governance Reviews for Okehampton and Sydenham Damerel be noted;
2. a second public consultation exercise be undertaken on the following proposals:

Okehampton

Option 1 – that the existing parish boundaries of Okehampton Town Council and Okehampton Hamlets Parish Council be amended in line with Appendix A of the presented agenda report; and

Option 2 – that the status quo be retained in relation to the parish boundaries of Okehampton Town Council and Okehampton Hamlets Parish Council.

Sydenham Damerel

That the Parish Council be abolished and replaced by a 'Parish Meeting' form of governance; and

3. in line with the adopted Terms of Reference as presented at Appendix B of the published agenda report, the final Review recommendations be considered by the People & Community Hub Advisory Group and presented back to the Full Council meeting to be held on 20 February 2024."

CM 45/23 APPOINTMENTS TO OUTSIDE BODIES - TAVI BID

Members considered a report that sought approval of the nomination and appointment of a Member of the Council to serve on the 'Tavistock Business Improvement District Board' Outside Body.

During the ensuing discussion, support was expressed for the proposals and, as the nominated Member representative, Cllr Jory thanked Members for their support and committed to adding value to what he considered to be a very important role.

It was then proposed by Cllr Ewings, seconded by Cllr Ball and upon being submitted to the Meeting was declared to be **CARRIED** and **"RESOLVED** that

1. the Lead Hub Committee Member for Economy be appointed as the Council's representative on the 'Tavistock Business Improvement District Board' Outside Body; and
2. that, for the purposes of Members' Allowances, attendance at meetings of this Body be regarded as an 'approved duty'."

(The Meeting terminated at 4.40 pm)

Mayor

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Agenda Item 8

Minutes of a meeting of the **WEST DEVON DEVELOPMENT MANAGEMENT & LICENSING COMMITTEE** held on **TUESDAY** the **3rd** day of **October 2023** at **10.00am** in the **COUNCIL CHAMBER, KILWORTHY PARK**

Present Cllr T Southcott – Chairman

Cllr A Cunningham	Cllr T Leech
Cllr M Ewings	Cllr U Mann
Cllr S Guthrie	Cllr J Moody
Cllr N Jory	Cllr C Mott

Cllr S Wakeham

Head of Development Management (JH)
Senior Planning Officer (BH)
Monitoring Officer and Head of Legal Services (DF) (Via MS Teams)
Senior Democratic Services Officer (KH)

***DM&L.15 APOLOGIES FOR ABSENCE**

Apologies were received from Cllr Ric Cheadle for who Cllr Mandy Ewings substituted.

***DM&L.16 DECLARATION OF INTEREST**

Cllr Mott declared she had received an email from the applicant of application 1314/23/OPA. Some other Members had received the same email.

Cllr Ewings declared her daughter had married a person with the surname 'Kneebone' which was the same surname as the applicants for planning application 1314/23/OPA, but was not sure they were related.

***DM&L.17 URGENT BUSINESS**

There was no urgent business brought forward to this meeting.

***DM&L.18 CONFIRMATION OF MINUTES**

The minutes from the Committee meeting held on 5 September 2023 were approved as a true and correct record.

***DM&L.19 PLANNING, LISTED BUILDING, TREE PRESERVATION ORDER AND ENFORCEMENT REPORTS**

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

(a) Application No. 1314/23/OPA Ward: Okehampton North

Site Address: Land at SX 567 996, Inwardleigh

Development: Outline planning application (with all matters reserved apart from access) for up to four holiday units and stable block

Recommendation: Refusal

Key issues for Committee consideration:

- **Principle of development**
- **Proven need for a countryside location**
- **Proven need for holiday accommodation**
- **Highways**
- **Biodiversity**
- **Drainage**
- **Low carbon**

Following the case officer's presentation of the application and her report, in response to a statement made by the applicant in the email that had been sent to members of the Committee, the Head of Development Management explained when a Planning Officer reviews any application, the higher level strategic policies within the Plymouth and South West Devon Joint Local Plan are looked at first. In the case of this application those policies identified that the application site is in a rural and unsustainable location and therefore 'in principle' would fail to meet the SPT policies of the Plan. The Planning Officer would then look at the TTV policies, which allocate development to certain areas and identify where development should be located, followed the DEV policies which look at the more detailed aspects of the application.

The applicant then addressed the Committee. He stated he farmed in Devon and Cornwall and ran holiday lodge accommodation and a 60 day camp site. He stated that he worked with an equestrian centre in Launceston where a similar equestrian business is established. The centre approached the applicant as they are full to capacity and cannot expand on their site. Staff for the site would be sourced locally and he felt this application would benefit the local economy.

The applicant was asked when the site was last used for equestrian use and he stated it was used last year for certain events but not used for long term use for some years.

The Ward Member spoke on the application, stating that he felt the detailed policies were important and in a rural area diversification was an important consideration.

In debate, policy DEV 32 was queried. The Planning Officer clarified that the proposal was contrary to the aims of the policy rather than specific parts of the policy. It was argued by a Member that in rural areas public transport was limited. A member voiced concerns over broadband connectivity to the site and the access out on to the main road for vehicles leaving the site.

Committee Decision: Refusal

(b) Application No. 4490/22/HHO Ward: Tavistock South-West

Site Address: 58 Whitchurch Road, Tavistock PL19 9BD

Development: Readvertisement (revised plans)

Householder application for proposed demolition of single story garden room and erection of two storey extension, over cladding of existing external envelope with insulation, slating and render systems and replacement windows and doors with thermally broken PPC aluminium and new porch to north east elevation

Recommendation: Refusal

Key issues for consideration:

- **Design, scale and massing.**
- **Visual impact on the host dwelling and its setting.**

The use of zinc cladding was questioned as it was stated in the report as not in keeping with the area but a Member felt it was within the remit of being of low carbon material and acceptable within policy DEV 20 in the Joint Local Plan.

In debate the size of the proposed extension was raised and there was disagreement to the Officer recommendation of refusal due to size and impact as they felt it was not an issue and it would not be visible from the road.

Another member stating the wrap around extension was an attempt to bring a low carbon element to the property.

The Head of Development reminded the Committee that the size and scale of the extension was the reason for the proposed refusal.

Committee decision: Conditional Consent.

Conditions to be agreed by the Head of Development Management, in consultation with the Chairman and Vice Chairman of the Development and Licensing Committee

***DM&L.20 PLANNING APPEALS UPDATE**

The Head of Development Management took Members through an application that was dismissed at Morwell ham Dam Bungalow, Morwellham, for a holiday let. The second appeal was at Brook Barn, Milton Combe for a householder application for an extension as a replacement for an existing conservatory. This was a split decision and the Inspector agreed the extension should be dismissed but allowed the slight increase in the size of the two accesses on the basis that it had a neutral effect on the conservation area and AONB.

***DM&L.21 UPDATE ON UNDETERMINED MAJOR APPLICATIONS**

There were no questions on this item.

(The Meeting ended at 11.30am)

Chairman

Minutes of a meeting of the **WEST DEVON DEVELOPMENT MANAGEMENT & LICENSING COMMITTEE** held on **TUESDAY** the **31st** day of **October 2023** at **10.00am** in the **COUNCIL CHAMBER, KILWORTHY PARK**

Present Cllr R Cheadle – Chairman
Cllr T Southcott – Vice-Chairman

Cllr A Cunningham	Cllr N Jory
Cllr M Ewings	Cllr U Mann
Cllr S Guthrie	Cllr J Moody
Cllr P Kimber	Cllr S Wakeham

Head of Development Management (JH)
Senior Planning Officer (PW)
Monitoring Officer and Head of Legal Services (DF) (Via MS Teams)
Senior Democratic Services Officer (KH)

***DM&L.22 APOLOGIES FOR ABSENCE**

Apologies were received from Cllr C Mott for who Cllr P Kimber substituted and Cllr T Leech for who Cllr M Ewings substituted.

***DM&L.23 DECLARATION OF INTEREST**

There were no declarations of interests.

***DM&L.24 URGENT BUSINESS**

There was no urgent business brought forward to this meeting.

***DM&L.25 CONFIRMATION OF MINUTES**

The minutes from the Committee meeting held on 3 October 2023 were approved as a true and correct record.

***DM&L.26 PLANNING, LISTED BUILDING, TREE PRESERVATION ORDER AND ENFORCEMENT REPORTS**

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

(a) Application No. 0466/23/FUL Ward: Exbourne

Site Address: Westacre, Sampford Courtenay EX20 2SE

Development: Erection of farm shop with on site parking and landscaping.

Recommendation: Refusal

Key issues for Committee consideration:

- Principle of development/sustainability
- Design/landscape
- Biodiversity
- Neighbour amenity
- Highways/access
- Drainage
- Low carbon development

The Planning Officer reiterated that it was the suitability of the location that needed to be addressed first before looking at policy DEV 15 which addressed supporting business start-up in rural areas. The Head of Development Management stated that had an application been presented whereby the building was clustered with the other farm buildings it may have been more favourable with regard to any impact on the local environment and landscape.

Speakers included the applicant, and two statements from the two Ward Members, Cllrs Casbolt and Watts.

The applicant stated that she and her husband ran a dairy farm and currently employ several local people within their dairy production business, which included milk and ice-cream production and delivery. Currently there was an honesty box shed on their driveway at Westacre Where the Applicant sold their milk in reusable glass bottles. They also sold grass fed beef and pork along with logs and kindling wood which are all produced on their farm.

In pre-application talks the Applicant said that they were advised to move the proposed shop away from the junction where the current farm shed was. The access point was on a bus route and popular cycle route. Solar panels would be used for energy and the building clad with wood from their farm. She stated there would be tables for use by those using the shop, but food was not being served and therefore no toilet facilities would be provided. The Applicant explained that they have around 65 stockists for their products in the area and they deliver to them.

In the statement from Cllr Casbolt, he stated that he felt the application would be a great asset for the local economy. He felt it would reduce carbon emissions for those not travelling to the nearby town of Okehampton.

In Cllr Watts comments she felt Members should support local farming communities and supported the comments Cllr Casbolt had stated.

In debate Members wrestled with Policy DEV 15 whereby support is given to supporting local businesses in rural areas and why the site was described as isolated in the officer report. One Member felt DEV15 had several objective requirements but the overriding caveat seemed to be whether the site was suitable and sustainable. They made the comment that the Council had

secured funding from the UK Prosperity Fund to help businesses and farms to diversify. Government Policy was about stewardship and diversification of farms. He felt Dev 15 should not stand in the way of this type of diversification. Another Member said they felt this application for a farm shop would help to put people back in contact with their food.

Another Member commented on the positives of a farming family coming forward in a regenerative way along with showing families around the farm in an educational way.

Drainage issues were raised and it was suggested that conditions should be imposed if the recommendation was to grant the application.

The Head of Development Management reminded Members that they needed to consider the development against the planning policies in the Development Plan.

The application was contrary to those policies and therefore Members would need to give reasons why they disagreed if they felt they would support the application. She also reminded Members that the starting point in the JLP are the SPT policies -when deciding an application. A Member pointed out that SPT 1 states a sustainable economy where opportunity for business growth and a low carbon economy is encouraged and supported. Sustainable societies whereby communities have a mix of local services to meet the needs of local people. Another Member commented that the business had an excellent reputation. They also felt cycling to the shop from Hatherleigh on the lanes was safe. A Member stated that part of bringing the JLP together was to help the farming community diversify. He said if they don't do that then it sends out mixed messages.

The Head of Legal reminded Members to have a regard to the planning policies when making a decision and gave advice about how the Committee should approach the interpretation of the relevant policies.

One Member felt the applicant had done all they could to comply with the JLP and quoted from the JLP saying it would help a circular regenerative economy. Another commented that they would not expect a sustainable location policy to be linked with a farm shop. Another said people would have a reason to use their bicycle to do a short journey to the farm shop from one of the local villages, hence increasing the sustainability.

In summing up, the Committee felt that the application met policies SPT 1 and Dev 15.

Committee Decision: Conditional Consent. The Head of Development Management be authorised to grant approval subject to conditions to be determined in consultation with the Chairman and Vice-Chairman of the Development Management and Licensing Committee, such conditions to include a condition on drainage.

**Site Address: The Kiosk, Bus Station, 20 Plymouth Road,
Tavistock PL19 8AY**

**Development: Conversion of existing offices into three flats
with associated courtyard area and soft landscaping to front**

**Recommendation: Conditional approval subject to
completion of Unilateral Undertaking to secure Tamar EMS
mitigation**

The Head of Development explained that the application had come back to Committee for Members to reconfirm their decision made at its last meeting (Min DM&L19 refer). After the last Committee meeting it was noticed that the address of the proposed development was incorrect. It referred to both The kiosk, Bus Station and 20 Plymouth Road. It has now been corrected to 20 Plymouth Road by the applicant. The application had then been re-advertised in the local press.

It has then been also noticed that the proposed Flat 2 was not fully included within the red line on the plans. This was corrected and was Re-advertised in the local press. Also, following an error in the description of the Applicant on the application form, the Applicant had written formally to correct it.

The Head of Development Management confirmed that nothing had changed in items of the material considerations of the application.

**Committee decision: The Committee confirmed its decision
to grant conditional approval as set out at Min DM&L 19**

***DM&L.27 PLANNING APPEALS UPDATE**

The Head of Development Management took Members through two Appeal decisions. 1047/22/FUL, construction of a 3-to-4-bedroom house at Station Road, Bere Alston. The application was refused. The Inspector noted and agreed with the reasons for refusal, however he did not consider the cottage to be a non-designated heritage asset and felt the Council had not given enough information to demonstrate that it was. She said she would be looking at whether a list of non-designated heritage assets should be drawn up moving forward. The second appeal was 3072/22/HHO, a householder application for a storage enclosure in the back garden. The back garden was located over the West Devon World Heritage Site. The application was refused for this reason and the Inspector agreed with the decision.

***DM&L.28 UPDATE ON UNDETERMINED MAJOR APPLICATIONS**

There were no questions on this item.

(The Meeting ended at 11.20am)

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Minutes of a meeting of the **WEST DEVON DEVELOPMENT MANAGEMENT & LICENSING COMMITTEE** held on **TUESDAY** the **21st** day of **November 2023** at **10.00am** in the **COUNCIL CHAMBER, KILWORTHY PARK**

Present Cllr R Cheadle – Chairman
Cllr T Southcott – Vice-Chairman

Cllr A Cunningham	Cllr N Jory
Cllr M Ewings	Cllr U Mann
Cllr S Guthrie	Cllr J Moody
Cllr P Kimber	Cllr S Wakeham

Head of Development Management (JH)
Senior Planning Officers (HE and DS)
Monitoring Officer and Head of Legal Services (DF)
Senior Democratic Services Officer (KH)

***DM&L.29 APOLOGIES FOR ABSENCE**

Apologies were received from Cllr Leech and Cllr Mott for who Cllr Kimber substituted.

***DM&L.30 DECLARATION OF INTEREST**

There were no declarations of interests.

***DM&L.31 URGENT BUSINESS**

There was no urgent business brought forward to this meeting.

***DM&L.32 CONFIRMATION OF MINUTES**

The minutes from the Committee meeting held on 31 October 2023 were deferred as a Member felt they did not reflect why the Committee went against the Officer recommendation on application 0466/23/FUL. They will be amended and brought back to the next Committee meeting.

***DM&L.33 PLANNING, LISTED BUILDING, TREE PRESERVATION ORDER AND ENFORCEMENT REPORTS**

The Committee proceeded to consider the reports and presentations that had been prepared by the relevant Planning Officers on the following applications and also considered the comments of the Parish Councils together with other representations received, which were listed within the presented agenda report and summarised below:

(a) Application No. 0604/23/FUL Ward: Bridestowe

Site Address: Land at SX 460 975, Metherell Cross, Patchacott

Development: Construction of a temporary agricultural workers supervisory dwelling (resubmission of 2874/22/OPA)

Recommendation: Conditional Approval

Conditions

1. Time limit
2. Accord with plans
3. Agricultural tie
4. Temporary 3 year period
5. PD limitations
6. No external lighting
7. Details of elevations
8. Landscaping Scheme

Key issues for Committee consideration:

- Development in the countryside, landscape impact and agricultural need.

The Planning Officer gave a presentation to the Committee Members.

A Member raised the lack of details in the type of building proposed in the application. The Planning Officer agreed it was unusual but to bear in mind from the applicant's point of view, that they may be looking to purchase an existing building being used elsewhere. They could not guarantee purchasing that building until they had planning permission granted. He added that conditions could be added should Members grant permission.

Another Member asked about what would happen at the end of the 3 years of a temporary permission. The Planning Officer indicated that the need for a permanent dwelling would have to be proven or further years as a temporary dwelling may be considered if sufficient evidence was not available at the end of 3 years.

It would be necessary to show the business was viable, with full financial records of the business operation. The Planning Officer confirmed that the building would be of a modular portacabin structure.

Members requested an additional condition of drainage.

A Member asked for clarity on policy TTV26 and the agricultural appraisal related to the need for the dwelling. Queries were raised about the fact that the Parish Council had raised a point that it was not a dairy herd and therefore there was not a need for 24 hour presence on site. It was confirmed that the appraisal covered all animal husbandry and confirmed there was a need for 24 hour presence on site. The conclusion was also based on the construction and occupation of the second agricultural building recently granted permission (0593/23/FUL).

As a registered speaker, Mr Heywood, the agent for the applicant confirmed it would be a timber clad modular building. He stated there would be 80 calves in the new calf building at any one time, with 300 calves going through in a year. He stated that the future

occupiers of the proposed temporary accommodation would reduce other elements in their working lives to allow them to push the business forward, after being challenged that the proposed occupiers have other full-time jobs.

A statement read out on behalf of Beaworthy Parish Council stated that the future occupants are in full time employment but not in farming and lived a couple of miles from the site at Patchacott.

The Planning Officer commented on the fact that it is for the farming enterprise to decide who is a suitable person to reside on site in the property. It could be a stockman brought in for the first three years as the business is establishing.

In debate a Member felt there was a lot of detail missing within the application. They also had concerns on the site levels and drainage. The proposed accommodation would be downhill from the agricultural buildings and could have run off from the other buildings on site.

