

5 January 2018

Dear Sir/Madam

NOTICE IS HEREBY GIVEN that a Meeting of the Council at which your attendance is requested, will be held in the **COUNCIL CHAMBER, FORDE HOUSE, BRUNEL ROAD, NEWTON ABBOT, TQ12 4XX** on **Monday, 15th January, 2018** at **10.00 am** (or on the rising of Overview & Scrutiny, whichever is the later) in the **Council Chamber** to transact business specified in the Agenda as set out.



Phil Shears
Interim Head of Paid
Service

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

To: The Chairman and Members of Teignbridge District Council

AGENDA

Part I

(Open to the Public)

1. Apologies for absence
2. Minutes (Pages 1 - 6)
To approve as a correct record and sign the minutes of the Council meeting held on 3 November 2017.
3. Chairman's announcements
4. Declarations of interest
5. Public questions session under Council Procedure Rule 4.5(j) (if any)

Making a healthy and desirable place where people want to live, work and visit

6. Councillor questions under Council Procedure Rule 4.5(k) (if any)
7. Notices of motion under Council Procedure Rule 4.5(l) (if any)
8. **Proposed Heart of the South West Joint Committee** (Pages 7 - 32)
To detail the necessary documents which, if agreed, will enable the Heart of the South West Joint Committee to be formally established.
9. **Financial Instructions** (Pages 33 - 36)
To give approval for the Financial Instructions to be amended.
10. **Council Tax Base** (Pages 37 - 40)
To consider the proposed council tax base 2018/19 as recommended by the Executive at its meeting on the 9 January 2018.
11. **Council Tax Reduction Scheme** (Pages 41 - 58)
To provide members with an update on the current Council Tax Reduction (CTR) Scheme, and to seek approval of the Scheme and the Exceptional Hardship Policy (EHP) for the 2018-19 financial year.

Part II (Private)

Items which may be taken in the absence of the Public and Press on the grounds that Exempt information may be disclosed.

12. Exclusion of the Press and Public

The Council is recommended to approve the following resolution:

That under Section 100(A)(4) of the Local Government Act 1972 the Press and public be excluded from the meeting for the following item(s) of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A of the Act.

13. **Appointment of Head of Paid Service**

14. The Chairman will announce:

“That the Common Seal of the Council be affixed to any document or documents necessary to give effect to the resolutions passed by the Council at this meeting.”

Standards Committee Update

Following the previous Council meeting, it has been agreed by the Chairman of the Standards Committee and Councillor Hook that an update regards Standards matters will be brought before the next Full Council meeting in February 2018.

FULL COUNCIL

3 NOVEMBER 2017

Present:

Councillors Austen, Barker, Brodie, Bromell, Bullivant, Christophers, Clarence, Clemens, Colclough, Connett, Cook, Cox, Dennis (Vice-Chairman), Dewhurst, Eden, Ford, Golder (Chairman), Goodey, Haines, Hayes, Hocking, Hockin, Brodie, Hook, Keeling, Kerswell, Lake, Mayne, Morgan, Nutley, Orme, Pilkington, Prowse, Thorne and Winsor

Apologies:

Councillors Fusco, Gribble, Jeffery, Jones, Parker, Peart, Price, Rollason, Russell and Smith.

Also Present:

Neil Aggett, Democratic Services Manager & Monitoring Officer
Andrew McKenzie, Democratic Services Officer
Phil Shears, Head of Paid Service

194. MINUTES

The minutes of the meeting held on 25 September 2017 were signed and approved as a correct record, subject to minute 137 on page 84, the word 'advantages' be changed to 'disadvantages'.

195. CHAIRMAN'S ANNOUNCEMENTS

The Chairman introduced the Reverend Stephen West of Bishopsteignton who would be his Chaplain for the year and advised that his Civic Service would take place on Sunday, 4 March 2018 to which all Members were warmly invited to take part in a celebration of life in Teignbridge.

He stated that his charity for the year was the Devon Memory Café Consortium which was an umbrella group supporting individual Memory Cafés; any monies raised would be ring-fenced for use by cafés within Teignbridge.

The Chairman congratulated Councillors Gordon Hook and Jackie Brodie who were to marry on Saturday, 4 November and wished them well for the future.

196. DECLARATIONS OF INTEREST

There were none.

197. PUBLIC QUESTIONS SESSION UNDER COUNCIL PROCEDURE RULE 4.5(J) (IF ANY)

There were none.

198. COUNCILLOR QUESTIONS UNDER COUNCIL PROCEDURE RULE 4.5(K) (IF ANY)

The following questions were asked by Councillor Hook:

Question 1: Does the Council undertake safety checks on our trees? If so how frequently? If not, why not and can we? I assume suitable insurance is in place?

Answer given by the Leader: The Council has a tree risk inspection program and all trees are inspected on a routine basis. The frequency of inspection is dependent on the trees location and the use of the site (e.g. trees next to main roads are inspected more frequently than those in low use locations), as well as tree species and age. The frequency of inspection is risk based and accords with national best practice, as set out by the National Tree Safety Group. The inspections range from annually to every 5 years depending on circumstances, with ad hoc inspections as necessary.