Committee Decision: Conditional Approval, subject to the addition of conditions relating to;

- **Construction and design details**
- **Climate change measures**
- **Surface and foul drainage details**
- **Levels**

These conditions to be agreed by the Head of Development Management; the Chair and Vice Chair of the Development Management and Licensing Committee.

(b) Application No. 2110/23/FUL Ward: Bridestowe

Site Address: Wooda Farm, Lewdown EX20 4PL

**Development: Proposed roof over replacement slurry store
(resubmission of 1621/23/FUL)**

Recommendation: Conditional Approval

The Planning Officer explained that this application was brought to Committee due to it being an application of a West Devon Councillor. The application was to comply with the Government's Clean Air Strategy 2019, which requires all digestive stores in England to have a cover by 2027.

Conditions:

1. Time
2. Plans
3. Planting

4. Drainage

Key issues for consideration:

- Principle of development, design/landscape, neighbouring amenity, highways, drainage and low carbon development.

A Member stated it was a development that met the need in the countryside.

There was no debate on the application.

Committee decision: Conditional Approval

***DM&L.34 PLANNING APPEALS UPDATE**

The Head of Development Management took Members through an appeal that was upheld on a tree application at Castle Road, Okehampton. The application to reduce the crown height by 0.5m was originally refused, however the appeal was upheld and conditionally approved as the Inspector felt it did not impact the character and appearance of the area.

***DM&L.35 UPDATE ON UNDETERMINED MAJOR APPLICATIONS**

The Head of Planning made comment on the application at the wool grading centre at North Tawton. This application has been ongoing since 2019. She explained that the application did not propose any affordable housing and there was an outstanding objection from the Environment Agency. The LPA would look to discuss withdrawal of the application with the applicant.

(The Meeting ended at 11.00am)

Chairman

At a Meeting of the **AUDIT COMMITTEE** held in the Council Chamber, Council Offices, Kilworthy Park, Drake Road, **TAVISTOCK** on **TUESDAY** the **10th** day of **October 2023** at **11.00 am**

Present:
Cllr K Ball
Cllr G Dexter (Chairman)
Cllr R Oxborough
Cllr D Sellis

Officers in attendance: Section 151 Officer
Deputy Section 151 Officer
External Auditor
Head of Devon Audit Partnership
Head of Environmental Health and Licensing
Assistant Director of Strategy & Governance
Senior Democratic Services Officer
Principal Accountants (via MS Teams)

Also in attendance:

Cllrs C Edmonds, M Ewings, M Renders, N Viney, L Watts (via MS Teams) and C West

***AC 11 APOLOGIES FOR ABSENCE**

There were apologies forwarded to the meeting from Cllrs R Cheadle and A Cunningham

***AC 12 DECLARATIONS OF INTEREST**

There were no declarations of interest.

***AC 13 ITEMS REQUIRING URGENT ATTENTION**

There were no items requiring urgent attention.

***AC 14 CONFIRMATION OF MINUTES**

The Minutes of the Committee Meeting held on 25 July 2023 were confirmed by the Committee as a true and correct record.

***AC 15 GRANT THORNTON (EXTERNAL AUDIT) REPORT**

The External Auditor introduced the report to Members. In so doing, he outlined the financial statements audit and value for money arrangements. The draft Statement of Accounts for 2022/23 had been published on the Council's website at the end of June 2023. The external audit would now begin in November 2023 rather than in January 2024 as originally envisaged. The detailed audit plan would be presented at the December Audit Committee, with the audit findings report being considered by the Audit Committee in March 2024.

The Committee was informed that national proposals to limit the audit delays, included the backstop arrangement whereby set dates would be

in the calendar whereby if an auditor had not completed the audit they would stop and move onto the next financial year, and this would lead to a qualified set of accounts. For clarity, it was confirmed that this did not affect the 2022/23 audit and the proposed backstop arrangements would not be implemented or be relevant to the Borough Council as there was no backlog of previous year audits.

The national audit office code of audit practice dictated the work that the auditors were required to carry out. There was a proposal to change the level of time spent auditing pensions and land and building valuations. This was on operational buildings and not on investment property valuations.

In response to a Member question, the Deputy Section 151 Officer confirmed that by changing the audit timing date from January to November would help with the budget setting process for 2024/25. She also stated that the new external auditors would be implementing their interim audit in February for 2023/24 and so it was in everyone's interest to have the 2022/23 audit completed by January 2024.

It was then **RESOLVED** that the Grant Thornton (External Audit) be noted.

***AC 16 UPDATE ON THE 2023-24 INTERNAL AUDIT PLAN, AND CHARTER AND STRATEGY**

The Lead Hub Committee Member introduced the 2023/24 Internal Audit Plan and Charter and Strategy to Members.

The Head of Devon Audit Partnership stated that a reasonable assurance opinion was expected on the internal audit. Regarding the insurance audit, it was felt that there was room for a more systematic approach to review claims being made. Also, the cost of insurance against claim payouts. He voiced concerns regarding some food safety checks that had not been carried out as part of the recovery plan from the COVID pandemic. It was noted that project management had good methodology however there was less assurance on the smaller projects. A central register for all projects going forward would be useful to ensure reasonable project management processes were followed. The travel and subsistence audit in conjunction with a review carried out by Human Resources on the travel and subsistence procedures found that there was a need to improve line management in the signing off of claims made.

In response to a Member question about whether there was anything he felt should be put added to the strategic risk register, the Head of Devon Audit Partnership said there was concern over the food safety checks. There had been talks with the Food Safety Agency regarding the plan, along with plans to recruit more staff to carry out the checks. Secondly, he raised specific concerns over the maintenance of buildings.

A further question was raised over improving the accuracy of the register of food businesses. In reply, the Head of Environmental Health & Licensing stated that, during the pandemic, there had been a huge influx

of food businesses that closed and also ones that started up. A new IT software package had now been implemented and, going forward, records would be checked against premises to see which were still operational and a visit would be made to them. The officer also stated that food businesses did not have a duty to tell the local authority when they closed and the Food Standards Agency had drawn up a plan in the pandemic asking local authorities to focus on high-risk establishments.

The number of inspections had to be reduced during the pandemic as officers were focused on those high-risk establishments as well as focussing on other health issues during the pandemic. The lead officer for food safety would be providing a report on activity over the past 12 months and was ensuring that a plan was in place moving forward on food safety checks with adequately resourced staff. Once the report was completed, the Head of Environmental Health & Licensing would share the report with Members.

At the last meeting, it was agreed that two Independent Members would sit on the Audit and Governance Committee. The Section 151 Officer stated that the job description and role profile had been drawn up and was being progressed by the Devon Audit Partnership. The remuneration for those two Members would be set at 0.5 x the Basic Allowance.

It was then **RESOLVED** that:

1. the progress made against the 2023/24 internal audit plan, and any key issues be approved and noted; and
2. the Internal Audit Charter and Strategy be approved.

***AC 17 INTERNAL AUDIT RECOMMENDATIONS TRACKER**

The Lead Hub Committee Member introduced the report to the Committee. He commented that the impact of the pandemic and processing of the covid business grants on staff resources had delayed the completion of a number of the recommendations. This was being monitored by the Council's Performance Board and a narrative was being included against each risk recommendation in progress or not yet started, which included a target completion date.

It was then **RESOLVED** that the progress against implementation of Internal Audit Recommendations as set out in the published agenda report be noted.

***AC 18 ANNUAL TREASURY MANAGEMENT REPORT 2022/23**

The Lead Hub Committee Member presented the Annual Treasury Management report for 2022/23.

Following his introduction, the Section 151 Officer explained that the Council's treasury management advisors provided advice on the length of investments depending on the market intelligence and credit ratings. It was confirmed that the current counterparty limit was set at £3 million.

During the pandemic, investments were kept short term, now some investments were being made in longer 12-month deals, with some being made at a 5% interest rate. The Committee was advised that the current strategy was for the Council to only invest in UK banks and building societies. The Head of Devon Audit Partnership stated that the internal audit work on treasury management was almost completed and it was looking very positive.

The S151 Officer informed that guidance stated that, over the longer term, borrowing levels should be below the capital financing requirement. The authority's debt level was slightly higher. This was due to borrowing for proposed housing capital projects taken out a few years ago. Borrowing was taken out on a 1.71% interest rate for those projects. There were currently a couple of housing projects in the Borough where this borrowing would probably be required.

A Member asked if the Council would consider using the justice system to use payback within the community to help with costs. The Chairman commented that, in some places, there were risk and opportunities registers. The Lead Member suggested that this could be looked at through the Hub Advisory Groups. The Head of Devon Audit Partnership said he had seen communication being released from other authorities on community and environmental grants, whereby people applied and completed community outreach projects. He said opportunities were looked at and managed as part of the audit.

The Committee formerly thanked the finance team for their hard work.

It was then **RESOLVED** that:

1. the actual 2022/23 prudential and treasury indicators (as set out in the published agenda report) be approved; and
2. the Annual Treasury Management report for 2022/23 be noted.

***AC 19**

SUNDRY DEBT

The Lead Hub Committee Member introduced the report that provided an update on the Council's Sundry Debt position. In so doing, he outlined three debts totalling £44,000 being included in the total sundry debt figure of £142,000. A £10,000 debt of an overpayment of a covid grant was being picked up by the Department of Business and Trade who would take responsibility for the recovery of that debt. Members noted that Aged Debt (those Debts over 120 days) amounted to £126,000 and no write-offs had been recorded over the period of this report.

At this point, it was **PROPOSED, SECONDED** and, when put to the vote declared **CARRIED** that the public and press be excluded from the meeting to enable for the Committee to discuss items of a confidential and sensitive nature.

Once all Members confirmed that they had no further questions or issues to raise that related to items of a confidential and sensitive nature, it was then **PROPOSED, SECONDED** and when put to the vote declared **CARRIED** that the public and press be re-admitted to the meeting.

It was then **RESOLVED** that the position in relation to Sundry Debt be noted.

***AC 20 COMMITTEE WORKPLAN AND DATES OF FUTURE MEETINGS**

It was confirmed that a meeting between the Audit Committee and Internal and External Auditors would take place before the next Committee meeting on 5 December.

***AC 21 INVESTMENT PROPERTY – UPDATE AND MONITORING REPORT**

The Lead Hub Committee Member introduced the report and stated that the purchase of four investment properties in 2018-19, at a cost of £21.5 million had brought into the Council a gross rental income of £1.2 million.

It was the view of the lead Member that the portfolio continued to perform well with an average net portfolio income of 1.4% which was above the minimum target of 1% set out in the adopted Regeneration and Investment Strategy. Any future property investments would be restricted to within the borough area due to the change in the Public Works Loan Board guidance and any opportunities would be restricted with the current level in interest rates.

In response to a Member question, the Head of Assets stated that she was not aware of any of the investment properties having Reinforced Autoclaved Aerated Concrete (RAAC). A desktop evaluation had taken place and a handful of properties had been outlined for further non-intrusive investigation. The S151 Officer stated that 10% of rental income was set aside for any remedial work needed on the investment properties. By 2028, there would be adequate funds in reserves for repairs on properties where the tenancies were due to end. A review on future reserves contributions could be made through the Council's Regeneration and Investment Committee or through the annual budget setting process. It was agreed after discussion that the issues around the percentage of reserves contributions should be considered via the budget setting process.

Members wished to consider matters related to exempt Appendices 1 and 2 and it was therefore **PROPOSED, SECONDED** and, when put to the vote, declared **CARRIED** that the public and press be excluded from the meeting.

Once all Members confirmed that they had no further questions or issues to raise that related to Appendices 1 and 2, it was then **PROPOSED, SECONDED** and when put to the vote declared **CARRIED** that the public and press be re-admitted to the meeting.

It was then **RESOLVED** that:

1. the performance and risks of the investment property portfolio to date be noted; and

2. as part of the 2024/25 budget setting process, consideration be given to the amount that was needed to be held in reserves for repairs and maintenance on the Council's investment property portfolio. In particular, consideration should be given as to whether the current 10% of rental income contribution should be increased.

(The Meeting terminated at 13.15)

Dated this

Chairman

At a Meeting of the **AUDIT COMMITTEE** held in the Council Chamber, Council Offices, Kilworthy Park, Drake Road, **TAVISTOCK** on **TUESDAY** the **5th** day of **December 2023** at **11.30 am**

Present: Cllr G Dexter (Chairman)
Cllr R Oxborough (Vice Chairman)
Cllr A Cunningham
Cllr L Watts

Officers in attendance: Section 151 Officer
Deputy Section 151 Officer
External Auditor
Head of Devon Audit Partnership
Fraud Officer, Devon County Council
Director of Strategy and Governance (Via MS Teams)
Head of Revenues and Benefits
Assistant Director of Strategy & Governance
Senior Democratic Services Officer

Also in attendance:
Cllr C Edmonds

- *AC 21 APOLOGIES FOR ABSENCE**
There were apologies forwarded to the meeting from Cllrs K Ball, R Cheadle and D Sellis.
- *AC 22 DECLARATIONS OF INTEREST**
There were no declarations of interest forwarded to this meeting.
- *AC 23 ITEMS REQUIRING URGENT ATTENTION**
There were no items requiring urgent attention.
- *AC 24 CONFIRMATION OF MINUTES**
The Minutes of the Committee Meeting held on 10 October 2023 were confirmed by the Committee as a true and correct record.
- *AC 25 GRANT THORNTON INTERIM AUDITOR'S ANNUAL REPORT – COMBINED REPORTING FOR 2021-22 AND 2022-23**
The External Auditor took Members through the report. He pointed out there were no significant weaknesses in arrangements. The financial sustainability of the Council continued to perform well with a stable track record of budget management. Prudent plans within the Medium Term Financial Strategy (MTFS) were shown based on assumptions at the time they were made.

One improvement recommendation was raised on the financial sustainability on the capital plan and this was to continuously review the Capital Programme, which the Council had already recently undertaken. Other identified areas of recommendation were enhancing stakeholder engagement and procurement. Work was in progress with regard to procurement and the Section 151 Officer confirmed that an advert had been published for a Procurement Support Officer which, when recruited to, would bolster the workforce. The Committee noted that the Procurement Act was due to come into force in October 2024.

In response to a question on reserve levels, the External Auditor stated that the Section 151 Officer, when setting the budget, would check that these were appropriate. It was also clarified that the General Fund was a provision for unexpected events and it was felt that Council reserves were currently at an appropriate level.

It was then **RESOLVED** that the Grant Thornton Interim Auditor's Annual Report be noted.

***AC 26 GRANT THORNTON – EXTERNAL AUDIT PLAN FOR 2022/23**

The External Auditor introduced the Plan to the Committee and, in so doing, informed that management override of controls was seen as a risk. However, there was no evidence that this was occurring but, as for all local authority audits, tests had to be in place.

It was noted that property owned by the Council had to be valued on an annual basis, as was the pension fund liability. In reply to a question, it was confirmed that the materiality level was set at £500,000.

The Council had introduced a new payroll system and the audit had addressed the element of risk. Finally, IT general controls were discussed with data access and control issues having been audited.

It was then **RESOLVED** that the Grant Thornton External Plan for 2022/23 be noted.

***AC 27 DRAFT (UNAUDITED) SUMMARY OF ACCOUNTS 2022/23**

The Hub Lead Member introduced the draft Summary of Accounts for 2022/23 to the Committee.

The Committee wished to record its thanks to the finance team and, with no further questions or issues being raised, it was then **RESOLVED** that the Draft (unaudited) Summary of Accounts 2022/23 be noted.

***AC 28 PROGRESS ON THE 2023-24 INTERNAL AUDIT PLAN**

The Hub Lead Member introduced the progress update on the 2023/24 Internal Audit Plan to Members. In so doing, it was highlighted that the areas of: energy bill support scheme; treasury management; main accounting; electoral registration; and the UK Shared Prosperity Fund had all received a '*substantial assurance*' audit opinion. The lead Member also informed that progress was on track to deliver the 2023/24 Internal Audit Plan on time.

At the invitation of the meeting, the Counter Fraud Officer gave an update on the single person discount review. Once the results of the review were known, the officer would liaise with the S151 Officer, before a report was then presented to the Audit and Governance Committee.

Finally, when questioned, the S151 Officer stated that the authorisation limits given to individuals on creditor transactions were currently being reviewed.

It was then **RESOLVED** that the progress made against the 2023/24 internal audit plan be noted.

***AC 29 TREASURY MANAGEMENT MID-YEAR REVIEW**

The Hub Lead Member introduced the report to Members. He stated that the Councils' investment interest budget in 2023/24 was £400,000, however as interest rates levels had increased since setting the budget, there was an expected budget surplus of almost £630,000. The S151 Officer stated that close monitoring would be carried out on the long-term forecast on interest rates for future years before projections were then built into the budget. The Committee recognised that budget setting continued to be a challenge because Central Government had only provided a one year financial settlement.

The report demonstrated and clarified that the current treasury management activity was within the Council's adopted Treasury Management Strategy.

It was then **RESOLVED** that the Treasury Management Mid-Year Review be endorsed.

AC 30 STRATEGIC RISK UPDATE AND FRAMEWORK

The Hub Lead Member presented the Strategic Risk Update and Framework to Members.

In debate, Members noted that an officer level performance board met on a monthly basis to consider both operational management and organisational performance.

Having been informed that cyber security had been recently added to the Risk Register, it was agreed to arrange a briefing for the Committee in regard to measures that were being put into place with regard to the prevention of cyber crime.

It was then **RESOLVED** that:

1. the updated Risk and Opportunity Management Strategy (Appendix A of the presented agenda report refers) has been considered;
2. Council be **RECOMMENDED** to adopt the updated Risk and Opportunity Management Strategy (as set out at Appendix A of the presented agenda report); and
3. the updated Strategic Risk Register (Appendix B of the presented agenda report refers) has been considered.

***AC 31**

ANTI-FRAUD, BRIBERY AND CORRUPTION (POLICY AND RESPONSE PLAN), COUNTER FRAUD RESILIENCE AND ASSESSMENT REPORT AND WHISTLEBLOWING POLICY

The Hub Lead Member presented the report to the Committee and stated that fraud accounted for 40% of all crime. The Counter Fraud Officer stated that cybercrime was at an epidemic level, however it was very under reported. Once the paper had been agreed, its contents would be shared with staff. Finally, it was agreed that a Member training session on Fraud Awareness would be scheduled in the New Year.

It was then **RESOLVED** that approval be given to:

1. the Anti-Fraud, Bribery and Corruption Policy (as set out at Appendix A of the presented agenda papers);
2. the Anti-Fraud, Bribery and Corruption Strategy / Response Plan (as set out at Appendix B of the presented agenda papers);
3. the Counter Fraud Resilience and Assessment Report (as set out at Appendix C of the presented agenda papers); and
4. the Whistleblowing Policy (as set out at Appendix D of the presented agenda papers).

***AC 32**

HOUSING BENEFIT OVERPAYMENTS

The Lead Hub Member took Members through the report and stated that the service was operating in line with regional and national performance. The Head of Revenues and Benefits informed that an advert was in the public domain to recruit a Training and Quality Assurance Officer to ensure that officers were appropriately trained in the complex legislation and in assessing claims accurately.

It was stated that more cases of Housing Benefit Overpayment were through compliance issues rather than fraud, for instance a claimant forgetting to give an update on their personal circumstances. Working with the Devon Audit Partnership Fraud Officer meant that the authority could take on more investigation and prosecution.

Whilst the authority administered housing benefit, the Department for Work and Pensions (DWP) had taken back responsibility for the prosecution of housing benefit fraud in 2015. It was also noted that the auditors tested within DWP guidance.

It was then **RESOLVED** that the report be noted.

***AC 33**

LOCAL GOVERNMENT OMBUDSMAN -ANNUAL REVIEW LETTER

The Lead Hub Member introduced the report to Members. The report informed that 8 complaints had been received with just 1 complaint being upheld. The further 7 complaints had been closed without further investigation after initial inquiries had been carried out. As only 1 case had been investigated (and upheld) the report stated that the Council had 100% of complaints upheld. This was felt to be unfair and not representative of the true position – Members felt that it should be one out of eight complaints (and therefore 12.5%).

The Council had responded with a request that the measure be reconsidered to give a fairer reflection of its performance. The lead officer clarified that the majority of the complaints received were from residents regarding a planning decision.

It was then **RESOLVED** that the Local Government Ombudsman – Annual Review Letter be noted.

***AC 34**

PROPOSED WORKPLAN FOR THE AUDIT & GOVERNANCE COMMITTEE FOR THE 2023/24 MUNICIPAL YEAR

There were no comments or debate on the latest version of the Committee Workplan for 2023/24.

(The Meeting terminated at 12.45pm)

Dated this

Chairman

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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 **10th** day of **October 2023** at **2:00 pm**.

Present:

Cllr P Kimber – Chairman
Cllr A Johnson – Vice-Chairman

Cllr J Elliott
Cllr S Guthrie
Cllr U Mann
Cllr T Southcott

Cllr P Vachon
Cllr N Viney
Cllr S Wakeham
Cllr C West

Director of Place and Enterprise
Head of Housing
Democratic Services Specialist

Also in Attendance: Cllr M Ewings (Leader), Cllr M Renders (Deputy Leader), Cllr G Dexter and Cllr C Edmonds. Cllrs M Calder and T Leech (Via MS Teams) Head of Democratic Services and Head of Revenue and Benefits (Via MS Teams)

***O&S 8/23 APOLOGIES FOR ABSENCE**

Apologies for absence for this meeting were received from Cllrs M Casbolt, I Saxby and P Squire.

***O&S 9/23 CONFIRMATION OF MINUTES**

The minutes of the Meeting of the Overview and Scrutiny Committee held on 25 July 2023 were confirmed as a true and correct record.

***O&S 10/23 DECLARATIONS OF INTEREST**

Cllr Mann declared an interest as she was employed by Citizens Advice Bureau, and she left the meeting during the presentation by them on Item 6 of the agenda.

***O&S 11/23 PUBLIC FORUM**

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

***O&S 12/23 CITIZENS ADVICE IN WEST DEVON**

The Chief Executive of Citizens Advice Bureau gave a presentation to Members on the work that they do within West Devon. Although a member of the National Citizens Advice Bureau this branch remain an independent charity. The income they generate is purely their own and they do not receive any funding from the national body, however they benefit from branding and insurance from their membership. They receive funding from Devon County Council, West Devon Borough Council and Town and Parish Councils within West Devon.

In 2022-23 2,857 people with 6,573 problems were helped. From 1 April to 30 September 2023 1,375 people with 3,936 problems were helped, generating £698,623 income gain for families in West Devon.

More complex problems are being presented and this has given an increase of presenting issues being dealt with on last year by +21.3%.

The cost of living crisis has impacted with welfare benefits being the most common area the bureau was dealing with. The main debt problem presented was council tax.

Currently there are 17 volunteers in the West Devon offices.

In response to a question on universal credit it was explained that it is a complex process to get right particularly when there are changes in circumstances, so people go to the CAB for help. The statistics shown are based on individuals helped but this can extent to families members within the household of the person presenting for help. In regard to rurality a current pilot scheme with video meetings is proving encouraging. Hate crime reported to the bureau is unreported to the police, however the bureau is a reporting centre and have a portal to provide information based on what is reported to them.

***O&S 13/23 SOCIAL HOUSING STANDARDS, HOMELESSNESS, TEMPORARY ACCOMMODATION AND RURALITY**

The Head of Housing gave the Committee Members a verbal update on Housing KPI's. There were currently 16 households in temporary accommodation within West Devon, comprising 6 families and 10 single people of which 4 of those singles are care leavers. 9 of those were in bed and breakfast accommodation, whilst 7 were in self-catering accommodation. West Devon have the lowest number of people in temporary accommodation in Devon. The cost of temporary accommodation for the last year was £329,000, with the cost to West Devon being £247,000.

Five properties have been purchased through the local authority housing fund and had permission through the Hub Committee to purchase a further three properties for Afghan and Ukrainian refugees in the first instance and then for longer term housing need. In 2022-23 West Devon accommodated 72 households of which 53 were single people and 19 were families.

Last year 5,916 nights there were spent in temporary accommodation, an increase on last year of 2,440. Some of this was due to the lack of private rental and less opportunity to prevent homelessness. Over the last three

years homelessness was prevented in 404 instances and 967 people present at the same time. The rough sleeper count is 0, this count is done on a yearly basis.

194 guests have been welcomed from Ukraine to West Devon as their first location and a further 10 have moved in as their second location in the UK. Temporary accommodation was only used on four occasions, which is testament to the hosts and resettlement teams in the borough. The government will need to give some security for what happens after month 24 as the host will receive no payment as it stands after this time.

The Head of housing explained that legislation states that people cannot be in bed and breakfast accommodation for any longer than six weeks. In West Devon this has not been broken but it has come very close and they continue to remain concerned. People with poor tenancy history would be likely to remain in temporary accommodation longer as they need a package of support. Lack of four-bedroom properties through Devon Homechoice means families wanting a larger property need to look at the private sector rental.

In response to whether there was a seasonal trend to rough sleepers in the borough the Head of Housing commented that she was aware people may flee other areas due to domestic violence or being in the armed forces.

50% of housing need is for single people. Under the local housing allowances, if you are under 35 years old you are only entitled to a shared room in a house of multiple occupation. Some of the support mechanisms are not there in a rural area for the cohort of homeless in West Devon, although they work closely with County colleagues. It was reiterated that an outreach worker is available to speak to anyone that Members are aware of who are sleeping rough in their wards. In 2022-23, 348 people presented as homeless there were applications for 157 people with 191 being advice cases only, where they were able to resolve their homelessness with advice from the housing team.

The housing team that is shared with South Hams was described as a strong hard-working team. The Head of Housing will be circulating all the facts and figures in a report to Members of the Committee.

***O&S 14/23 TASK & FINISH GROUP UPDATES**

The Committee was asked to decide which groups they wished to join in regard to setting up task and finish groups for both Fusion and South Water, so that they could gather questions to put to both when they attended the Overview and Scrutiny Committee meetings over the coming year. Interest to join the group for SWW was shown by Cllrs Southcott, Guthrie, Elliott, West and Viney. Interest was shown to join the Fusion group by Cllrs Wakeham, Johnson, Mann and Vachon. The Director of Enterprise and Place described the brief on these groups as to influence and help and support these companies when looking at questions to ask. He agreed to attend the start of both meetings to give a brief on each. The

Leader and Lead Hub Member would also feed into the Fusion Task and Finish group.

***O&S 15/23 ANNUAL WORK PROGRAMME**

The Leader outlined that in previous years only two items would appear on the agenda as some topics created a good and long debate. A member voiced their concern on the lack of understanding from the whole council in the role the agricultural sector can play and in particular climate change. The Leader stated that in the latest draft version of the Corporate Strategy it acknowledged agricultural modernisation in the farming community. Members were reminded that they are able to attend any of the Hub Advisory meetings and can ask questions at the Hub meetings to gain more knowledge.

(The meeting terminated at 3.30 pm)

Chairman

At a Meeting of the **HUB COMMITTEE** held in the **Council Chamber, Kilworthy Park, Tavistock** on **TUESDAY** the **21st** day of **NOVEMBER 2023** at **2.00 pm**

Members in attendance

*** Denotes attendance**

∅ Denotes apology for absence

* Cllr A Bridgewater	∅ Cllr T Leech (<i>joined via Teams</i>)
* Cllr L Daniel	* Cllr J Moody
* Cllr C Edmonds	* Cllr C Mott
* Cllr M Ewings (Leader)	* Cllr M Renders (Deputy Leader)
* Cllr N Jory	

Other Member(s) also in attendance in a non-voting capacity:

Cllrs Calder (via Teams), Elliott (via Teams) Johnson (via Teams); Kimber; Leech (via Teams); Oxborough, Squire, Viney and West

Officers in attendance

Chief Executive; Deputy Chief Executive; Section 151 Officer; Monitoring Officer (via Teams); Head of Democratic Services; Assistant Director Strategy; Head of Finance; Head of Environmental Health & Licensing; Head of Head of Revenues & Benefits, Head of Housing (via Teams); Head of Economy & Place; Principal Environmental Health Officer; Community Digital Connectivity Officer; Principal Assets Officer; Principal Climate Change Officer and Principal Building & Facilities Officer (via Teams)

***HC 23/23 APOLOGY FOR ABSENCE**

An apology for absence had been received from Cllr Leech, who was in attendance remotely via Teams.

***HC 24/23 DECLARATIONS OF INTEREST**

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

***HC 25/23 MINUTES**

The Minutes of the Hub Committee meeting held on 19 September 2023 were confirmed as a correct record.

***HC 26/23 PUBLIC QUESTION TIME**

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

***HC 27/23 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 proceeded to note its content.

***HC 28/23 DRAFT CORPORATE STRATEGY**

The Hub Committee considered a report that provided an update on the progress made in the preparation of the draft Corporate Strategy for the period 2024-2028.

During the ensuing debate, the following points were raised:

- (a) In respect of the development of the delivery plans, officers advised of the intention that the next round of Hub Advisory Groups would be held in the upcoming months. Furthermore, it was intended that the detailed delivery plans would be considered at the next Hub Committee meeting (to be held on 30 January 2024) alongside further consideration of the Corporate Strategy and draft Revenue and Capital Budget proposals for 2024/25;
- (b) It was noted that, as part of the public consultation exercise, a question would be included that sought the views of residents as to what the Strategy should be titled. In hoping that residents and local stakeholders would be fully engaged in the consultation exercise, officers confirmed that a 'Member Pack' (including a list of Frequently Asked Questions) would be issued to all Members upon the commencement of the consultation process;
- (c) The view was expressed that the Strategy should highlight (and cross reference) the 12 national missions that underpinned Central Government's Levelling Up agenda;

It was then:

RESOLVED

- 1. That the draft Corporate Strategy, as set out at Appendix B of the presented agenda report, be endorsed;
- 2. That authority be delegated to the Assistant Director - Strategy, in consultation with the Leader and Deputy Leader, to apply any final amendments to the draft Corporate Strategy prior to commencement of the public consultation exercise;
- 3. That the formal consultation on the draft Strategy be commenced; and
- 4. That the Senior Leadership Team and Assistant Director - Strategy support Lead Hub Committee Members in the development of detailed delivery and resourcing plans for the Strategy.

HC 29/23 REVIEW OF CAPITAL PROGRAMME (CAPITAL PROGRAMME MONITORING) AND REVIEW OF EARMARKED RESERVES

Members considered a report that set out the progress made on individual schemes within the approved capital programme, including an assessment of their budgets and financial position and how schemes might align with the emerging corporate priorities.

In the ensuing debate, particular reference was made to:

- (a) the Springhill project. In the event of Full Council ultimately approving the recommendations in the published agenda report, then the Business Case for the Springhill project would be reviewed with alternative options being explored as part of that process;
- (b) the Financial Stability Reserve. When questioned, the Section 151 Officer advised that releasing the funds within this Reserve would not affect the financial stability of the Council.

It was then:

RESOLVED

That Council be **RECOMMENDED** to:

- 1) withdraw three capital projects from the current Capital Programme, being Parklands Leisure Centre contribution to moveable floor (£50,000) and Tavistock Viaduct (£20,000). It is also recommended to withdraw the Springhill Temporary Accommodation budget from the capital programme, following the Hub Committee decision to put this project on hold whilst other options are explored, freeing up a further £193.2k. Therefore, the review of the capital programme is freeing up capital resources of £263.2k which is potentially available for future corporate priorities and can be re-purposed;
- 2) continue to progress all other capital projects, in line with the existing capital projects within the overall Capital Programme;
- 3) note the content of the Capital Programme Monitoring Report in Appendix C of the presented agenda report which shows the current expenditure on capital projects between April 2023 and September 2023 of £1.692m, being 21% of the profiled budget for 2023/24 (the first six months of the financial year);
- 4) note the revised capital allocation for the UK Shared Prosperity fund (UKSPF) scheme for 2023/24 and 2024/25 as set out in section 3.2 of the presented agenda report;
- 5) note the addition of £26,632 to the capital programme for a new boiler at Okehampton Business Centre to be financed from the Maintenance Earmarked Reserve, set out in section 3.3 of the presented agenda report; and
- 6) approve the outcome of the review of revenue reserves, releasing revenue reserves of up to £871,000 which is potentially available to support the delivery of the emerging Corporate Strategy.

***HC 30/23**

DRAFT REVENUE AND CAPITAL BUDGET PROPOSALS FOR 2024-25

The Hub Committee was presented with a report that outlined a series of draft revenue and capital budget proposals for 2024/25.

During discussion, the following points were raised:

- (a) It was noted that the projected budget gap for 2026/27 was sizeable;
- (b) The proposed flooding contingency budget of £50,000 was welcomed and, given recent climatic trends, was felt to be very pragmatic;
- (c) In echoing the views of the Audit & Governance Committee, Members expressed their disappointment over the increased External Audit fees;
- (d) Moving forward, a number of Members stated their hope that Central Government would provide greater clarity over the future of New Homes Bonus funding;
- (e) Members looked forward to receiving the views of the Overview & Scrutiny Committee on these draft proposals at the next Hub Committee meeting to be held on 30 January 2024.

It was then:

RESOLVED

1. That the forecast budget gap for 2024/25 of £142,030 (1.5% of the projected Net Budget of £9.265million) and the position for future years be noted; and
2. That the Senior Leadership Team work with Hub Committee Members to provide further options on how to close the predicted budget gap for 2024/25, for Members' consideration as part of future budget reports in early 2024 (once more detail of the Local Government Finance settlement is known).

***HC 31/23 SOCIAL HOUSING & PRIVATE SECTOR HOUSING LANDLORDS**

Members considered a report that set out a commitment by the Council to support tenants in social and private sector rented accommodation to take action against their landlords when there were unacceptable delays or challenges in remedying repairs.

During debate, particular reference was made to:

- (a) accessing those tenants considered to be 'hardest to reach'. When questioned, officers set out a series of measures that were being undertaken in an attempt to access the hardest to reach tenants;
- (b) improving methods of regulating landlords in West Devon. Officers informed that they were currently reviewing the merits of establishing a landlord / letting regulatory scheme. For clarity, the Committee noted that there was no evidence of systemic rogue landlords in the Borough area but some could be considered to be uneducated on housing standards;
- (c) close linkages between the Environmental Health and Housing teams. It was noted that regular dialogue took place between Environmental Health and Housing officers with steps that included properties not being able to be re-let until necessary remedial works had been carried out being in place.

It was then:

RESOLVED

1. That an enhanced approach to improving Social and Private Sector Housing standards in West Devon be approved; and
2. That an annual performance report on the investigations of housing standards complaints be brought to the Hub Committee.

***HC 32/23 UK SHARED PROSPERITY FUND & RURAL ENGLAND PROSPERITY FUND UPDATE**

The Hub Committee considered a report that provided an update on the projects that had so far benefitted from the UK Shared Prosperity and Rural England Prosperity Funds

During debate the following points were raised:

- (a) With regard to the Agri-Tech Innovation Project, officers committed to providing more information with regard to the level of interest to date from those farmers located in the West Devon area outside of this Committee meeting;
- (b) Through the Community Resilience Grant scheme, it was noted that parish councils were able to apply for monies to expand the range of services that could be delivered through their local parish, community and village hall facilities;
- (c) The ongoing need to publicise and promote the projects and schemes set out within the presented agenda report was recognised;
- (d) Officers highlighted the extent of interest already and, as a result, expressed their confidence that these monies would be spent before the prescribed deadline. Furthermore, it was hoped that additional funding opportunities would be made available by Central Government;
- (e) Whilst welcoming the Local Cycling and Walking Infrastructure Plan, Members also recognised the need for a co-ordinated approach between the Council and Devon County Council regarding their Highways maintenance programme and schedule of works;
- (f) It was recognised that this agenda item represented an excellent example of meaningful devolution from Central to Local Government.

It was then:

RESOLVED

1. That an all-Member Briefing session be convened to take place at the earliest opportunity enabling Members to further explore the work being delivered through the UK Shared Prosperity Fund (UKSPF) programme;

2. That the work of the UKSPF programme be disseminated and promoted to local communities; and
3. That the Rural England Prosperity Fund Grant Policies be supported.