We have appropriate insurance and, from time to time, the insurers request confirmation that the program is implemented.

Question 2: Can the PH for Planning confirm that members will shortly be consulted, via the Local Plan 5 year review, on housing within village envelopes. Will he agree with me that much more needs to be done to ensure these communities remain viable, and to ensure they are sustainable over the life of the Local Plan we should be proactive in finding suitable sites for house building, particularly for local residents.

Answer given by the Portfolio Holder for Housing & Planning: It should be noted that there is nothing to prevent the development of new homes on appropriate sites in within the settlement limits of villages (village limits), and it is not necessary for sites to be indicated in a local plan for permission to be granted. In addition, the local plan allows new affordable housing on exception sites outside but adjoining villages, to meet local needs. You may be interested to know that over the last 10 years there have been 2434 dwellings completed in rural areas (that is parishes other than Newton Abbot, Kingskerswell, Kingsteington, Teignmouth, Dawlish and Ogwell).

Teignbridge is in the rare/unique position of having both a Community & Neighbourhood Portfolio Holder and a dedicated Neighbourhood Planning Officer which has helped deliver rural housing opportunities based on local needs. Moving forward, this work will play a vital role in assessing the delivery of affordable local needs housing in the review of the Local Plans.

It should also be recalled that communities can bring forward new homes within their area via the Neighbourhood Planning process if they are concerned about the issues the Cllr Hook has raised. One neighbourhood plan has done so, allocating a site for live-work units.

In terms of change in village services, officers have carried out a survey of village service and facilities recently. Compared with the results of a similar survey carried out in 2011, there has been very little loss in that time.

The Teignbridge Local Plan review will carry out a re-survey of the existing settlement limits to ensure that they are up to date and reflect the latest changes on the ground. It is expected that a consultation document on these will be out for consultation in spring next year. The local plan review will also be considering the need for new housing, employment and other forms of development which may include additional housing and other sites in and adjoining the villages, and we would expect consultation on such matters to take place later in 2018 and after that. It would seem inappropriate to pre-judge the outcome of that work at this stage. Cllr Hook is of course welcome to make any specific suggestions of development sites which the spatial planning team can then consider in the local plan work.

Councillor Hook thanked the Leader and Portfolio Holder for their full and helpful answers, and suggest for the second question that Parish and Town Councils be made aware of the information.

The Leader advised that it had been suggested those communities that had successfully implemented a Neighbourhood Plan could share their learning with others and this would either take place through the Teignbridge Association of Local Councils or directly through an event hosted by Teignbridge.

199. NOTICES OF MOTION UNDER COUNCIL PROCEDURE RULE 4.5(L) (IF ANY)

There were none.

200. APPOINTMENTS & REMUNERATION PANEL: TERMS OF REFERENCE

At this juncture, the Interim Head of Paid Service and the Monitoring Officer left the meeting.

The Leader presented the report and advised that following the departure of the former Chief Executive it was now time to confirm the management arrangements of the Council which was hoped to be formalised in the New Year. He advised that the establishment of the Appointments & Remuneration Committee was the next stage of this.

Councillor Hook as the original proposer of the motion to establish the committee was pleased to see the proposals before Council and believed it would add to the

openness and transparency of the Council's operations. Councillor Hook proposed an amendment to recommendation B, so that it read as follows:

That the Monitoring Officer be authorised to make adjustments to the Constitution to give effect to the Council decision, but that all such amendments to the constitution be approved by Full Council.

The amendment was seconded by Councillor Dewhirst.

Councillor Haines spoke in support of the amendment.

Councillor Barker sought clarification as a recommendation to authorise the change to the constitution that brings into effect the decision was required.

Councillor Connett suggested that substitute members be appointed by group leaders rather than by the council as the report currently read.

Following extensive debate, Councillors Hook and Dewhirst agreed to withdraw the amendment and it was

Resolved

- (a) That the draft Terms of Reference for the Appointments and Remuneration Committee be approved, subject to substitutes being appointed Group Leaders and not the Council;
- (b) That the Monitoring Officer be authorised to make adjustments to the Constitution to give effect to the Council decision.

At this juncture, the Interim Head of Paid Service and the Monitoring Officer re-joined the meeting.

The Monitoring Officer advised that he currently had delegated authority to make minor amendments to the Constitution following consultation with Group Leaders. Any major changes to the constitution that would infringe the rights of the public and Councillors were reserved for approval by all members through a meeting of the Full Council.

201. INDEPENDENT STANDARDS COMMITTEE MEMBER

The Chairman of the Standards Committee introduced the report and advised that delegated authority was sought for the Monitoring Officer to appoint an Independent Committee Member for the Standards Committee.

The Monitoring Officer advised that the Council needed to appoint an Independent Committee Member. This was a member of the public who would serve on the Committee to act as an independent public check who would be bound by the Members Code of Conduct. It was possible to go through an advertisement process which would take approximately 6 weeks which could result in no one

coming forward. Monitoring Officers across Devon believed they could share these posts across authorities ensuring no delays and reduced costs for training. He stated that one such person had offered to serve on Teignbridge's Standards Committee if the Council so wished.