***HC 33/23 LONG STAY PAY & DISPLAY CHARGES REVIEW**

Members were presented with a report that sought approval to amend the pay and display charges in long stay West Devon off-street car parks.

In his introduction, the lead Member informed that, at the appropriate time, he would be proposing an alternative form of wording to report recommendation 1.1 that would read as follows:

'1.1 To amend the Pay and Display Charges in accordance with Appendix A, with the exception of Hatherleigh and Chagford, which should be amended whereby there is no increases for charges up to and including 2 hours.'

During the ensuing discussion, particular reference was made to:

- (a) usage and income figures. Officers informed that both car parking usage and income figures had still not quite returned to pre-COVID levels;
- (b) car parking permit numbers. Whilst the permit scheme was particularly popular in Chagford, it was felt that there was scope to increase the promotion and marketing of parking permits across the remainder of the Borough area;
- (c) the proposals to remove Brentor and Lydford car parks from the Council's Parking Places Order 2022 (report recommendation 1.3 refers). Officers confirmed that these proposals were cost neutral to the Council;
- (d) support for the proposals. A number of Members expressed their support for the proposals contained within the agenda papers that were felt to strike the delicate balance between the Council's budgetary pressures and the need to support the local economy.

It was then:

RESOLVED

1. That the Head of Assets be authorised to publish notice of proposals for the West Devon Borough Council (Off-Street Parking Places) (Variation No.1) Order 2022 amendments to be made as follows:
 - 1.1 To amend the Pay and Display charges in accordance with Appendix A of the presented agenda report, with the exception of Hatherleigh and Chagford, which be amended whereby there is no increase for charges up to and including 2 hours;
 - 1.2 To change Abbey car park from a 4 hour maximum stay to a 6 hour maximum stay car park; and
 - 1.3 To remove Brentor car park and Lydford car park from the West Devon Borough Council (Off Street Parking Places) Order 2022;

2. That the Head of Assets be requested to prepare a report summarising any representations received in response to the notice of proposals for consideration by the Hub Committee before deciding whether to make the off-street parking places order as proposed or with modifications; and

3. That the Director of Place and Enterprise, in consultation with the Lead Hub Committee Member and the Leader of Council, be authorised to vary the charges payable in respect of off-street parking places to reflect annual changes in the September Consumer Price Index (inflationary uplift) subject to giving the public notice in accordance with Local Authorities Traffic Orders (Procedure)(England and Wales) Regulations 1996 specifying the charges payable when the notice comes into effect.

***HC 34/23 Q3 AND Q4 WRITE-OFF REPORT 2022/23**

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 2022 to 31 March 2023.

During debate, support was expressed for the excellent work being carried out by the Team.

It was then:

RESOLVED

1. That, in accordance with Financial Regulations, it be noted that the Section 151 Officer had authorised the write-off of individual debts totalling £77,279.31 as detailed in paragraph 3 of the presented report; and

2. That the write-off of the individual debts totalling £29,868.75, as shown in Appendix A of the presented agenda report, be approved.

HC 35/23 CLIMATE CHANGE – EV STRATEGY UPDATE

Members considered a report that set out an updated Electric Vehicle (EV) Strategy for 2023 - 2025.

During discussion, the following points were raised:

- (a) In reply to a question, officers confirmed that feasibility studies would take into account the local capacity and capability for EV rapid chargers;

- (b) Whilst in the infancy of the journey for the Council, Members felt that, in the future, the Council should explore providing an EV charger installation service to local residents and stakeholders as a means of income generation;

- (c) Having sought clarification, officers advised that there were mechanisms in place to prevent users from effectively blocking those car parking spaces that contained EV charging points.

It was then:

RESOLVED

That Council be **RECOMMENDED** to adopt the West Devon Borough Council Electric Vehicle Strategy 2023-2025 as set out at Appendix B of the presented agenda report.

(The meeting terminated at 4.00pm)

Chairman

(NOTE: THESE DECISIONS, WILL BECOME EFFECTIVE FROM 5.00PM ON THURSDAY, 30 NOVEMBER 2023, WITH THE EXCEPTION OF MINUTES HC 29/23 AND HC 35/23 WHICH ARE RECOMMENDATIONS TO THE COUNCIL MEETING TO BE HELD ON 19 DECEMBER 2023, UNLESS CALLED IN, IN ACCORDANCE WITH SCRUTINYPROCEDURE RULES)

Report to: **Council**

Date: **19 December 2023**

Title: **Scheme of Members' Allowances – Review**

Portfolio Area: **Leader – Cllr Mandy Ewings**

Wards Affected: **All**

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

Date next steps can be taken: **Immediately following this meeting and backdated to 9 May 2023**

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

Contact: darryl.white@swdevon.gov.uk or **01803 861247**

RECOMMENDATION

That the Council RESOLVES that the recommendations of the Independent Panel on Members' Allowances (as presented at paragraph 3 below) be agreed and that the revised draft Scheme of Members Allowances (as shown at presented Appendix C) be adopted with immediate effect, with any consequent increases in Allowances being backdated to 9 May 2023.

1. Executive summary

- 1.1 The Council's Scheme of Members' Allowances was last reviewed by its Independent Panel on 15 November 2022 with a series of recommendations on a revised Scheme then being considered by Full Council on 22 November 2022;
- 1.2 As part of this process, the Panel had requested that *'a more detailed review be carried out in 2023, particularly as this will be after the May 2023 Local Elections when any changes to Member roles and responsibilities can be taken into account. The Panel also requested that officers produce an Allowances Survey for the completion of all Members in advance of the next Panel meeting in the Autumn of 2023'*;
- 1.3 This report presents the recommendations of the Panel review.

2. Background

- 2.1 In accordance with the Local Authorities (Members' Allowances) (England) Regulations 2003, it is a requirement that any changes to a Council's Scheme of Members' Allowances are considered initially by an Independent Panel appointed for that purpose which in turn then makes recommendations to the Council;
- 2.2 Prior to the Panel meeting, all Members were given the opportunity to make representations on the current Scheme of Members' Allowances via a Member Survey. 11 responses were subsequently received and these are collated at Appendix A;
- 2.3 The Council's Independent Remuneration Panel subsequently met on 23 November 2023 and was attended by all four Panel Members:
 - Bryony Houlden (South West Councils' Chief Executive) (Chairman);
 - Cllr Paul Ward (Town/Parish Council Representative);
 - Karen Nolan (Community and Voluntary Sector Representative); and
 - Janna Sanders (Business/Commercial Sector Representative).

As a basis for its deliberations, the Panel considered a report that asked it to focus on the following specific questions:

- Should the Basic Allowance be increased?
 - Should the Basic Allowance be re-aligned to a prescribed index?
 - Should the current list of roles entitled to claim a Special Responsibility Allowance (SRA) be amended?
 - Should any of the multipliers applied to the SRAs be amended?
- 2.4 In addition, the Panel also considered the current Scheme of Members' Allowances (as set out at Appendix B); comparative benchmarking information (as detailed at Appendix C) and received verbal submissions from Cllrs Oxborough and Renders (NB. meeting apologies were received from Cllrs Ewings and Jory). The Panel was also supported at its meeting by the Head of Democratic Services and the Democratic Services Senior Case Manager.

3. Panel Recommendations

3.1 Basic Allowance

- 3.1.1 In discussion, the Panel acknowledged that, with the exception of East Devon District Council, the current Basic Allowance (£4,893 per annum) was the lowest in the county. It was noted that this was attributed to the Council effectively penalising itself by historically not always accepting the Panel's recommended increases to the Basic Allowance;
- 3.1.2 The Panel calculated that, based upon the benchmarking information, the mean average for the Basic Allowance across the other Devon District Councils was currently set at £5,645 per annum. Whilst there was some support expressed amongst the

Panel for the Basic Allowance to be increased to this mean average, the majority view was that the Council should retain the aspiration to do so, but that an increase of 15.6% was excessive and was unlikely to be supported by the Borough Council;

3.1.3 The Panel was concerned that the Basic Allowance should not get even more out of kilter with other local authorities and was minded to recommend an increase. Having ruled out an increase in line with the mean average, the Panel considered the following alternatives:

- To reaffirm the previous recommendation of a 5% increase (from £4,893 to £5,138 per annum);
- To recommend an increase in line with the mean average of the staff pay award (6%), resulting in an increase from £4,893 to £5,187; or
- To propose an increase aligned to the Consumer Price Index (4.6% at October 2023), amounting to a £225 increase (from £4,893 to £5,118 per annum);

3.1.4 Panel representatives reiterated that their medium-term aspiration should be for the Basic Allowance to catch up with the mean average for Devon Districts and, coupled with the wish to align to the staff pay award, therefore **RECOMMENDED** that:

'With effect from 9 May 2023, the Basic Allowance be increased by 6% for both 2023/24 (from £4,893 to £5,187) and 2023/24 (from £5,187 to £5,498), with the Panel being reconvened in late 2024 to review the Scheme and specifically the merits of re-aligning the Basic Allowance to a Prescribed Index for the forthcoming years.'

3.2 **Special Responsibility Allowances**

Based upon the feedback from the Member Survey on Special Responsibility Allowances (SRAs), the Panel focused on four particularly pertinent issues:

1. *The principal of whether Committee Vice-Chairs (and, in particular, the Vice-Chair of the Development Management & Licensing Committee) should be in receipt of an SRA;*
2. *Whether or not the 8 Development Management & Licensing Committee Members (excluding the Committee Chair and Vice-Chair) should be in receipt of an SRA;*
3. *Whether or not Political Group Leaders should continue to be able to receive an SRA; and*
4. *The Civic Allowance SRA.*

3.2.1 **Committee Vice-Chairs**

Through the comments in the Survey and the views of Cllrs Oxborough and Renders at the meeting, the Panel noted that a

strong case had been made for the Vice-Chair of both the Development Management & Licensing (DM&L) and Audit & Governance (A&G) Committees to be entitled to claim an SRA;

3.2.2 In respect of the Vice-Chair of the DM&L Committee, the Panel was minded to **RECOMMEND** *that the role should be entitled to claim an SRA at 0.3 x the Basic Allowance;*

3.2.3 With regard to the Vice-Chair of the A&G Committee role, the Panel was grateful for the presentation that had been given by Cllr Oxborough. Whilst all representatives were sympathetic with the views given, they also noted that, in the benchmarking information, no other neighbouring local authority had provision for the role to be in receipt of an SRA. Furthermore, the feedback received had made minimal reference to the Overview & Scrutiny (O&S) Committee Vice-Chair role and the view was expressed that, if an SRA was to be paid, then these roles were so comparable that it should be payable to both;

3.2.4 In conclusion, the Panel wished to **RECOMMEND** *that the Vice-Chairman of the A&G Committee should not be entitled to claim an SRA at this time. However, this position (and the Vice-Chair of the O&S Committee role) should be both reviewed by the Panel again in twelve months' time with both postholders being invited to attend the Panel meeting.*

3.2.5 **Development Management & Licensing Committee Members**
The Panel recognised that there were a number of challenges for Members in being able to put the necessary time towards serving on the Development Management & Licensing Committee.

This had resulted in the request being made for the Panel to consider recommending that the Scheme include provision for all Members of the Development Management & Licensing Committee to be in receipt of an SRA.

In debate, it became apparent that the Panel was divided in its opinion on this matter. Whilst some representatives were supportive of the proposal, others highlighted that SRAs were, by definition, deemed to be 'Special' responsibilities. The Panel also questioned whether the role merited an SRA when it was not recommending payment of one for the Vice-Chairs of the A&G and O&S Committees. As a result, the payment of a further 8 additional SRA's would lead to the Scheme having provision for payment of 22 SRAs. When considering that this, in theory, could see 22 out of the 31 Members being able to claim an SRA this, as a principle, did not sit comfortably with some of the Panel representatives.

The Panel therefore **RECOMMENDED** *that a Special Responsibility Allowance should not be payable to DM&L Committee Members and that, at the time of the next Panel review, the Committee Chairman, Vice Chairman and some Committee Members be invited*

to attend to make representations on the workload of the Committee.'

3.2.6 Political Group Leaders

Representatives highlighted the division in views expressed in the Member Survey as to whether or not Political Group Leaders should be entitled to continue to be in receipt of an SRA. In conclusion, the Panel felt that the principle should be retained but the multiplier should be reduced. It was therefore **RECOMMENDED** by the Panel that: *the SRA Political Group Leader multiplier should be reduced to 1 x the Basic Allowance / 31 x size of Group.'*

3.2.7 Civic Allowance

Given that the Member feedback was silent on the matter of the Civic Allowance, the Panel **RECOMMENDED** that the Civic Allowances be retained at:

- Mayor: £3,000 per annum; and
- Deputy Mayor: £825 per annum.

4. Options available and consideration of risk

- 4.1 In ultimately making a decision, the Council must pay due regard to the recommendations of its Independent Remuneration Panel. However, the Council does have the discretion to reach an alternative view on some (or all) of the Panel's recommendations if it so wishes.

5. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance	Y	The Local Authorities (Members' Allowances) (England) Regulations 2003. The Council has a statutory requirement to adopt a Scheme of Members Allowances and to consider the recommendations of its Independent Panel in doing so.
Financial implications to include reference to value for money	Y	If all of the Panel recommendations are approved by the Council, then there will be an overall increase in cost of Members' Allowances to the Council of £14,844. It is proposed that the additional cost is met from the annual inflation provision within the Medium Term Financial Strategy.

Risk	Y	The risk implications are set out at Section 4 above.
Supporting Corporate Strategy	Y	Council Theme – <i>Efficient and Effective Council</i>
Consultation & Engagement Strategy	Y	All Members have been consulted (and invited to submit their comments) as part of this Review.
Comprehensive Impact Assessment Implications		
Equality and Diversity	N	N/A
Climate Change & Biodiversity	N	N/A
Safeguarding	N	N/A
Community Safety, Crime and Disorder	N	N/A
Health, Safety and Wellbeing	N	N/A
Other implications	N	None

Appendices:

A: Collated Member Survey responses;

B: The Current Scheme of Members' Allowances;

C: Members' Allowances – Benchmarking Information

D: The Updated Scheme of Members' Allowances (assuming all of the Panel recommendations were to be approved).

Background Documents:

The report considered by the Panel; and

The Council Constitution

WEST DEVON MEMBERS' ALLOWANCE SURVEY 2023 - COMBINED RESPONSE SUMMARY

Section 1 – Basic Allowance

1. The basic allowance for councillors is intended to recognise the time commitment of the role including (but not limited to) travel to meetings, meeting preparation, attendance, meeting with officers and residents and case work. The allowance should also cover incidental costs such as use of councillors' homes. Government guidance also states the role of an elected councillors must in part be viewed as an unpaid voluntary service.

On the basis of the above, do you think the basic allowance for the role of a Borough Councillor is:

Significantly too low 3

Too low 6

About right 2

Too high

Significantly too high

2. If you think the basic allowance is either too 'high' or too 'low' please state at what level the basic allowance should be paid?

We should be comparable/bench marked to similar authorities – based on this consideration needs to be taken of which quartile we feel is appropriate to our situation in West Devon.

The allowance should rise with inflation every year to ensure we get a range of people standing for election to become councillors. And to ensure those on low incomes do not experience hardship when using their home as a workspace.

We should be comparable to similar authorities – in the middle of the range (eg 3rd quintile)

In my experience most Councillors work 10 – 20 hours a week, week in week out, including setting one day a week aside for Council business. It is sometimes complex, sometimes difficult, sometimes unpopular work which requires a great deal of organisation, commitment and application. I understand the Government guidance but if we are to encourage high quality candidates from across the community to be candidates then we should be prepared to, at least, compensate people for the opportunity cost of undertaking this important work. 15 hours per week at £10 per hour (way too low a figure in my view) equates to £7,800 per annum which ought to be the starting point for our consideration. I'd also point out that councillor colleagues in larger district councils are remunerated better than my colleagues on WDBC, simply because, it seems, the Council's overall budget is larger. We still carry out the same job description and the same work with our constituents, officers etc. and to be paid less for that that someone doing the same job seems inherently unfair.

The cost of living and the increase in fuel is affecting my bank balance adversely. Working from home means it has to be kept warm.

This needs to reflect current inflation when being reviewed to encourage younger working people to stand for council without loss of income.

Too low for all councillors and specifically for two groups:

- a. Members of DM&L. These councillors have to commit to a massive amount of time for frequent committee meetings and site visits. Further, their training requirement is mandatory and greater than the typical councillor. I do not sit on this committee and have no desire to so sit, meaning, my comments here are purely objective. I would suggest that all members receive additional basic allowance of 50% and an uplift for each site visit undertaken, of a fixed £50 per visit, to recognise those who fulfil their obligations over those who perhaps take a back seat.*
- b. Vice Chairs of committees. Vice chairs are required to make the same degree of commitment as is the Chair. There are occasions when I, as a VC am required to substitute for the Chair. Thus, the VC shares the responsibility for which the Chair is remunerated and should be similarly recognised financially, all be it at a lower level (maybe 50%).*

The danger of keeping allowances low are that it will not attract professionals into the roll, while I appreciate that it is a delicate balance between that and being seen to have a mind to the appearance to tax payers and value for money. I don't think it is appreciated, on a public level, the level of work and commitment involved in being an effective member.

3. The basic allowance covers costs such as printing, telephone calls and home broadband – are there any additional cost that you incur in your role that are not covered by the basic allowance or Travel and Subsistence Scheme? If so, what are they and approximately how much do they cost per year?

The expenses include cost of care for dependents. However, the level at which this is set (minimum wage at £10.33 per hour currently) is significantly below the actual cost of provision of care support. This is currently costing me over £1,000 per year after claiming the allowable expense. This probably will deter people with significant caring duties from seeking to be councillors. The hourly for claims should be significantly increased based on some benchmarked / objective measure of care costs.

No, and I don't think those identified costs are significant – I have broadband anyway..