The differences between the Independent Member and Independent Person were significant. The Independent Person was someone the Council appointed to work in conjunction with the Monitoring Officer and was consulted over all code of conduct complaints about district, town and parish councillors. They were fully trained and made a judgement as to whether a complaint needed to be investigated further or how it should be progressed. They did not sit on the Standards Committee.

Councillor Connett believed Teignbridge should have its own Independent Standards Committee Member and indeed a second Independent Person to call on should the need arise and proposed that:

- (a) The Council begins an advertisement process to appoint an Independent Committee Member for the Teignbridge Standards Committee;
- (b) The Council agrees to the Monitoring Officer approaching neighbouring authorities to secure an interim Independent Committee member to sit on the Teignbridge Standards Committee until such time as the Council appoints its own Independent Committee Member;
- (c) The next meeting of the Standards Committee be tasked with beginning the process to appoint a second Independent Person.

Councillor Prowse seconded the proposal and, following a question from Councillor Hook, advised she would submit a progress report to the next meeting of Full Council.

Resolved

- (a) That the Council begins an advertisement process to appoint an Independent Committee Member for the Teignbridge Standards Committee;
- (b) That the Council agrees to the Monitoring Officer approaching neighbouring authorities to secure an interim Independent Committee member to sit on the Teignbridge Standards Committee until such time as the Council appoints its own Independent Committee Member;
- (c) That the next meeting of the Standards Committee be tasked with beginning the process to appoint a second Independent Person.

Councillor Dennis submitted that having been a Member of the Standards Committee since 2012 he was surprised to learn that he Chairman of the Committee did not receive a special responsibility allowance and suggested this remuneration be included when allowances were next reviewed.

202. COMMON SEAL

Resolved

That the Common Seal of the Council be affixed to any document or documents necessary to give effect to the resolutions passed by the Council at this meeting.

TIM GOLDER
Chairman

COUNCIL

CHAIRMAN: Cllr Tim Golder

DATE: 15 January 2018
REPORT OF: LEADER OF THE COUNCIL
SUBJECT: HEART OF THE SOUTH WEST JOINT COMMITTEE

PART I

RECOMMENDATION

That the Council resolve to

- (a) Approve the recommendation of the HotSW Leaders (meeting as a shadow Joint Committee) to form a Joint Committee for the Heart of the South West;
- (b) Approve the Arrangements and Inter-Authority Agreement documents set out in appendices A and B for the establishment of the Joint Committee with the commencement date of Monday 22nd January 2018;
- (c) Appoint The Leader and Deputy Leader as the Council's named representative and substitute named representative on the Joint Committee;
- (d) Appoint Somerset County Council as the Administering Authority for the Joint Committee for a 2 year period commencing 22nd January 2018;
- (e) Approve the transfer of the remaining joint devolution budget to meet the support costs of the Joint Committee for the remainder of 2017/18 financial year subject to approval of any expenditure by the Administering Authority;
- (f) Approve an initial contribution of £1400 for 2018/19 to fund the administration and the work programme of the Joint Committee, noting that any expenditure will be subject to the approval of the Administering Authority;
- (g) Agree that the key function of the Joint Committee is to approve the Productivity Strategy (it is intended to bring the Strategy to the Joint Committee for approval by February 2018);

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- (h) Authorise the initial work programme of the Joint Committee aimed at the successful delivery of the Productivity Strategy;**
- (i) Agree the proposed meeting arrangements for the Joint Committee including the timetable of meetings for the Joint Committee as proposed in para 2.14.**

1. PURPOSE

- 1.1 Since August 2015, Devon and Somerset County Councils, all Somerset and Devon Districts, Torbay Council, Plymouth City Council, Dartmoor and Exmoor National Parks, the Local Enterprise Partnership (LEP) and the three Clinical Commissioning Groups have worked in partnership to progress towards securing a devolution deal for the HotSW area focusing on delivering improved productivity. Since that time the partnership has continued to progress its objectives in spite of policy shifts at a national level.
- 1.2 On 6 March 2017 (Minute 390 refers) the Council gave ‘in principle’ approval to the establishment of a HotSW Joint Committee, subject to approving the Joint Committee’s constitutional arrangements and an inter-authority agreement necessary to support the Joint Committee. This report sets out the necessary documents which, if agreed, will enable the Joint Committee to be formally established.
- 1.3 Since then the General Election has further shifted the national policy position. On the 13th October representatives of HotSW (from the Somerset, Devon, Plymouth and Torbay upper tier authorities) met Jake Berry MP, Minister for devolution to clarify the position of the Government and the HotSW Partnership on the devolution issue. The meeting was very positive and although no agreements were reached at the meeting, the partnership’s representatives were given a clear message that the Government would welcome a bid from the partnership to progress our productivity ambitions by identifying areas where we can work together with Government. Importantly the Minister indicated that there would be no requirement to have an elected mayor for Devon and Somerset as a condition of any deal. This statement has removed one significant blockage to moving our ambitions forward and we now need to agree what we want from this initiative and then find practical ways to work with the Government on delivery.
- 1.4 There is now no doubt that the Government is keen to engage with wider areas that can demonstrate:
 - Unity, clarity of purpose and a shared, ambitious vision built on local strengths
 - Strong partnership between business and the public sector with solid governance arrangements that provide assurance in capacity to deliver
 - Compelling ideas that can help to deliver Government objectives
 - Clarity about the offer to Government in terms of savings and is prepared to take hard decisions based on a robust analysis of risk and benefits.