No

These costs have all risen sharply over the last few years. There is also an implicit 'etiquette' rule with regard to appropriate standards of dress. In my case, I have purchased new shoes and other items of clothing specifically

4. What is the average number of hours per week you need to perform your role as a West Devon Borough Councillor?

Less than 5 hours per week	
5 to 10 hours per week	1
10 to 15 hours per week	6
15 – 20 hours per week	2
20-25 hours per week	
25-30 hours per week	
30-35 hours per week	1
More than 35 hours per week	1

(Please note: this does not apply to duties you undertake as a member of the town or parish council or for which you receive a Special Responsibility Allowance (SRA))

5. Historically, the Panel have compared allowance schemes from comparable local authorities as a factor in determining allowances, do you have any suggestions for an alternative to update the allowances?

Is this bench marked? If so, the council should be advising the Panel on what is an appropriate quartile for West Devon to be placed in. See my answer to question 2.

Compare to minimum wage levels to ensure the allowance is not too low. We know all councils are cash strapped so allowances are likely to be kept at a low rate.

The council should guide the panel as to whereabouts in this list of local authorities allowance rates it should be. For example, should we be in the top quartile, or bottom quartile or whatever.

I would expect the comparison to take into account when the allowances in the benchmarked councils were set to enable them to be adjusted for inflation in the comparison.

The better way could be to agree an indexation formula from the current rates. This formula could say something along the lines of:

Current rates (set at whatever date they were set) indexed by the lower of

a) CPI

b) Average staff wage rises in the public sector or local government or in WDBC staff (whichever is felt to be appropriate).

We then do a reasonableness check the answer against other comparable authorities. If they fall into the relevant quartile (see above) then we go with that number. If higher we reduce to the middle of that quartile, if below we accept the allowance level produced by the indexation.

No, except that the whole sector should, perhaps, be compared against comparable jobs elsewhere.

Actual Inflation costs could be considered

6. For re-elected Members: Has the role of Borough Councillor changed significantly during the terms of Office you have served

Yes: 6

No: 2

If Yes, in what way:

There are many more emails than previously

I have greater responsibilities, much more travelling is entailed in this as well as more attention to appearance and dress. The work is also during weekends and many evenings.

Although it is definitely more political

People are expecting a response more swiftly. Some residents are very rude.

I've noticed the teaching profession does not call councillors councillor but "hey guys"

The amount of information which is sent to councillors is increasing +++

There is the feeling that "well I sent you an email"

There is a feeling that taking time off out of the office is not always acceptable from some members of the public

Involved with more external organizations. Become vice chair on a committee taking more time.

A higher level of training and responsibilities needed and a greater commitment.

Far more time consuming than before. This I would put down to not just politics, which might be to blame for the housing crisis and the climate emergency, but also the pandemic and extra economic pressures due to the overseas conflicts.

7. Do you foresee the role of a Borough Councillor changing further in the near future (eg increasing use of Remote meetings/changing levels and methods of engagement with Town & Parish Councils and Residents etc)?

If hybrid working to allow voting to take place, this will have an impact on the Council

I am not sure at this point; however I do see a point where being 'Social media literate' is going to be key. We may even be there, and I think that training for this should be provided to help with greater engagement and avoid some of the pit falls of it

Don't know, but our engagement with residents is a key role and this needs to increase.

Increased use of remote meetings is already having an impact and is a useful technological development. That does require Councillors to have some additional technical skills.

I sincerely hope that face to face meetings are not removed, however, as getting people together, knowing and understanding each other, having informal discussions etc. are all beneficial to the operation of the Council, the formulation of creative answers to problems, protection of Councillors and officers' mental health etc.

I also hope that there will be genuine devolution of powers and resources to a local level – if that does happen there is even greater need for good, effective local councillors.

Yes. The formality and historic smartness of councils has all but gone.

Many councillors are very informal, officers don't refer to councillors as "Councillor".

There is a change in attitude. It is very different from 2007 when I started.

Personally, I think the way West Devon borough council currently works is great.

The important meeting for decision making being in person with live streaming for the public. With other small working groups having the choice of in person or remotely over teams works extremely well. Therefore, I only see this developing slightly on the remote communication side in the near future.

I do not like remote meetings as a rule. I hope that the trend in this direction is reversed.

Yes, there is a greater expectation, in my experience, from the parish councils to explain procedures and decisions taken by the borough.

Not necessarily but more emphasis could be placed on later meetings to attract working councillors.

8. In addition to the number of hours worked by councillors, are there any other factors you think should be considered by the panel when determining the basic allowance?

I have fought for 20 years for the members of the DM&L Committee to be paid more than the basic allowance. In their role they must keep free 1 Tuesday and 1 Thursday free for planning meetings and site visits. The reading of the agenda and looking up things on the planning portal all take time, other members don't have to do this painstaking level of preparation for meetings. Potentially these members must give up 26 days for the committee. Many of them also serve on the Overview and Scrutiny Committee.

Councillors need to engage in relevant training to be able to carry out their roles, as in the case of the DML committee, which can have a direct impact on someone's lives or livelihood. There for the increased degree of responsibility should be reflected in the basic allowance for this committee, but only after the appropriate training of the group.

The spread of hours over the week and during evenings.

Councillors should make a commitment to engaging in relevant professional training for their roles. For example on planning, finance, and other areas. It is unreasonable for us to be expected to make decisions without having a sound knowledge and theoretical base for this. This means that individual 'training plans' should be agreed and funded by the council.

Yes, the complexity and difficulty of the work, the community leadership and visibility that is required and the lack of job security in an elected post – every 4 years you can lose your role often through no fault of your own and, unlike MPs, no compensation is available. In addition, the “allowance” that is received is often below minimum wage, carries no pension entitlement and yet is taxed. Either it should be an allowance or it should be pay with all of the benefits that go with it.

Yes. Trying to attract people who aren't ancient, on pensions or benefits.

If we are going to attract a broader spectrum of councillors' society needs to recognise the work that we do. It was financially silly of me becoming a councillor and having to leave nursing because the shifts didn't fit with meetings.

My choice, but it was stupid of me! 😊 Financially, however I have enjoyed being a councillor and helping residents.

I wish there had been a pension with the job.

For all members, there should be a minimum attendance at Council per month in order to qualify for a full allowance. Medical and exceptional compassionate exceptions should apply. This should be set relatively high, 80% plus to avoid rewarding those who are not properly committed. Below this figure, a basic 50% should be applied.

The growing complexity and expectations of members to understand the changing policies especially with planning etc.

My argument continues to be that some councillors put a lot of hours into their elected roles whilst others do very little. I don't know how this can be reflected in remuneration unless there was councillor appraisals done?

9. Do you think the current basic allowance may present a barrier to those who may wish to stand for election?

Yes particularly for younger people who are still working, especially as we meet during the day. Most of our councillors are retired and often in receipt of good personal pensions, so the allowance is a bonus. For a younger person with a young family, it does put them off joining. Giving up one day a week of their working life is costly and the Council allowance does not compensate for this. People end up using holiday leave to attend meetings. The age demographic is most notable on the DM&L Committee

Yes, I do not feel that the remuneration covers the costs of carrying out the role especially in terms of lost earnings, potential child/adult care costs. This potentially disenfranchises a large proportion of the community. It could even be seen as discriminating against certain groups within the community which we are seeking to engage. The cost-of-living crisis have exacerbated this further, and we need to ensure allowances reflect what has been happening. Simply because most councillors may be able to 'subsidise' the costs of being a councillor due to individual circumstances this should not preclude an allowance truly reflecting the costs of being a councillor.

It is not at a level where a working person could afford to drop a day of their main job to take part. Evening council meetings would impact on office time and the home time of otherwise employed people

The current basic allowance is too low and presents significant challenges to potential candidates. For example:

- 1. A self employed councillor will often be losing income through council and related duties. The allowance at it stands will not recompense someone for this loss.*
- 2. Employed people with family /mortgage commitments etc who are not supported by their employer face great financial challenges. This differentially affects younger people.*

This also means that:

- 1. councillor in this situation may just 'skimp' on their the time spent on their duties to council and their constituents.*
- 2. A whole segment of the population will be effectively excluded from standing, and the representatives of the people will be skewed to contain only those who can afford to be councillors. This is very bad for democracy.*

Yes, I think it has done so and will continue to do so. Consider the low numbers of young people of working age who put themselves forward as candidates.

Yes as above

Yes -Particularly for those younger people that are in full-time employment and need to take leave of absence to attend meetings. There is a need to attract younger people to the role of councillor so there is a wider range of opinions across the age democratic of the council.

It may do in some cases, specifically self-employed people. Unless they are adequately remunerated for a day's lost productivity a week, it may not be possible for them to commit the time away from their income generating endeavours.

Yes

Section 2- Special Responsibilities Allowance (SRA)

10. Do you currently receive an SRA?

Yes: 7

No: 4

11. Do you think the SRAs under the existing scheme are set at a fair level? If you believe the scheme has inconsistencies, please be specific.

The only scheme I think should be amended is DM&L. The vice Chairman is expected to be at every DM&L meeting, site meeting and the briefing prior to the DM&L Committee

Not enough knowledge to comment

SRA does not account for the many hours travelling and preparing for engagements as well as cover for home responsibilities.

I am unable to comment on any inconsistencies other than to guess that certain committees may require a higher level of technical competence, experience and effort than others. However, I think that it would be difficult to differentiate on this basis. I chair a committee which requires a high level of professional skill (for which I am qualified).

Before I chair a committee of say 2 hours I will have read the papers twice, had an in depth briefing from officers, and identified the relevant issues and established how and who should address them. This takes at least 1 day in addition to each meeting.

Further there are internal and external briefings, technical and professional updates, and meetings which I have to attend to maintain a wider view of the relevant professional and national issues relevant to the committee. This is difficult to quantify but represents many days of effort.

Yes, I think the multiples are about right.

I think it depends on the councillor. Some councillors work really hard.

Yes

*No, see answers above:
D&ML, Vice Chairs of committees, and below those leading working groups*

Yes, though there are no SRA for vice chairs

12. Are there any other roles which you think should be in receipt of an SRA? If so, please give reasons.

Please see answer to Question 8

This should depend on the perceived/agreed level of responsibility. Where a committee has potentially more impact on a group or individual then it can be justified. Such as the DML. However, this should reflect need for compulsory training and engagement, not just reflect longer hours. This should be addressed separately.

The DML councillors do need to be available for a range of meetings and site visits so this should be recognised in the Allowance provision.

Members of D M & L have to put in more time and attend more meetings to carry out their duties I think they should be in receipt of a SRA.

No

Can't think of any. If a vice chairman has to do the work of a chairman regularly, then they should receive income.

The role of vice chair of planning committee should receive some degree of SRA as that person must be prepared to chair some meetings and site visits if the chair is not available and, is involved with other aspects. For example, the monthly briefing and any decisions made by the committee that needs to be further ratified after the meeting with the officer responsible and head of planning for the application. To ensure committee decisions are fully complied with on the decision notice being issued by the officer.

Those who are required to lead sub-committees and working group types This involves a deal of time and often falls to those already loaded with responsibilities

DM&L committee members should definitely receive an SRA their workload is far greater than any of the other committees I have sat on.

13. What is your view on limiting the number of SRAs per person?

Mixed. In the current make-up of the Council, the opposition leader and deputy are not remunerated for their roles as leaders because they both serve on the Hub. In my personal view even 25% uplift would recognise those roles

If a person does the jobs appropriately then why not. Some sort of Performance Management review maybe required to ensure they have fulfilled their roles. However, I would think that anymore than two would be excessive and also led to a narrowing of the range of expertise available to the council as a whole.

The SRAs are attached to the role so removing this would be to the detriment of any councillor prepared to take on a range of roles.

I am not sure of the reasoning behind this decision. If a person is doing 2 roles, why should they not get an SRA for each (if the roles each require separate effort)

There is a limit to what each person can actually do so SRA's per person should be limited.

I think it's the correct policy.

Some councillors are very good and if they are doing the work, they deserve to be paid.

I don't think having a sub-optimal councillor in a post, is a good thing. They shouldn't get paid if they aren't doing the job.

If someone does the work, they should be remunerated regardless. There should be a balancing rule that members may not hold more than one SRA position to avoid those with leadership positions possibly abusing them in self-interest.

Correct

I don't think that is necessary. If Councillors are willing and capable and their skillset's suit the roles it is surely better for the Council and the public to have people in roles they are capable of doing rather than just because they have been around for a while.

Section 3 – Group Leaders' Allowance

14. Do you think Group Leaders should receive an allowance?

Yes: 6

No: 4

Unsure it would depend on what would be expected of the role.

If Yes, do you think there should be a minimum number in the Group for an allowance to be payable? If so what size should the Group be?

Five

If they play a role in leading/organising a group to the benefit of the council and it's decision-making progress then 2 is a suitable number.

Leaders of larger groups should be paid an SRA to manage this role, it takes time and effort to undertake this role.

Paid for a group of 3 and over which gives a Hub seat entitlement

As currently agreed - 3

It should be a significant grouping – probably around 10 councillors (1/3rd of the Council)

Six

This is something that any member should be willing to absorb as a standard requirement. I do not see that group leaders add value to the council. They merely corral like minded folk together. In my view, all should be acting independently of political persuasion, in the interests of the local electorate collectively. It is fundamentally wrong to impose national political dogma at a local level where the main aim is delivery of essential services.

1/3rd of the council

Section 4 – General

15. Do you have any other comments/observations to make on the Members Allowance scheme generally including travel, subsistence and carers allowances?

The subsistence allowance is not in tune with the cost of living and they all need to be raised in line with reality

See 3. Above re carers allowance

Don't think so. Do councillors who have had to step down from senior roles because of family commitments warrant carers allowance? I've never asked.

The current mileage allowance for the use of private vehicles have not risen to my knowledge For at least 40 years this by no means covers the cost of running the basic vehicle today when you take into consideration insurance, fuel and maintenance costs.

Travel and subsistence should reflect the actual costs. It should not, in the case of subsistence, require that a member spends the bare minimum but at a level in keeping with role, responsibility and status.

16. Would you like to be interviewed by the Independent Remuneration Panel (IRP) during the review?

Yes

Not high on my agenda of fun things to do but if needed.

Not particularly, but happy to be spoken to.

I'd be happy to be interviewed but don't think I would have much to assist their survey.

I would be happy to attend.

Don't mind

Should they wish to interview me I would have no objection.

Yes

Happy to be

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Part 6

Members' Allowances Scheme West Devon Borough Council

West Devon Borough Council

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Members' Allowances Scheme

This Scheme has been made in accordance with the Local Authorities (Members' Allowances) (England) Regulations 2003.

1. Basic Allowance

- 1.1 The Basic Allowance is payable to every Member of the Council at the rate specified in Schedule A below, and will be paid by equal monthly instalments in arrears. The allowance is intended to recognise the time devoted by Members to their work as well as to cover incidental costs such as the use of their homes and private telephones.

2. Special Responsibility Allowances (SRAs)

- 2.1 An SRA is paid to those Members who have significant responsibilities such as committee chairmen or political group leaders etc. Each 'post of responsibility' is identified by the Independent Remuneration Panel and attracts an appropriate level of payment as shown in Schedule A, which is paid monthly in arrears.
- 2.2 Payment to any Member who did not hold the position for which the allowance is paid for the whole year will be adjusted pro rata according to the number of months for which it was held.
- 2.3 A Member holding the office of Chairman will normally be expected to agree to the re-allocation of the relevant proportion of the SRA to their Vice-Chairman in circumstances where the latter has to provide cover for a continuous period of absence of their Chairman of at least one month.
- 2.4 No Councillor shall receive more than one SRA.

3. Travelling Allowances

- 3.1 Members may claim mileage allowances at the rates specified in Schedule B.
- 3.2 Travelling Allowances will normally be payable in respect of attendance at any Approved Duty, except that they may not be claimed where the Body attended pays them.
- 3.3 Approved Duties in respect of which Travelling Allowances may be paid are set out in Appendix D.

4. **Subsistence Allowances**

- 4.1 Subsistence allowances will be paid on the scales and under the conditions set out in Schedule C below. The allowance is for actual expenditure, and payment will normally only be made where receipts are supplied.
- 4.2 Approved Duties in respect of which Subsistence Allowances may be paid are set out in Appendix D.

5. **Carer's Allowance**

- 5.1 Carer's Allowance will be paid in accordance with the conditions set out in Schedule C below.

6. **Service on Outside Bodies**

- 6.1 Members are appointed to represent the Council on specific outside bodies by the appropriate committee or by Council. In these specific instances, Members are entitled to claim travel and subsistence **unless** the outside body already provides reimbursement.
- 6.2 If a Member is unable to attend a meeting as a representative of the Council, they are able to make arrangements for another Member to attend in their place. This arrangement is irrespective of any political or party allegiances. The Member attending as a substitute must clearly show this on their claim form.
- 6.3 Representatives appointed to serve on outside bodies are conditional upon them remaining Members of the Council during that period. The Council approves from time to time a list of Outside Bodies to which Members have been appointed.

7. **Official Civic Duties**

- 7.1 The Mayor and Deputy Mayor and any other Member deputising for them or invited by them to attend, shall be entitled to receive travelling and subsistence allowance for the performance of official duties and courtesy visits.
- 7.2 The Mayor and Deputy Mayor both receive an annual lump sum allowance as set out in the table in Schedule A.

8. **Renunciation**

- 8.1 Any Member may (by giving notice in writing to the Head of Paid Service) choose to forgo any part of the allowances paid under this Scheme.

9. **Administrative Rules**

- 9.1 No payment can be made of any travel and subsistence claim made more than three months after the meeting for which the claim is made, without the authority of Council in every case.
- 9.2 The responsibility for the correctness of claims is that of the Member concerned. Where in the opinion of administrative staff, a claim cannot for some reason be met within the rules of this Scheme, the travel and subsistence claim will not be paid, and the Member will be informed in writing of the reason.
- 9.3 All claims for expenses should, as far as possible, be submitted according to the timetable (provided by the Finance Community of Practice) and passed to Democratic Services for verification. All claims will be checked against the relevant attendance sheets, list of approved duties and approved appointments to outside bodies, prior to payment being made. Members may be contacted if some claims require further clarification. Any unresolved problems arising out of claims for expenses will be referred to the Standards Committee for determination.
- 9.4 Subsistence allowance rates are all maximum amounts and reimbursement will be for actual expenditure (up to these limits), wherever possible supported by a receipt. This will enable the Council to reclaim the VAT element. Claims should not be made if a meal is provided free of charge.
- 9.5 Every Member will be issued with a copy of this Scheme on its approval by Council and the Scheme will be an element of the Constitution. As part of the Constitution the Scheme will be available on the Council's website.
- 9.6 Claims must be made on the claim forms provided, fully completed in accordance with the guidance notes on the form, signed and dated by the Member.
- 9.7 It is the responsibility of the Member to notify the Council of any material changes to the information held on file, e.g. change of vehicle or address etc.

10. **Records and Publication**

- 10.1 Records will be kept as necessary to satisfy the requirement for public access.
- 10.2 This Scheme and any amendment subsequently made to it will be published in accordance with the Local Authorities (Members' Allowances) (England) Regulations 2003.
- 10.3 As soon as practical after the end of each year the amounts paid to each Member in respect of each of Basic Allowances and SRA's will be published as required by the 2003 Regulations.

11. **Review**

The Independent Remuneration Panel reviewed the Members' Allowance Scheme in November 2022. A further review will take place during the Autumn of 2023 (unless any significant issues which may necessitate a review arise before this date).

12. **Definitions**

12.1 Member

An elected Member or co-opted Member of West Devon Borough Council.

12.2 Year

The 12 months ending 30 April.

Schedule A

Basic and Special Responsibility Allowances

Role	Multiple of Basic Allowance	Basic Allowance per annum	Special Responsibility Allowance per annum	Total
Basic Allowance (all elected Members)		£5,138		£5,138
Special Responsibility Allowances:				
Leader of the Council (Chairman of the Hub Committee)	Basic x 250%	£5,138	£12,845	£17,983
Deputy Leader (Vice Chairman of the Hub Committee)	Basic x 150%	£5,138	£7,707	£12,845
Hub Committee Members (x 7)	Basic x 100%	£5,138	£5,138	£10,276 (each)
Leaders of other political groups (NB. subject to minimum group size threshold of 3 Members)	2 x Basic / 31 x No. of Group Members			
Chairman of Audit Committee	Basic x 100%	£5,138	£5,138	£10,276
Chairman of Development Management and Licensing Committee	Basic x 120%	£5,138	£6,156	£11, 294
Chairman of Overview and Scrutiny Committee	Basic x 100%	£5,138	£5,138	£10,276

Civic allowances (see paragraph 7 of the Scheme)

Civic Duty	£ Allowance
Mayor	3,000
Deputy Mayor	825

Schedule B

Travelling Allowances

The scheme to allow Members to claim for car travel is as follows:

SCHEME:

The rates are set by the Inland Revenue and are such that no taxable element is included.

Mileage allowance	
Per mile for the first 10,000 miles	45.0p
Per mile after 10,000 miles	25.0p

There are additional allowances available for transporting passengers, bicycles and motorcycles as follows:

For each passenger	5p per mile
Bicycle rate	20p per mile
Motorcycle rate	24p per mile

Longer journey rate – in the case of any one return journey exceeding 150 miles, excess mileage will be paid at a rate of 11.7p per mile (however, second class rail travel – if cheaper – is the preferred method for long distance travel).

EXPLANATORY NOTE:

It is the responsibility of each Member to notify any material change in the details of the car used to the Officer responsible for the payment of Members' allowances.

SCHEDULE C

Subsistence and Carers' Allowances

Subsistence Allowances (from 1 April 2018)		
Breakfast allowance	A rate of up to £5.00 may be paid where a Member has been away from home on Council business for a period of at least five hours and has incurred the cost of a meal	
One meal rate (five-hour rate)	A rate of up to £5.00 may be paid where a Member has been away from home on Council business for a period of at least five hours and has incurred the cost of a meal	
Two meal rate (ten-hour rate)	A rate of up to £10.00 may be paid where a Member has been away from home on Council business for a period of at least ten hours and has incurred the cost of a meal or meals	
Late evening meal rate	A rate of up to £15.00 may be paid where a Member has to work later than 8.00pm having been on Council business during the day and has to buy a meal which they would usually have at home.	
Overnight/Conference subsistence allowances	London	£91.04 per night.
	Other locations	£79.82 per night

Carer's Allowance:

- 5.1 Carer's Allowance will be paid for the reimbursement of actual expenditure incurred by Members up to a maximum equivalent to the national minimum wage current at that time for the care of dependents whilst the Member is on Council business. For this purpose, "dependents" include children, elderly people or people with disabilities.
- 5.2 The allowance will not be paid to a member of a claimant's own household, except where that person would otherwise be in existing paid employment during the hours of caring.

- 5.3 The allowance will not be paid to a Councillor who is already in receipt of an allowance or other assistance from any other source for the same purpose on the occasion for which the allowance is being claimed.

Explanatory notes

- i) These allowances may be claimed only where incurred, and supported wherever possible with a receipt, so that where appropriate the Council may reclaim any VAT included.

SCHEDULE D

Approved duties for Travelling and Subsistence

(Local Authorities (Members' Allowances)(England) Regulations 2003)

Allowances for travelling and subsistence may be paid to the Council's members (including co-opted members) for the following approved duties:

- Attendance at meetings of the Council
- Attendance at meetings of the Council's committees or sub-committees
- Attendance at meetings of some other body (including that body's core committees or sub-committees discharging that body's core functions) to which the Council makes appointments or nominations by the Council's appointed nominee(s)
- Attendance at any other meeting which has both been authorised by the Council, and to which representatives of more than one political group have been invited (including training sessions and briefings)
- Attendance at meetings of a local authority association of which the Council is a member by the Council's appointed nominee
- Duties undertaken in connection with the discharge of any function of the Council conferred by or under any enactment and empowering or requiring the Council to inspect or authorise the inspection of premises
- Duties undertaken on behalf of the Council in accordance with any procedural rule requiring a member or members to be present while tender documents are opened
- Any other duty approved by the Council, or any duty of a class so approved by the Council or by the Head of Paid Service (or in his absence his nominee) (in consultation with the Group Leaders) for the purpose of, or in connection with, discharging the duties of the Council, its committees or sub-committees (for example (but not limited to) Task and Finish Groups, working groups and Group Leaders' meetings).
- Attendance at a meeting at which it is necessary for Group Leaders or Chairmen to attend to represent or protect the Council's interests.
- Mileage for attendance at Parish and Town Council meetings within a Member's local ward of which they are not already a member and which is within the West Devon Boundary.

The above Approved Duties (where appropriate) shall also be Approved Duties for the purpose of any Town or Parish Council within the Borough of West Devon where the Town/Parish Council has resolved to pay travel and subsistence allowances.

Authority	Tier	Basic Allowance Payment	Leader		Deputy Leader		Cabinet Members		DM Chair		Scrutiny Chair		Other Chairs		Civic Lead		Comments
			Multiplier Used	£ SRA Payment	Multiplier Used	£ SRA Payment	Multiplier Used	£ SRA Payment	Multiplier Used	£ SRA Payment	Multiplier Used	£ SRA Payment	Multiplier Used	£ SRA Payment	Multiplier Used	£ SRA Payment	
Devon County	1	14025	2.5	35063	2	28050	1.5	21038	0.5	7013	0.73	10238	paid between 0.5 (7013) and 0.25 (3506)		0.8	11220	
East Devon	2	4360	3.3	14421	0.9	4021	1.4	6184	1.4	6184	0.7	3098	paid between 2010 & 3098		1.8	7813	
Mid Devon	2	6000	2	12000	1	6000	1	6000	1	6000	1	6000	paid between 1500 -3000		0.5	3000	
North Devon	2	5171	2.5	12928	1	5171	0.5	2586	1	5171			Paid between 0.5 (2585) and 1 (5171)		No SRA mentioned		
Teignbridge	2	5990	3.5	20967	1.75	10484	1.5	8986	1.4	8387	1.1	6590	Paid between 0.5(2995) and 1.x (6590)		1	5990	
Torrridge	2	5332	2.35	12530	1	5332			1	5332	1	5332	paid between 1,(5332) 0.5 (2666), and (659)		1	5332	
Torbay	1	9062	2.3	20914	1.3	11606	1.2	11221	0.8	7481	0.8	7481	most 3740		0.4	3470	
Exeter	2	6537	3.25	21245			1.75	11439	1	6537	1	6537	between 0.75 (4902) and 0.5 (3268)		1	6537	
Plymouth	1	11969	3	35906	2.1	25264	2	23932	1	11969	1	11969	between 5984-11969		1.4	16627	
South Hams	2	6125	3	18375	1.5	9188	1	6125	1.5	9188	1	6125	Between 1 (6125) & 0.5 (3063)		1	6125	
West Devon	2	4893	2.5	12233	1.5	7340	1	4893	1.2	5872	1	4893	1 (4893)		0.61	3000	
Cornwall	1	17682		32711		24533		22898		6542		9813	between 9813 -3271			22898	
Gloucestershire County	1	11395		36000				20250		6740		6740	6740			10140	
Gloucester City	2	6465	3.5	22628	2.25	14547	1.175	11314		5172		5172	3233			6000	
Cheltenham Borough	2	5147		19271				15168		4047		3194	799-354			500	Constitution not publically available
Stroud District	2	6108		12216		6108				6719		6719	6719			3665	
Tewkesbury Borough	2	7650		9150		6860		4575		2290		2290	2290			2200	
Forest of Dean District	2	5100	2.4	12240	1.6	8160	1.4	7140	1	5100	1	5100	0.5 (2550)		1	5100	
Cotwolds	2	5542		16625		11083		8312		8312		5542	2770			5542	
Lincolnshire County	1	11249		35639		23388		20047		13498		10683	13498 - 8910			13498	
Boston Borough	2	4692		14076		7038		5865		4692		1280	1280			5865	
City of Lincoln	2	5127		10905		7053		5772		4491		4491	1281-4491		No SRA mentioned		
East Lindsey District	2	4935		14006		7003		4904		4204		4204	4204		4204	4204	Scheme from 2016-2021
North Kesteven DC	2	6158		16999		10377		7777		5612		3854	2089 - 3854			2089	
South Holland DC	2	6255		20140		11884		9063		5035			4952 - 3962			4431	
South Kesteven DC	2	6126	3.5	21441	2.75	16848	2	11766	0.9	5298	1	5886	3924-3257		No SRA mentioned		
West Lindsey DC	2	6249		12989		4710		3247		3247		3247	3247			4161	
Suffolk County	1	11778	3	35335	2	23557	1.75	20612	0.5	5889	0.5	5889	0.5 (5889)		1.25	14723	
Babergh DC	2	6510		16275		8137		8137		6510		6510	3255			6510	Shared Service arrangement with Mid Suffolk DC
Mid Suffolk DC	2	6510		16275		8137		8137		6510		6510	3255			6510	Shared Service arrangement with Babergh DC
East Suffolk DC	2	8233		20583		13749		7986		7801		5516	5516			10291	
Ipswich Borough	2	4326	2.8	12114	0.7Ba x 2.8	8480	1.86	8047	0.93	4024	0.93	4024	0.93 (4024)		0.93	4024	
West Suffolk	2	6292	2.5	15729	2.5	9438	1.25	7865	0.9	5563	0.9	5563	0.66 (4153)		1.25	7865	
East Sussex County	1	13780		38585		19695		16881		7033		7033	7033			14065	
Eastbourne Borough	2	2808		4212		2808		2808		2106		1404	1404			2808	Shared Service arrangement with Lewes DC
Hastings Borough	2	6150		12300		7999		6642		3693		3077	3077-1002			6542	
Lewes District	2	3451		16003		6402		4800		4800		3840	3840			2401	Shared Service arrangement with Eastbourne BC
Rother District	2	4938		14814		4938		3259		3259		3259	1630		No SRA mentioned		
Wealden District	2	4846		14170				5858		4465		3964	3964-1439			5025	
Derbyshire County	1	11414		37717		28258		18852		9414		9414	9414			9414	Calculation as % of Leaders SRA
Amber Valley District	2	4210		12632		6316		4391		2526		1882	1674		No SRA mentioned		
Bolsover District	2	9902		14672		9781		4891		4890		3260	3260-1222		No SRA mentioned		set in 2017 and rising in line with staff pay award
Chesterfield Borough	2	6286		29122		16021		7993		5912		4885	4885-3663		No SRA mentioned		
Derbyshire Dales District	2	4628		12024		6012			1	4628			1 (4268) - 0.35 (1620)		1	4628	Leaders SRA = £231 per Member Plus 1.5 of Basic. D/L 50% of Leader
Erewash Borough	2	4321		14320		8592		6444		3792		3792	3792			3992	
NE Derbyshire District	2	5488		18867		13557		8647		8256		4128	4128			5216	
South Derbyshire District	2	7245		19653		10809				9815		9815	4865		No SRA mentioned		
Derby City	1	12145		36436		27327		18218		9109		9109	9109-6377			9109	Calculation as % of Leader's SRA

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Part 6

Members' Allowances Scheme West Devon Borough Council

West Devon Borough Council

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Members' Allowances Scheme

Schedule A: Basic and Special Responsibility Allowance

Schedule B: Travelling Allowances

Schedule C: Subsistence Allowances

Schedule D: Approved Duties

Members' Allowances Scheme

This Scheme has been made in accordance with the Local Authorities (Members' Allowances) (England) Regulations 2003.

1. Basic Allowance

- 1.1 The Basic Allowance is payable to every Member of the Council at the rate specified in Schedule A below, and will be paid by equal monthly instalments in arrears. The allowance is intended to recognise the time devoted by Members to their work as well as to cover incidental costs such as the use of their homes and private telephones.

2. Special Responsibility Allowances (SRAs)

- 2.1 An SRA is paid to those Members who have significant responsibilities such as committee chairmen or political group leaders etc. Each 'post of responsibility' is identified by the Independent Remuneration Panel and attracts an appropriate level of payment as shown in Schedule A, which is paid monthly in arrears.
- 2.2 Payment to any Member who did not hold the position for which the allowance is paid for the whole year will be adjusted pro rata according to the number of months for which it was held.
- 2.3 A Member holding the office of Chairman will normally be expected to agree to the re-allocation of the relevant proportion of the SRA to their Vice-Chairman in circumstances where the latter has to provide cover for a continuous period of absence of their Chairman of at least one month.
- 2.4 No Councillor shall receive more than one SRA.

3. Travelling Allowances

- 3.1 Members may claim mileage allowances at the rates specified in Schedule B.
- 3.2 Travelling Allowances will normally be payable in respect of attendance at any Approved Duty, except that they may not be claimed where the Body attended pays them.
- 3.3 Approved Duties in respect of which Travelling Allowances may be paid are set out in Appendix D.

4. **Subsistence Allowances**

- 4.1 Subsistence allowances will be paid on the scales and under the conditions set out in Schedule C below. The allowance is for actual expenditure, and payment will normally only be made where receipts are supplied.
- 4.2 Approved Duties in respect of which Subsistence Allowances may be paid are set out in Appendix D.

5. **Carer's Allowance**

- 5.1 Carer's Allowance will be paid in accordance with the conditions set out in Schedule C below.

6. **Service on Outside Bodies**

- 6.1 Members are appointed to represent the Council on specific outside bodies by the appropriate committee or by Council. In these specific instances, Members are entitled to claim travel and subsistence **unless** the outside body already provides reimbursement.
- 6.2 If a Member is unable to attend a meeting as a representative of the Council, they are able to make arrangements for another Member to attend in their place. This arrangement is irrespective of any political or party allegiances. The Member attending as a substitute must clearly show this on their claim form.
- 6.3 Representatives appointed to serve on outside bodies are conditional upon them remaining Members of the Council during that period. The Council approves from time to time a list of Outside Bodies to which Members have been appointed.

7. **Official Civic Duties**

- 7.1 The Mayor and Deputy Mayor and any other Member deputising for them or invited by them to attend, shall be entitled to receive travelling and subsistence allowance for the performance of official duties and courtesy visits.
- 7.2 The Mayor and Deputy Mayor both receive an annual lump sum allowance as set out in the table in Schedule A.

8. **Renunciation**

- 8.1 Any Member may (by giving notice in writing to the Head of Paid Service) choose to forgo any part of the allowances paid under this Scheme.

9. **Administrative Rules**

- 9.1 No payment can be made of any travel and subsistence claim made more than three months after the meeting for which the claim is made, without the authority of Council in every case.
- 9.2 The responsibility for the correctness of claims is that of the Member concerned. Where in the opinion of administrative staff, a claim cannot for some reason be met within the rules of this Scheme, the travel and subsistence claim will not be paid, and the Member will be informed in writing of the reason.
- 9.3 All claims for expenses should, as far as possible, be submitted according to the timetable (provided by the Finance Community of Practice) and passed to Democratic Services for verification. All claims will be checked against the relevant attendance sheets, list of approved duties and approved appointments to outside bodies, prior to payment being made. Members may be contacted if some claims require further clarification. Any unresolved problems arising out of claims for expenses will be referred to the Standards Committee for determination.
- 9.4 Subsistence allowance rates are all maximum amounts and reimbursement will be for actual expenditure (up to these limits), wherever possible supported by a receipt. This will enable the Council to reclaim the VAT element. Claims should not be made if a meal is provided free of charge.
- 9.5 Every Member will be issued with a copy of this Scheme on its approval by Council and the Scheme will be an element of the Constitution. As part of the Constitution the Scheme will be available on the Council's website.
- 9.6 Claims must be made on the claim forms provided, fully completed in accordance with the guidance notes on the form, signed and dated by the Member.
- 9.7 It is the responsibility of the Member to notify the Council of any material changes to the information held on file, e.g. change of vehicle or address etc.

10. **Records and Publication**

- 10.1 Records will be kept as necessary to satisfy the requirement for public access.
- 10.2 This Scheme and any amendment subsequently made to it will be published in accordance with the Local Authorities (Members' Allowances) (England) Regulations 2003.
- 10.3 As soon as practical after the end of each year the amounts paid to each Member in respect of each of Basic Allowances and SRA's will be published as required by the 2003 Regulations.

11. **Review**

The Independent Remuneration Panel reviewed the Members' Allowance Scheme in November 2022. A further review will take place during the Autumn of 2023 (unless any significant issues which may necessitate a review arise before this date).

12. **Definitions**

12.1 Member

An elected Member or co-opted Member of West Devon Borough Council.