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The Joint Committee will provide the ideal governance framework at this stage to take forward this dialogue with Government.

- 1.5 The key role of the HotSW Joint Committee is to develop, agree and ensure the implementation of the Productivity Strategy. This can only be achieved by working, where appropriate, in collaboration with the individual constituent authorities and the LEP. The Strategy will agree a common vision for increased prosperity through economic growth informed by a local evidence base and engagement with local stakeholders. It will also link to Government policy initiatives, particularly in relation to the Industrial Strategy, and will form the basis for developing our collective 'ask' of Government.

2. HotSW JOINT COMMITTEE PROPOSAL

- 2.1 The detail of the proposed functions of the Joint Committee and how it will operate are set out in appendix A attached – the Arrangements document. Appendix B attached sets out an Inter-Authority Agreement for consideration which details how the Joint Committee will be supported and sets out the obligations of the Council if it agrees to become a constituent member.
- 2.2 The documents detail the Administering Authority functions in support of the operation of the Committee including the provision of financial, legal, constitutional and administrative support to the Committee.
- 2.3 At this stage the Arrangements and Inter-Authority documents have been 'scaled' to fit the functions of the Joint Committee and the limited liabilities that each authority faces in signing up to be a Constituent Authority. In the event that the remit of the Joint Committee expands to take on more decision-making responsibilities and functions of the constituent authorities, the Arrangements and Inter-Authority agreement will be revisited to ensure that they remain fit for purpose and proportionate. Any expansion of the functions and responsibilities would require the approval of the Constituent Authorities.
- 2.4 The Joint Committee has a much more limited role than a Combined Authority. It does not have the statutory or legal status of a Combined Authority and cannot deliver the full range of benefits that a Combined Authority can, but it does have the potential to provide cohesive, coherent leadership and a formal governance structure. Its role will focus on collaboration, negotiation and influencing with full decision making responsibilities limited to developing and agreeing the Productivity Strategy. The principle of subsidiarity will apply to the relationship between the Joint Committee, the Constituent Authorities and local Sub-Regional Partnerships with decisions to deliver the Productivity Strategy and decisions necessary as a result of the other functions of the Joint Committee being taken at the most local and appropriate level.
- 2.5 The aim of the Joint Committee through the delivery of the Productivity Strategy will be to:
 - Improve the economic prosperity of the wider area by bringing together the public, private and education sectors;

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- Work together to realise opportunities and mitigate impacts resulting from Brexit;
 - Increase understanding of the local economy and what needs to be implemented locally to improve prosperity for all;
 - Ensure the necessary strategic framework, including infrastructure requirements, is in place across the HotSW area to enable sub-regional arrangements to fully deliver local aspirations; and improve the efficiency and productivity of the public sector. This work will be supported by a Joint Committee budget based on an agreed work programme.
- 2.6 The creation of a single strategic public sector partnership covering the HotSW area will: facilitate collaborative working; help us to remove barriers to progress; as well as provide a formal structure to engage with Government at a strategic level on major areas of policy. It also has the potential to enable the Constituent Authorities and partners to have discussions with neighbouring Councils / Combined Authorities / LEPs on South West peninsula priorities and issues as well as the ability to move swiftly towards a Combined Authority model in the future (by potentially acting as a shadow Combined Authority) if the conditions are deemed acceptable to the Constituent Authorities.
- 2.7 Critically, the Joint Committee will also provide a formal mechanism for the Constituent Authorities to engage effectively with the LEP across common boundaries and agendas. District Council partners, in particular, might view this as an opportunity to engage more effectively with the LEP. The LEP, which will sit alongside the Joint Committee, has recently adopted new governance requirements to ensure greater transparency and accountability and wishes to further improve its democratic accountability in discussion with HotSW partners. The Joint Committee will provide a formal structure to take these discussions forward and for the Constituent Authorities to have greater influence over the activities of the LEP on our common agendas.
- 2.8 Although the Joint Committee is a cost-effective formal structure, some provision needs to be made to meet the support costs of what will be a fully constituted local authority joint committee. It is proposed that Somerset County Council (who have provided the lead for the governance workstream of the devolution project over the last two years) takes on the support role (with the option of rotating the role after 2 years of operation), to provide the financial, legal, democratic support to the Joint Committee from 22nd January 2018.
- 2.9 There is currently the remainder of the joint devolution budget raised from an initial contribution from all Authorities and the LEP in 2015. It is recommended that the remaining funds from this budget - £42,000 - are transferred to the Administering Authority and the budget is used to support the costs of the Joint Committee for the remainder of 2017/18 financial year and for some of 2018/19.
- 2.10 In addition, the Joint Committee will need a budget to undertake its work programme in order to oversee the implementation of the Productivity Strategy. The overall budget required to support the Joint Committee and enable it to undertake its work programme will be dependent, to an extent, on