12.2 Year

The 12 months ending 30 April.

Schedule A

Basic and Special Responsibility Allowances

Role	Multiple of Basic Allowance	Basic Allowance per annum	Special Responsibility Allowance per annum	Total
Basic Allowance (all elected Members)		£5,187		£5,187
Special Responsibility Allowances:				
Leader of the Council (Chairman of the Hub Committee)	Basic x 250%	£5,187	£12,968	£18,155
Deputy Leader (Vice Chairman of the Hub Committee)	Basic x 150%	£5,187	£7,781	£12,968
Hub Committee Members (x 7)	Basic x 100%	£5,187	£5,187	£10,374 (each)
Leaders of other political groups (NB. subject to minimum group size threshold of 3 Members)	1 x Basic / 31 x No. of Group Members			
Chairman of Audit Committee	Basic x 100%	£5,187	£5,187	£10,374
Chairman of Development Management and Licensing Committee	Basic x 120%	£5,187	£6,224	£11,411
Vice-Chairman of Development Management and Licensing Committee	Basic x 30%	£5,187	£1,556	£6,743
Chairman of Overview and Scrutiny Committee	Basic x 100%	£5,187	£5,187	£10,374

Civic allowances (see paragraph 7 of the Scheme)

Civic Duty	£ Allowance
Mayor	3,000

Deputy Mayor	825

Schedule B

Travelling Allowances

The scheme to allow Members to claim for car travel is as follows:

SCHEME:

The rates are set by the Inland Revenue and are such that no taxable element is included.

Mileage allowance	
Per mile for the first 10,000 miles	45.0p
Per mile after 10,000 miles	25.0p

There are additional allowances available for transporting passengers, bicycles and motorcycles as follows:

For each passenger	5p per mile
Bicycle rate	20p per mile
Motorcycle rate	24p per mile

Longer journey rate – in the case of any one return journey exceeding 150 miles, excess mileage will be paid at a rate of 11.7p per mile (however, second class rail travel – if cheaper – is the preferred method for long distance travel).

EXPLANATORY NOTE:

It is the responsibility of each Member to notify any material change in the details of the car used to the Officer responsible for the payment of Members' allowances.

SCHEDULE C

Subsistence and Carers' Allowances

Subsistence Allowances (from 1 April 2018)		
Breakfast allowance	A rate of up to £5.00 may be paid where a Member has been away from home on Council business for a period of at least five hours and has incurred the cost of a meal	
One meal rate (five-hour rate)	A rate of up to £5.00 may be paid where a Member has been away from home on Council business for a period of at least five hours and has incurred the cost of a meal	
Two meal rate (ten-hour rate)	A rate of up to £10.00 may be paid where a Member has been away from home on Council business for a period of at least ten hours and has incurred the cost of a meal or meals	
Late evening meal rate	A rate of up to £15.00 may be paid where a Member has to work later than 8.00pm having been on Council business during the day and has to buy a meal which they would usually have at home.	
Overnight/Conference subsistence allowances	London	£91.04 per night.
	Other locations	£79.82 per night

Carer's Allowance:

- 5.1 Carer's Allowance will be paid for the reimbursement of actual expenditure incurred by Members up to a maximum equivalent to the national minimum wage current at that time for the care of dependents whilst the Member is on Council business. For this purpose, "dependents" include children, elderly people or people with disabilities.
- 5.2 The allowance will not be paid to a member of a claimant's own household, except where that person would otherwise be in existing paid employment during the hours of caring.

- 5.3 The allowance will not be paid to a Councillor who is already in receipt of an allowance or other assistance from any other source for the same purpose on the occasion for which the allowance is being claimed.

Explanatory notes

- i) These allowances may be claimed only where incurred, and supported wherever possible with a receipt, so that where appropriate the Council may reclaim any VAT included.

SCHEDULE D

Approved duties for Travelling and Subsistence

(Local Authorities (Members' Allowances)(England) Regulations 2003)

Allowances for travelling and subsistence may be paid to the Council's members (including co-opted members) for the following approved duties:

- Attendance at meetings of the Council
- Attendance at meetings of the Council's committees or sub-committees
- Attendance at meetings of some other body (including that body's core committees or sub-committees discharging that body's core functions) to which the Council makes appointments or nominations by the Council's appointed nominee(s)
- Attendance at any other meeting which has both been authorised by the Council, and to which representatives of more than one political group have been invited (including training sessions and briefings)
- Attendance at meetings of a local authority association of which the Council is a member by the Council's appointed nominee
- Duties undertaken in connection with the discharge of any function of the Council conferred by or under any enactment and empowering or requiring the Council to inspect or authorise the inspection of premises
- Duties undertaken on behalf of the Council in accordance with any procedural rule requiring a member or members to be present while tender documents are opened
- Any other duty approved by the Council, or any duty of a class so approved by the Council or by the Head of Paid Service (or in his absence his nominee) (in consultation with the Group Leaders) for the purpose of, or in connection with, discharging the duties of the Council, its committees or sub-committees (for example (but not limited to) Task and Finish Groups, working groups and Group Leaders' meetings).
- Attendance at a meeting at which it is necessary for Group Leaders or Chairmen to attend to represent or protect the Council's interests.
- Mileage for attendance at Parish and Town Council meetings within a Member's local ward of which they are not already a member and which is within the West Devon Boundary.

The above Approved Duties (where appropriate) shall also be Approved Duties for the purpose of any Town or Parish Council within the Borough of West Devon where the Town/Parish Council has resolved to pay travel and subsistence allowances.

Report to: **COUNCIL**

Date: **19 December 2023**

Title: **Member Appointments**

Portfolio Area: **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: **Head of Democratic Services**

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

RECOMMENDATION:

That Council is RECOMMENDED to:

- 1. approve, with effect from 31 December 2023, the withdrawal and dissolution of the Heart of the South West (HotSW) Joint Committee;**
- 2. note that the '*Tamar Valley AONB Partnership Committee*' has been re-titled to the: '*Tamar Valley National Landscapes Committee*';**
- 3. waive the six-month attendance rule provided for within Section 85(1) of the Local Government Act 1972 for Councillor Angela Blackman; and**
- 4. approve the extension of the permitted non-attendance time period for Councillor Angela Blackman for up to and including Tuesday, 26 March 2024**

1. Executive summary

Heart of the South West (HotSW) Joint Committee

- 1.1 Following a clear steer from Council Leaders and Senior Members of several Constituent Local Authorities, a proposal is being

brought forward to this meeting that seeks the consideration of Full Council to the withdrawal and dissolution of the Heart of the South West (HotSW) Joint Committee;

Tamar Valley AONB Partnership Committee

- 1.2 The Council has been advised that, with effect from Wednesday, 22 November 2023, all designated Areas of Outstanding Natural Beauty (AONBs) in England and Wales have become '*National Landscapes*';

Six-Month Meeting Attendance Rule

- 1.3 Section 85 (1) of the Local Government Act 1972 requires a Member of a Local Authority to attend at least one meeting of that Authority within a six-month consecutive period, in order to avoid being disqualified as a Councillor. This requirement can be waived and the time limit extended if any failure to attend was due to a reason approved by the Authority in advance of the six month period expiring;
- 1.4 Cllr Angela Blackman is at risk of failing to comply with this requirement before the next Full Council meeting is held on 20 February 2024.

2. Background

Heart of the South West (HotSW) Joint Committee

- 2.1 Appendix A to this report presents a generic report produced by Somerset Council colleagues that sets out the reasons for the recommendation to dissolve the Heart of the South West Joint Committee;
- 2.2 It is being proposed that the Joint Committee be dissolved on 31 December 2023. Importantly, even if the Council does not support this recommendation, if at least eight of the other Constituent Authorities are in agreement, then it will still be dissolved;
- 2.3 Since the Committee is currently one of our recognised Outside Bodies to which we annually appoint (Cllr Ewings is our 2023/24 representative, with Cllr Renders being her substitute), this Committee will be removed from the list if it is ultimately dissolved.

Tamar Valley AONB Partnership Committee

- 2.4 The Council is asked to note that the '*Tamar Valley AONB Partnership Committee*' has been re-titled to the '*Tamar Valley National Landscapes Committee*'.

Six-Month Member Attendance Rule

- 2.5 Section 85 (1) of the Local Government Act 1972 states that “if a member of a Local Authority fails, throughout a period of six consecutive months from the date of their last attendance, to attend any meeting of the Authority they will, unless the failure was due to some good reason approved by the Authority before the expiry of that period, cease to be a member of the Authority.”
- 2.6 The Authority can only consider approval of any reasons for non-attendance before the end of the relevant six month period, which in this instance is 27 December 2023 for Cllr Blackman. This meeting of Full Council is the **last scheduled meeting of Council before this deadline expires.**
- 2.7 Section 85 (1) of the Local Government Act 1972 enables a Local Authority to approve the reason(s) for non-attendance of a Member at any meeting of the Authority throughout a period of six consecutive months, provided that approval is given by the Authority before the expiry of the six-month period.
- 2.8 Once any councillor loses office, through failure to attend for the six month period, the disqualification cannot be overcome by the councillor subsequently resuming attendance nor can retrospective approval of the Authority be sought for an extension in time.
- 2.9 It is recommended that the Council approve the extension of the permitted non-attendance time period for Cllr Blackman for up to and including Tuesday, 26 March 2024.

3. Options Available and Consideration of Risk

- 3.1 The Council can agree or refuse to approve the waiver of the six-month rule. The risks and consequences if the Council were to refuse the request are explained between paragraphs 2.5 and 2.9 above.

4. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance	Y	None
Financial implications to include reference	N	A Councillor that has been granted an extended period of absence will continue to be entitled to

to value for money		receive their Basic Allowance unless otherwise requested.
Risk	N	As set out at Section 3 above.
Supporting Corporate Strategy		Efficient and Effective Council
Climate Change - Carbon / Biodiversity Impact		Not applicable
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:

A – generic report produced by Somerset Council on the proposed withdrawal and dissolution of the Heart of the South West Joint Committee.

Background Papers:

None

Proposed withdrawal and dissolution of the Heart of the South West Joint Committee

Summary

1. This report follows a steer from the Leaders / senior members of several Constituent Authorities for proposals to be brought forward to all Constituent Authorities to consider their withdrawal and dissolution of the Heart of the South West (HotSW) Joint Committee (the Joint Committee).
2. The proposals in this report specifically relate to the Joint Committee's governance arrangements only and do not cover the HotSW Local Enterprise Partnership or the associated HotSW Joint Scrutiny Committee.

Background

3. In 2015 the HotSW partnership (17 local authorities, two National Parks, the LEP and three clinical commissioning groups) submitted a devolution "statement of intent" to Government and began negotiations about a devolution deal. However, following the EU referendum in 2016, devolution was no longer a government policy priority and the HotSW partnership developed a Productivity Strategy. In March 2018 the partnership formalised the arrangements to establish the HotSW Joint Committee. Following the establishment of Somerset Council, the HotSW Joint Committee Constituent Authorities are now:
 - Dartmoor National Park Authority
 - Devon County Council
 - East Devon District Council
 - Exeter City Council
 - Exmoor National Park Authority
 - Mid Devon District Council
 - North Devon Council
 - Plymouth City Council
 - Somerset Council
 - South Hams District Council
 - Torbay Council
 - Teignbridge District Council
 - Torridge District Council
 - West Devon Borough Council

The Heart of the SW LEP and the NHS are co-opted members of the HotSW Joint Committee.

4. The Joint Committee was seen a partnership vehicle to provide a single forum for local authority engagement with the Heart of the South West Local Enterprise Partnership and Government.

The specific objectives of the HotSW Joint Committee in its Terms of Reference are to:

- (a) Improve the economy and the prospects for the region by bringing together the public, private and education sectors;
 - (b) Increase our understanding of the economy and what needs to be done to make it stronger;
 - (c) Improve the efficiency and productivity of the public sector;
 - (d) Identify and remove barriers to progress and maximise the opportunities / benefits available to the area from current and future government policy.
5. Since its inception, the Joint Committee's work has worked on issues covering the HotSW area as a whole such as: Local Industrial Strategy, Coastal Productivity Plan, Housing Task Force and regional imbalances.
 6. The Joint Committee currently has a meeting cycle of two formal meetings a year and it is directly supported by Somerset Council.

The case for change

7. Changes in Government policy over the last five years, the development of the Devon, Plymouth and Torbay devolution deal and forthcoming integration of the HotSW LEP into local authorities mean that the purpose of the Joint Committee has largely been superseded and other partnership arrangements between the Constituent Authorities can deliver their aims with reduced duplication.
8. In relation to withdrawal from/dissolution of the Joint Committee, the inter-authority agreement states that:

- *A Constituent Authority wishing to withdraw from the Joint Committee shall give a minimum of 6 months' notice in writing to the other Constituent Authority via the Administering Authority. The Constituent Authorities shall co-operate with any such request.*
 - *If two or more Constituent Authorities give notice of withdrawal from membership of the Joint Committee in the same Financial Year, the Joint Committee shall consider and make recommendations to the remaining Constituent Authorities as to the future operation of the Joint Committee and, if appropriate, recommend any necessary amendments required to the Joint Committee's functions and operating arrangements.*
 - *Where a majority of the Constituent Authorities at any time agree (via formal resolutions) that the Joint Committee should be dissolved or terminated on a specified date then the Joint Committee shall cease to exist from that date.*
9. In December 2022, the scheduled meeting of the Joint Committee was adjourned as it was not quorate due to low attendance by Constituent Authorities. On 27 October 2023, the scheduled meeting of the Joint Committee was also not quorate and able to proceed due to only four of the fourteen Constituent Authorities attending the meeting.
10. It is likely that proposals will be brought forward during November and December 2023 by a majority of the Constituent Authorities for their councils to agree to serve notice and recommend the dissolution of the Joint Committee on 31 December 2023.
11. **Recommendations**

That the Executive recommends to the Council that it agrees to serve notice of its withdrawal and that the Heart of the South West Joint Committee be dissolved on 31 December 2023.

Reasons for recommendations

- 12 Changes in Government policy over the last five years, the development of the Devon, Plymouth and Torbay devolution deal and forthcoming integration of the HotSW LEP into local authorities mean that the purpose of the HotSW Joint Committee has largely been superseded and other existing partnership

arrangements between the Constituent Authorities can deliver their aims. The HotSW Joint Committee is therefore considered to be superfluous and not adding value to the Constituent Authorities.

Other options considered

- 13 The alternative option is that the Council does not agree to serve notice and continues to be a member of the Joint Committee. However, if the majority of Constituent Authorities serve notice then the Joint Committee will be automatically dissolved. As stated previously it is considered that the Joint Committee is superfluous and adds duplication to existing arrangements.

Financial and Risk Implications

- 14 The Joint Committee remains completely reliant on the Constituent Authorities for its budget and there are no obvious sources of additional funding to support running costs or delivery of its work programme. Joint Committee members' costs and expenses are funded and administered by each respective Constituent Authority.
- 15 The Administering Authority (Somerset Council) holds the balance of contributions from the Constituent Authorities. The current unallocated balance is £ 43,009. If the Joint Committee is dissolved, then any outstanding balance would be returned proportionally to each of the Constituent Authorities on the same percentage basis that they made contributions.
- 16 The key risk is continuing with the Joint Committee and duplicating the work of existing partnership arrangements without adding any value. The recommendations in this report mitigate that risk.

Likelihood	4	Impact	3	Risk Score	12
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Legal Implications

- 17 The HotSW Joint Committee is established under Sections 101 to 103 of the Local Government Act 1972.
- 18 The review of the role and functions of the Joint Committee has taken account of the legal framework within which the Joint Committee operates. The

proposed recommendations are in accordance with the Inter-Authority Agreement.

HR Implications

19 There are no HR implications in agreeing these proposals.

Other Implications:

Equalities Implications

20 No specific equalities implications have been identified in relation to the proposed recommendations.

Community Safety Implications

21 No specific implications have been identified in relation to the proposed recommendations.

Climate Change and Sustainability Implications

22 No specific implications have been identified in relation to the proposed recommendations.

Health and Safety Implications

23 No specific implications have been identified in relation to the proposed recommendations.

Health and Wellbeing Implications

24 No specific implications have been identified in relation to the proposed recommendations.

Social Value

25 The decision is not related to a procurement process.

Scrutiny comments / recommendations:

- 26 The proposed decision has not been considered by a Scrutiny Committee but all elected members will have the opportunity to consider the proposals if the Executive recommend them to Full Council for approval.

Background Papers

Heart of the South West Joint Committee – establishment report to all Constituent Authorities in November and December 2017

Heart of the South West Joint Committee Governance Arrangements – 27 September 2019 and Budget Update report in October 2020

Heart of the South West Constitution and Inter-Authority Agreement

Report to: **COUNCIL**

Date: **19 December 2023**

Title: **20 Plymouth Road, Tavistock, PL19 8AY,
Conversion of existing office
accommodation to residential units.**

Portfolio Area: **Housing - Cllr Mark Renders**

Wards Affected: **Tavistock / All Wards**

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

Author: **Dan Field** Role: **Programme Manager,
Assets**

Contact: **Email: Dan.Field@swdevon.gov.uk**

RECOMMENDATIONS:**That the Council:**

- 1. APPROVES the repurposing of No. 20 Plymouth Road, Tavistock PL19 8AY from office accommodation to 3 x residential units in accordance with Planning Consent Ref: 1318/23/FUL;**
- 2. AGREES the total project cost of £650,000 to be funded as follows:**
 - Internal borrowing in the form of a 50 year loan of up to £500,000 at a fixed interest rate of 3%; and**
 - £150,000 in housing revenue grants.**
- 3. AUTHORISES the Head of Assets to make the contract awards necessary for the delivery of the Project;**
- 4. NOTES the programme dependency on:**
 - a. Securing a Bat Mitigation Licence from Natural England; and**
 - b. Works being restricted to the active bat season (1st March to 31st Oct)**

1. Executive Summary

- 1.1 The report provides an update and makes recommendations with regard to No. 20 Plymouth Road, Tavistock, PL19 8AY.
- 1.2 This property is owned by West Devon Borough Council and situated on Plymouth Road, Tavistock adjacent to the bus station (also within the ownership of the Council). The property is currently used for office accommodation and houses the bus station kiosk.
- 1.3 The property provides small, poor quality offices and as such, has been underoccupied for a significant period. For the last two years, only one tenant has been in occupation and they are due to vacate the building in December 2023.
- 1.4 Therefore, the building was identified for potential repurposing to residential accommodation, in response to the acute temporary housing demand and to support local housing need.
- 1.5 The Council has a statutory duty to provide temporary accommodation under the Housing Act 1996 (as amended) to households who are, or are at risk of becoming homeless.
- 1.6 A recommendation was taken to the March 2023 Hub Committee to approve, subject to positive pre-planning application discussions, to prepare and submit a full planning application for the conversion and use of No. 20 Plymouth Road, Tavistock as temporary accommodation (Minute Reference, HC 91/22).
- 1.7 Following positive pre-planning application advice, a planning application was submitted and West Devon Development Management and Licensing Committee resolved to grant planning consent for a change of use in September 2023 (1318/23/FUL), to convert the existing building from office accommodation to residential units (2 x 1 Bed and 1 x 2 Bed flats).
- 1.8 The proposed conversion excludes the bus station kiosk which is required to be retained in its existing use, albeit requires some refurbishment work to the existing facility prior to reletting.
- 1.9 Following the resolution to grant planning consent, tender documentation was issued on 16th October 2023, in accordance with South Hams and West Devon's joint Contract Procurement Rules, seeking tender submissions from contractors to undertake the necessary works.
- 1.10 Six tender submissions were received on 17th November 2023 and remain commercially sensitive.
- 1.11 The tender submissions are currently being evaluated however are all within a range which supports a total project cost of up to £650,000.
- 1.12 The total project cost of up to £650,000, includes:

- Historical expenditure: comprising of feasibility and work activities required to submit a full planning application,
- Tender price: preferred contractor to be confirmed,
- Risk: age of building and requirement of a bat licence,
- Project Management: ensure right project support can be provided.

1.13 The Business Case shows a positive financial return from Year 1 onwards with the rental income, forecast to be £21,800 per annum (Year 1) exceeding the £19,400 per annum fixed cost of borrowing.

1.14 Therefore, the officers' recommendation is to proceed with repurposing the existing building into three flats to provide additional temporary accommodation to support the council's temporary housing needs subject to completion of the tender evaluation.

1.15 The next step, subject to gaining Full Council approval, will be for the Council to enter a construction contract with the preferred contractor.

1.16 Thereafter, the construction phase programme is about six months duration. However, the presence of Lesser Horseshoe Bats will influence the programme as follows:

- Works require a Bat Mitigation Licence to be secured from Natural England prior to commencement.

In order to secure the required Bat Mitigation Licence, our preferred contractor must be appointed as soon as possible as information as to working methods etc is required for the licence application to be submitted.

- It is likely all licensable works are to be undertaken during the Bat Active season (1st March to 31st October) which limits the construction window.

The works programme will therefore not commence until 1st March 2024 at the earliest.

1.17 If the decision to proceed is not secured at December 2023 Full Council, there is unlikely to be sufficient time to secure the necessary licences for works to commence this Bat Active season and it is likely works will be unable to commence until the next Bat Active Season of 1st March to 31st October 2025.

2. Background

- 2.1 No. 20 Plymouth Road, Tavistock, PL19 8AY is owned by the Council and situated adjacent to Tavistock bus station (also within the ownership of the Council). The property is currently used for office accommodation and houses the bus station kiosk.



- 2.2 A site location plan is included in Appendix A.
- 2.3 The building is accessed via Plymouth Road and has parking to the front and can accommodate circa five cars. The rear of the property is accessed via a corridor leading from the bus station.
- 2.4 The property which was originally a pair of semi-detached houses, was built in the early 1900's with accommodation over four floors, including a basement.
- 2.5 The property provides small, poor quality offices. Over the last five years, it has been advertised consistently on Rightmove and the Council's website but has remain underoccupied and for the last two years has only had one tenant in situ. The remaining tenant is due to vacate the building in December 2023.
- 2.6 Furthermore, the property has suffered increasing maintenance and repair issues. For example, extensive roof repairs have been required and a new central heating system installed. There are also some structural issues which need to be attended to within the building in due course.
- 2.7 As such, the Asset was not performing well commercially and has been identified as being unviable for continued letting as office accommodation, particularly as the Council has other vacant office space available in Tavistock at Kilworthy Park.
- 2.8 An opportunity was identified to convert the property to residential accommodation, to support local housing need, particularly for temporary housing.

- 2.9 In March 2023 the Hub Committee agreed subject to positive pre-planning application discussions, to authorise the Head of Assets to prepare and submit a full planning application for the conversion and use of 20 Plymouth Road, Tavistock as temporary accommodation with at-risk costs of up to £30,000 being financed from the Homeless Prevention winter pressure grant (Minute Reference, HC 91/22).
- 2.10 Further to this, a planning application was submitted and the West Devon Borough Council Development Management and Licensing committee resolved to grant planning consent for a change of use in September 2023 (1318/23/FUL), to convert the existing building from office accommodation to residential units (2 x 1 Bed and 1 x 2 Bed flats).
- 2.11 The proposed conversion works will ensure good quality accommodation is provided to current building regulation standards. This will include required upgrades in relation to energy efficiency measures.

3. Temporary Housing Need

- 3.1 The Council has a statutory duty to provide temporary accommodation under the Housing Act 1996 (as amended) to households who are, or are at risk of becoming homeless.
- 3.2 On average there are 15 people requiring accommodation across the Borough at any one time. Over the last quarter this has increased to 19.
- 3.3 The requirement for temporary accommodation placements within the borough has increased by 211% over 5 years (see stats below).

Placement type	2018 - 19	2019 - 20	2020- 21	2021- 22	2022- 23
Accommodation secured by LA	35	62	54	83	109

- 3.4 Our Homeless Strategy seeks to make accommodation available locally. Having our own quality, self-contained provision within the Borough for households in crisis will greatly assist with meeting the objectives of the strategy, positively impact on the health & wellbeing of our residents and demonstrate the Councils commitment to this priority theme and homeless people of the borough.
- 3.5 Currently, temporary accommodation is often provided through Bed and Breakfast provision, sometimes out of borough, at a considerable expense to the Council.
- 3.6 Another challenge which presents, is accommodating families in Bed & Breakfast provision for longer than 6 weeks (other than in an emergency) which is unlawful.
- 3.7 There has been an increase in the time taken to source suitable long-term accommodation for those requiring it. This has led to an increase in the time applicants are staying in temporary accommodation.
- 3.8 Temporary accommodation costs are met through Housing Benefit claims made by applicants. The maximum subsidy available results in the Council having to meet the financial shortfall.
- 3.9 The repurposing of No. 20 Plymouth Road, alongside other housing projects, will enable the Council to:
- Repurpose an underperforming asset into good quality, effectively managed temporary accommodation in a sustainable location,
 - Support the Councils priority commitment to housing and significantly improve the quality of the temporary accommodation the Council is able to provide those most in need,

- Turn a service cost into a self-sufficient asset through the associated cost avoidance (i.e the difference between the total payment the Local Authority must pay to the B&B provider and the maximum that can be reclaimed through the Local Housing Allowance Rate),
- Ensure due consideration is given to Climate Change and Biodiversity aspirations through the renovation of the property.

4. Business Case

- 4.1 The recommended approach is for the Council to repurpose the existing building in line with the secured planning permission (1318/23/FUL).
- 4.2 With consideration of the ongoing tender evaluation a total project cost of up to £650,000 is required.
- 4.3 The total project cost of up to £650,000, includes:
- Historical expenditure: comprising of feasibility and work activities required to submit a full planning application,
 - Tender price: preferred contractor to be confirmed,
 - Risk: age of building and requirement of a bat licence,
 - Project Management: ensure right project support can be provided.
- 4.4 The total project cost of £650,000 to be funded as follows:
- Internal borrowing in the form of a 50 year loan of up to £500,000 at a fixed interest rate of 3%.
 - £150,000 in housing revenue grants.
- 4.5 Project returns are based upon the consideration of the rental income that the Council can claim through the Local Housing Allowance Rates.
- 4.6 The Business Case shows a positive financial return from Year 1 onwards with the rental income, forecast to be £21,800 per annum (Year 1) exceeding the £19,400 per annum fixed cost of borrowing.
- 4.7 The Council would also benefit from cost avoidance which is the difference between the total payment the Local Authority must pay to the B&B provider and the maximum that can be reclaimed through the Local Housing Allowance Rate.
- 4.8 However, the business case for No.20 Plymouth Road is positive without the need to incorporate any cost avoidance calculations.

5. Value For Money

Acquisition

- 5.1 At the full project cost of £650,000, each unit would cost an average of £216,000.
- 5.2 The Council could alternatively look to acquire 1 & 2 bed properties on the open market.
- 5.3 According to Rightmove (Oct 2023), *'Properties in Tavistock had an overall average price of £343,575 over the last year. The majority of sales in Tavistock during the last year were detached properties, selling for an average price of £512,550. Flats sold for an average of £198,944, with terraced properties fetching £254,609.'*
- 5.4 Therefore, given the limited availability of 1 and 2 bedroom properties on the open market, it is unlikely all properties will be located in such a sustainable location.

Conversion

- 5.5 Retention and conversion of 20 Plymouth Road, allows flexibility in the future, as follows:
 - No.20 Plymouth Road is in a sustainable and therefore, ideal for temporary accommodation.
 - Holding three units in the same building, allows flexible use of accommodation i.e. housing larger families in a number of units. Furthermore, efficiencies of repairs, maintenance & management.
 - No.20 Plymouth Road is part of a larger landholding, including the kiosk, the toilets and bus station and services would need to be split out etc to facilitate any disposal.
 - The works to the undercroft will be required (and the associated mitigation & NE Bat Licence) regardless of conversion to residential units, due to the structural concerns in relation to the integrity of the existing supports in the basement.
 - If the Council were to retain the premises in its current use, we would need to undertake significant works & refurbish the office accommodation before reletting.

6. Risk

- 6.1 As the project is a renovation of an existing building already owned by the Council with finances in place, many of the risks are already mitigated.
- 6.2 However, the presence of Lesser Horseshoe bats will influence the programme as follows:

- Works require a Bat Mitigation Licence to be secured from Natural England prior to commencement.
 - It is likely all licensable works are to be undertaken during the Bat Active season (1st March to 31st October) which limits the construction window. The works programme will therefore not commence until 1st March 2024 at the earliest.
- 6.3 The Council's external ecologist has suggested a way forward which they believe will be acceptable to Natural England.
- 6.4 Additionally, to secure the required Bat Mitigation Licence, our preferred contractor must be appointed as soon as possible to provide the detailed methodology required for the licence application.
- 6.5 Over the past few years there has been increasing concerns surrounding the reliability of the construction industry supply chain and labour availability. However, with six tender submissions being received this presents a very positive position.
- 6.6 All project risks will continue to be further mitigated by internal project management alongside employment of external specialist consultants as required. An appropriate cost has been included within the total project cost to account for this.

7. Proposed Way Forward

- 7.1 The No. 20 Plymouth Road project presents a great opportunity to repurpose an underperforming asset to develop good quality temporary accommodation for the Borough to address the housing need and support residents.
- 7.2 Therefore, the officers' recommendation is to proceed with repurposing the existing building into three flats to provide additional temporary accommodation to support the council's temporary housing needs.
- 7.3 It is proposed that the total project cost of up to a total of £650,000 to be funded as follows:
- Internal borrowing in the form of a 50 year loan of up to £500,000 at a fixed interest rate of 3%.
 - £150,000 in housing revenue grants
- 7.4 The business case and financial position is positive by the income generated alone.
- 7.5 The Section 151 Officer has reviewed the business case and the associated costs, income and borrowing position of the Council and supports the recommendations set out in the report.

7.6 The recommendation is the Council approves delivery of the project and the reported Capital expenditure.

8. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance		<p>The Council has power under the Housing Act 1985 to provide housing accommodation by either building on land acquired for that purpose or acquiring houses.</p> <p>The contract for the delivery of the Project has been procured in accordance with the Council's Contract Procedure Rules.</p>
Financial implications to include reference to value for money		<p>It is proposed that the total project cost of up to a total of £650,000 to be funded as follows:</p> <ul style="list-style-type: none"> • Internal borrowing in the form of a 50 year loan of up to £500,000 at a fixed interest rate of 3%. • £150,000 in housing revenue grants
Risk		<p>As the project is a renovation of an existing building already owned by the Council with finances in place, many of the risks are mitigated. However, remaining project risks include:</p> <ul style="list-style-type: none"> • Programme - age of building, Natural England Bat licence and mitigation • Industry Wide Issues i.e. supply chain issues, labour availability <p>These will be further mitigated by internal project management alongside employment of external specialist consultants as required. An appropriate cost has been included within the total project cost to account for this.</p>
Supporting Corporate Strategy		Homeless Strategy
Consultation & Engagement Strategy		Hub Approval for planning application sought & approved.

		Leader & Portfolio Member briefings
Climate Change - Carbon / Biodiversity Impact		The repurposing of an existing asset, rather than purchasing additional assets will assist with our climate change programme.
Comprehensive Impact Assessment Implications		
Equality and Diversity		Our Homeless Strategy seeks to make accommodation available locally. Having our own quality, self-contained provision within the Borough for households in crisis will greatly assist with meeting the objectives of the strategy, positively impact on the health & wellbeing of our residents and demonstrate the Councils commitment to this priority theme and homeless people of the borough.
Safeguarding		
Community Safety, Crime and Disorder		
Health, Safety and Wellbeing		
Other implications		
		It is also envisaged that better quality accommodation will result in less anti-social behaviour and improved energy efficiency.

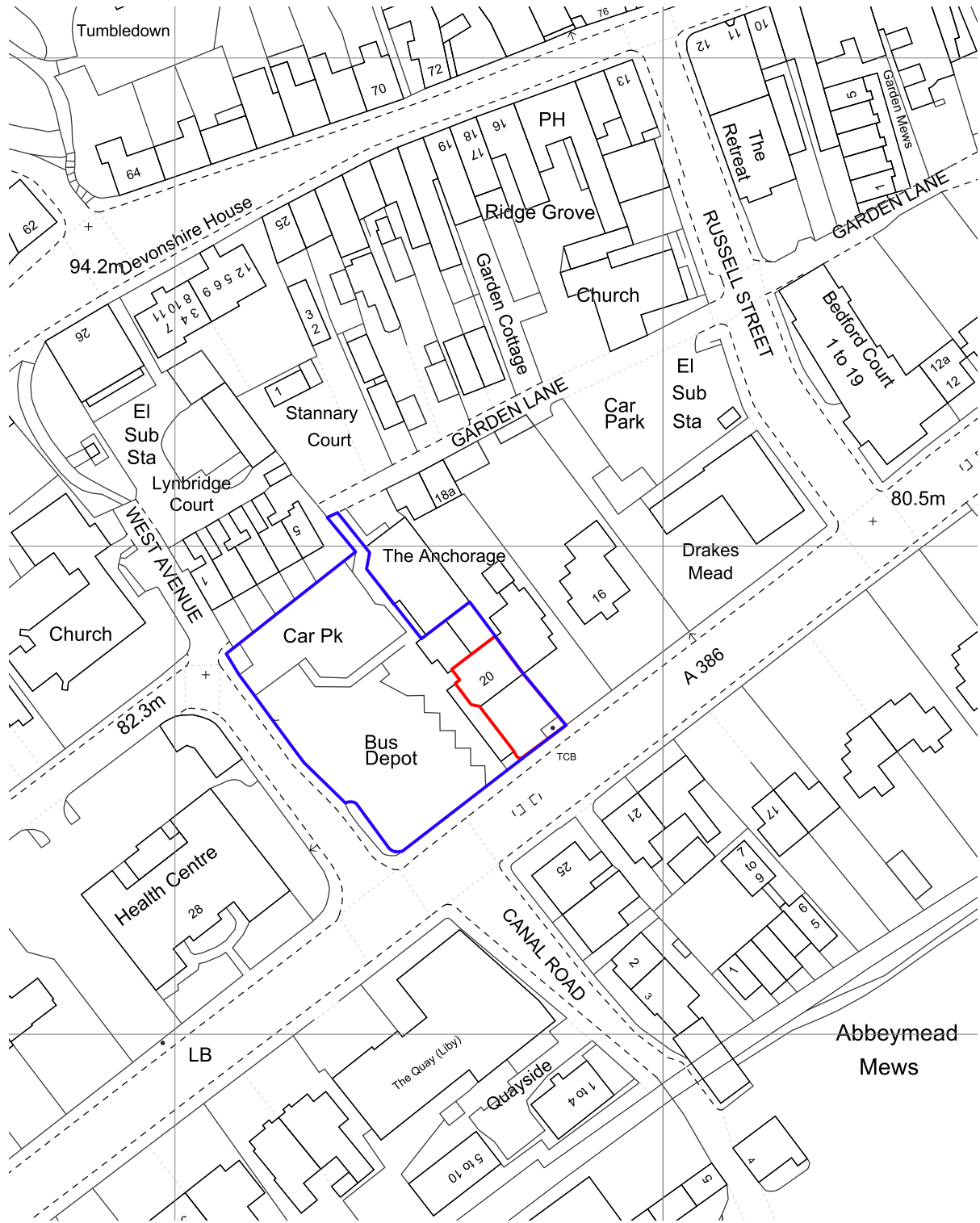
Supporting Information

Appendix A: Site Location Plan

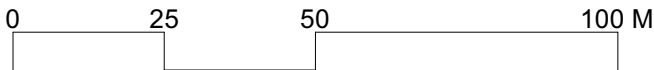
Background Papers:

None

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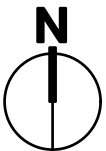


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+44 (0)1392 266 890
www.kendallkingscott.co.uk

Project
Conversion of 3 Flats at
20 Plymouth Road, Tavistock

Client
South Hams District Council

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Page 113

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Rev Date By Ap Note

Drawing Title
LOCATION PLAN

Project Number Drawing Number - Revision

220894 AP(0)01 A

Date Drawn Checked Status
23/03/23 SCF AW PLANNING

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