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the level of 'in-kind' officer resources provided to the Committee by the constituent authorities. The Administering Authority will review the in-kind support which has been provided for the devolution project in consultation with the constituent authorities and bring forward revised budget figures as part of a budget and cost sharing agreement as necessary in due course to the Joint Committee for consideration and recommendation to the Constituent Authorities. The budget figures set out in this report in paragraph 2.11 are therefore provisional at this stage. The initial Joint Committee work programme is set out in section 3 below for approval.

- 2.11 Through work undertaken by the partners it is estimated that the operating cost of a Joint Committee will be £89,000 in 2018/19 (and to cover the remainder of 2017/18) excluding any in-kind support. This estimate is made up of the following:
- £40,000 for the Administering Authority to undertake its duties. This is seen as a minimum cost and assumes that 'in-kind' officer resource remains in place at the same level; the Joint Committee meeting venues are provided by partners as 'in-kind' contribution
 - £25,000 (estimate) for work the Joint Committee would wish to commission
 - £24,000 for the Brexit Resilience and Opportunities Group Secretariat.
- 2.12 The Shadow Joint Committee recommends the budget is met by contributions from the Constituent Authorities. This would exclude the LEP and the CCGs from contributing as non-voting partners. As stated above it is estimated there will be a funding carry forward of £42,000 from the 2015 devolution budget. This would leave a shortfall of £47,000 to meet the total estimated budget requirement of the Joint Committee in 2018/19. Using the formula of contributions agreed in 2015 to support the devolution project the contribution requested of each Constituent Authority for 2018/19 is set out below. This assumes that all authorities agree to become members of the Joint Committee and would have to be recalculated should fewer than 19 Authorities become Members.
- County Councils - £10,500
 - Unitary Councils - £4,000
 - District Councils and National Parks £1,400
- 2.13 Under this formula it is recommended this Council contributes X for 2018/19 as a Constituent Authority. Any expenditure against this budget would be subject to the formal approval of the Administering Authority.
- 2.14 In terms of the proposed meeting arrangements for the Joint Committee, it is recommended:
- (a) That the Joint Committee should meet formally immediately after the LEP Board meetings to assist with engagement and co-operation between the bodies and allow co-ordination of the respective work programmes.

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- (b) That the following dates are reserved for meetings of the Joint Committee in 2018:
- Friday 26th January
 - Friday 23rd March
 - Friday 25th May
 - Friday 20th July
 - Friday 28th September
 - Friday 30th November
- (c) That the Joint Committee meetings should start at 10am with the venues rotated throughout the HotSW area. The assumption will be that the host authority for that meeting will provide appropriate accommodation and facilities 'in kind'.

3. HotSW PRODUCTIVITY PLAN AND THE JOINT COMMITTEE WORK PROGRAMME

- 3.1 The Partnership has, since its inception, been focused on working together to tackle low productivity as this is seen as the key to future economic growth. The academic research undertaken in the HotSW Green Paper on Productivity -<http://www.torbay.gov.uk/council/how-the-council-works/devolution/productivity-plan-green-paper/> highlighted that whilst Devon and Somerset have one of the highest employment rates in the country too many of those jobs are part-time and low paid. This means that our area has one of the lowest productivity rates in the Country and this is a major barrier to future prosperity.
- 3.2 The Partnership has continued to lobby Government to work more closely with our area in order to make good on its promise to spread economic growth across the Country and we now need to build on the recent meeting of the Minister and the momentum achieved. This work is urgently needed to ensure that areas such as the Heart of the South West don't get left behind as Government look to focus investment in areas where there are strong, cross boundary strategic partnership arrangements such as the six Mayoral Combined Authorities.
- 3.3 The Productivity Strategy is being developed through an academic evidence base and engagement with stakeholders and the community. The draft plan is currently out to consultation (<http://www.torbay.gov.uk/devolution>). The deadline for response is 30th November 2017. Members are encouraged to respond to the draft strategy.
- 3.4 In summary the Strategy proposes to deliver prosperity and productivity across the entire HotSW and to do so in an inclusive way. It proposes to build on existing strengths such as aerospace, advanced manufacturing, nuclear energy and agri-tech as well as exploiting new opportunities and releasing untapped potential.

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The Strategy is built around three key objectives:

- Developing **leadership and knowledge** within businesses in our area;
- Strengthening the **connectivity and infrastructure** our businesses and people rely on; and
- Developing the ability of people in our area to **work and learn** in a rapidly changing economy.

	Leadership and knowledge	Connectivity and infrastructure	Working and learning
Aspiration	To substantially improve the productivity of businesses in the area.	Improve our physical and natural assets to support wellbeing and economic opportunities.	Meet the potential of every individual within the area to work and contribute to our shared prosperity.
High-level aim	Help develop innovative, ambitious, growing businesses that can compete internationally.	Create vibrant places that are attractive to skilled people and new investment, with infrastructure to support productivity growth.	Develop, attract and retain a highly skilled and adaptable workforce.
Strategic objective	<p>Programmes</p> <ul style="list-style-type: none"> • Management excellence • New markets, new opportunities • Remove barriers to expansion • Attract talent and investment 	<p>Programmes</p> <ul style="list-style-type: none"> • Clean energy infrastructure • Connectivity and resilience • Land for business and housing needs • Natural capital to support productivity 	<p>Programmes</p> <ul style="list-style-type: none"> • Skills for a knowledge-led economy • Pathways to success • Access to work and opportunities • Skills for our 'golden opportunities'

3.5 It is recommended that one of the first tasks of the Joint Committee will be to approve the Productivity Strategy early in the New Year;

3.6 The Partnership has been meeting as a Shadow Joint Committee since 22nd September 2017. Its focus is to ensure the Joint Committee can immediately move into action and take advantage of major funding streams, national policy debates and lobbying around the economy. The Partnership will be working with the LEP to deliver the Productivity Strategy and will be supporting a joint work programme which initially will involve:

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- Developing and recommending a delivery and investment Framework, to implement the Productivity Strategy and demonstrating our capacity to deliver. This will complement the LEP's Strategic Investment Panel which oversees the LEP's investments;
- Investigating ways to complement existing work to draw out opportunities to attract infrastructure investment in line with the Productivity Strategy aims, building our track record for ambitious and compelling propositions;
- Investigating ways to complement existing work on improving the delivery of skills in line with the Productivity Strategy aims
- Investigating ways to complement existing work on strengthening leadership & knowledge within the area's SMEs in line with the Productivity Strategy aims;

3.9 Any Joint Committee expenditure on the joint work programme will be subject to approval by the Administering Authority.

4. CONSULTATION, COMMUNICATION AND ENGAGEMENT

4.1 Members, partners and the public have been kept informed of developments of the HotSW Devolution Partnership and the Productivity Strategy through press releases, newsletters, presentations, workshops and publications. This information flow will be maintained by the Joint Committee. In addition, all of the Authorities within the Partnership have taken formal decisions as required during the various stages of consideration of devolution proposals and the proposed creation of the Joint Committee.

4.2 A draft Productivity Strategy has been released for public consultation . To complement the on-line consultation there will be; Council-based briefings and targeted key stakeholder events through 6 sub-regional roadshows held in Plymouth, Northern Devon, Cullompton/Exeter, Torbay, Taunton/Bridgwater and Yeovil/Shepton Mallet. The consultation will end on 30th November 2017 and feedback will influence the final strategy which is due for approval in early 2018.

5. EQUALITY CONSIDERATIONS

5.1 The Inter-Authority Agreement requires all Constituent Authorities to support, promote and discharge its duties under the Equality Act through the work of the Joint Committee. The Partnership is developing an Equality Impact Needs Assessment to inform the development of the Productivity Strategy. The Joint Committee will consider this assessment alongside the Productivity Strategy before adoption.

6. PUBLIC HEALTH CONSIDERATIONS

6.1 There is a strong correlation between economic prosperity and health of the population. Public Health specialists will be key stakeholders within the consultation process and will be asked to advise on ways in which the Productivity Strategy could be connected to public health strategies to maximise the benefits to our communities.

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7. RISK MANAGEMENT CONSIDERATIONS

- 7.1 The creation of a Joint Committee will place a formal governance structure around the preparation and implementation of the Productivity Strategy. The Strategy will be used as a tool to attract a greater share of Government funding around the Industrial Strategy to mitigate the risk of Devon and Somerset being left behind other areas of the country.
- 7.2 Without a Productivity Strategy and Joint Committee in place, the Council and its partners will lack credibility and be at a disadvantage in negotiating and lobbying Government on a range of policy initiatives including the growth agenda and are likely to miss out on potential funding streams.
- 7.3 The individual financial risk to the individual Constituent Authorities of establishing the Joint Committee is limited to their financial contributions to the running and operational costs of the Joint Committee. The risk is shared between all of the Constituent Authorities.

8. LEGAL CONSIDERATIONS

- 8.1 Each of the partners' legal teams and Monitoring Officers have been involved in the development of the Arrangements and Inter-Authority documents set out as Appendices A and B. The documentation also aligns to the LEP's Assurance Framework.
- 8.2 This simple documentation sets out the functions, membership and operations of the Joint Committee and the requirements upon the constituent authorities in supporting it.

9. FINANCIAL CONSIDERATIONS

- 9.1 The costs associated with the early work on the Productivity Strategy preparation largely relate to officer time which is being provided 'in kind' by the authorities and partners. Specifically the LEP has met some direct costs.
- 9.2 The establishment of the Joint Committee provides a low cost option compared to a Combined Authority model of governance. As part of the Inter-Authority Agreement the assumption is that the Constituent Authorities will continue to provide in-kind support although this will be reviewed by the Administering Authority to ensure that the levels of support are appropriate, sustainable into the future and acceptable to the authorities providing the support. The direct running costs of the Joint Committee will be limited to providing officer support for the meetings, if there is insufficient 'in-house' capacity, and the costs of the meetings themselves. At this stage direct support costs will be kept to a minimum and for 2017/18 and some of 2018/19 will be covered by the residual joint devolution budget established in 2015.
- 9.3 In addition to the direct costs of administering the Joint Committee there is also the issue of a budget to fund its Work Programme. Further details of the provisional budget requirements are set out in section 2 together with the

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proposed funding mechanism for contributions from individual Constituent Authorities.

- 9.4 In coming to their decision about a Joint Committee and whether the potential costs provide good value for money, Members might like to consider the potential cost/impact of not working in this way and the potential loss of influence with the Government and investment to the area. Through recent funding initiatives and policy – including through the recent meeting with the Minister, it is clear that Government is looking for areas to come together and articulate their vision and priorities across footprints wider than their organisational boundary or sub-regional areas.
- 9.5 The proposal put before Members sets out a low risk, low cost option to work in a more formal way to capitalise on opportunities arising from future Government strategies, funding announcements and in preparation for Brexit.

10. OPTIONS/ALTERNATIVES

- 10.1 There are two options and alternatives that Members might consider:

Option 1 – Do nothing and continue with informal arrangements within the Partnership. As set out above the feedback from Government is they prefer to work ‘at scale’ and are looking more favourably at areas that have a unity of vision and purpose.

Option 2 – move to a Combined Authority. The Partnership now need to review the option of establishing a Combined Authority at some point following the indication from the Minister that there will be no requirement to have an elected mayor in order to pursue our ambitions. Establishing a Combined Authority requires a substantial lead in time to allow for the Parliamentary approval process and would inevitably require the creation of a shadow Combined Authority to test and confirm the concept. The potential benefits of moving to a Combined Authority model will have to be judged against the implications of doing so, including the cost implications. The Joint Committee has the benefit of allowing the Partnership to move relatively quickly to establish a Combined Authority if that is the wish of the partners.

11. CONCLUSION

- 11.1 Working together will deliver better results if we are to help our businesses improve their productivity levels and deliver greater prosperity across the Heart of the South West. By collaborating across local geographies we will strengthen the area’s voice to Government and strengthen the actions the area can take to improve productivity.
- 11.2 The Productivity Strategy will replace the Local Enterprise Partnership’s Strategic Economic Plan. It will be the key strategic document for the partners to engage with Government and each other on a range of investment opportunities and powers emerging from the Industrial Strategy, Brexit and other policy opportunities.

TEIGNBRIDGE DISTRICT COUNCIL

- 11.3 The HotSW Joint Committee will provide a formal strategic partnership to complement and maximise the ability of individual authorities and sub-regional arrangements to deliver their aspirations. It will provide the formal arrangements for collaboration on productivity.
- 11.4 Through the Joint Committee the partners can test and improve their ability to work together as a potential precursor to the possible establishment of a Combined Authority at some point in the future. It will also provide a mechanism to further strengthen democratic input and influence with the LEP and align more effectively with the LEP's new model of governance and accountability.
- 11.5 Without a Joint Committee in place, the HotSW area will continue to struggle to position itself to be able to take advantage of Government policy initiatives and new funding opportunities compared to those areas that have and are establishing formal strategic partnerships.

Cllr Jeremy Christophers
Leader of the Council

Wards affected	All
Contact for any more information	Neil Aggett – Monitoring Officer – 01626 215113
Background Papers (For Part I reports only)	
Key Decision	Y
In Forward Plan	N
In O&S Work Programme	N
Community Impact Assessment attached:	N

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APPENDIX A

HEART OF THE SOUTH WEST (HOTSW) JOINT COMMITTEE – DRAFT ARRANGEMENTS

1. Introduction:

1.1 Legal status: The HotSW Joint Committee is a Joint Committee of the local authorities listed in 1.5 below that comprise the HotSW area and established under Sections 101 to 103 of the Local Government Act 1972 and all other enabling legislation to undertake the functions detailed in section 2 of this Agreement.

1.2 Key purpose: The key purpose of the Joint Committee is to be the vehicle through which the HotSW partners will ensure that the desired increase in productivity across the area is achieved.

1.3 Aims and objectives: The aim is to provide a single strategic public sector partnership that covers the entire area and provides cohesive, coherent leadership and governance to ensure delivery of the Productivity Strategy for the HotSW area. The specific objectives of the Joint Committee 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.

1.4 Commencement: The Joint Committee will be established in accordance with the resolutions of the Constituent Authorities listed below in paragraph 1.5 with effect from the Commencement Date (22nd January 2018) and shall continue in existence unless and until dissolved by resolution of a majority of the Constituent Authorities.

1.5 Membership: Each of the Constituent Authorities listed below shall appoint 1 member and 1 named substitute member to the Joint Committee on an annual basis. Each member shall have 1 vote including substitute members. For the Councils, the member appointed shall be that Council's Leader except in the case of Torridge District Council where the member appointed by the Council shall have authority to speak and vote on matters on behalf of the Council. Political balance rules do not apply to the Joint Committee membership. The substitute member shall also be a cabinet member where the Council is operating executive arrangements. For the National Park Authorities the member appointed shall have authority to speak and vote on matters on behalf of the Authority:

- Dartmoor National Park Authority
- Devon County Council
- East Devon District Council
- Exeter City Council

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- Exmoor National Park Authority
- Mendip District Council
- Mid Devon District Council
- North Devon Council
- Plymouth City Council
- Sedgemoor District Council
- Somerset County Council
- South Hams District Council
- South Somerset District Council
- Torbay Council
- Taunton Deane Borough Council
- Teignbridge District Council
- Torrington District Council
- West Devon Borough Council
- West Somerset Council.

1.6 In addition to the Constituent Authorities the partner organisations listed below shall each be invited to appoint 1 co-opted representative and 1 named substitute co-opted representative to the Joint Committee. Co-opted members shall not have voting rights:

- Heart of the South West Local Enterprise Partnership (the LEP)
- NHS Northern, Eastern and Weston Devon Clinical Commissioning Group
- NHS South Devon and Torbay Clinical Commissioning Group
- NHS Somerset Clinical Commissioning Group

1.7 The Joint Committee may co-opt further non-voting representatives from the private, public and/or voluntary sectors at any time.

1.8 Each appointed member / representative shall remain a member of the Joint Committee until removed or replaced by the appointing authority / organisation. Appointments to fill vacancies arising should be notified to the Joint Committee Secretary as soon as possible after the vacancy occurs.

1.9 Standing Orders / Rules of Procedure: Outside of the contents of this 'Arrangements' document, the Standing Orders and Rules of Procedure for the Joint Committee shall be those contained in the Constitution of the Administering Authority to the Joint Committee, subject, in the event of any conflict, to the provisions in the Arrangements document taking precedent.

1.10 Administering Authority: A Council shall be appointed by the Constituent Authorities as the Administering Authority for the Joint Committee and shall provide legal, democratic services, financial and communications support to the Committee. The Joint Committee's Forward Plan of business and papers for its meetings shall be published on the Administering Authority's website with links provided to the websites of the other Constituent Authorities and partner organisations.

2. Joint Committee Functions:

2.1 The only delegated function of the Joint Committee relates to the approval of the HotSW Productivity Strategy. All other matters referred to in 2.3 are 'referred' matters where the Joint Committee will make recommendations to the Constituent Authority or Authorities for decision. Additional delegated or referred functions may be proposed for the Joint Committee in the future by the Joint Committee or any of the Constituent Authorities, but shall only be agreed if approved by all of the Constituent Authorities.

2.2 The principle of subsidiarity will apply to the relationship between the Joint Committee, the Constituent Authorities and local Sub-Regional Partnerships with decisions being made at the most local and appropriate level on all matters to do with the delivery of the Productivity Strategy and in relation to the other functions of the Joint Committee.

2.3 The Joint Committee shall:

- (a) Develop and agree the HotSW Productivity Strategy in collaboration with the LEP.
- (b) Ensure delivery of the HotSW Productivity Strategy in collaboration with the LEP and the Constituent Authorities.
- (c) Continue discussions /negotiations with the Government on the possibility of achieving devolved responsibilities, funding and related governance amendments to assist with the delivery of the Productivity Strategy. Joint Committee proposals arising from these discussions /negotiations would require the formal approval of the Constituent Authorities / partner agencies.
- (d) Continue discussions / negotiations with the Government / relevant agencies to secure delivery of the Government's strategic infrastructure commitments, eg, strategic road and rail transport improvements
- (e) Work with the LEP to identify and deliver adjustments to the LEP's democratic accountability and to assist the organisation to comply with the revised (November 2016) LEP Assurance Framework. This includes endorsing the LEP's assurance framework on behalf of the Constituent Authorities as and when required. However, this is subject to the Framework being formally approved by the LEP's Administering Authority.
- (f) Ensure that adequate resources (including staff and funding) are allocated by the Constituent Authorities to enable the objectives in (a) to (e) above to be delivered.

3. Funding

3.1 The Constituent Authorities shall agree each year and in advance of the start of the financial year (except in the year of the establishment of the Joint Committee) a budget for the Joint Committee in accordance with a Budget and Cost Sharing Agreement to cover the administrative costs of the Joint Committee and costs incurred in carrying out its functions. All funds will be held and administered by the Administering Authority on behalf of the Constituent Authorities and spent in accordance with that Authority's financial regulations and policies.

3.2 In the Joint Committee's first year of operation, the budget will be approved by the constituent authorities on the recommendation of the Joint Committee as soon as possible after the establishment of the Joint Committee.

3.3 Joint Committee members' costs and expenses will be funded and administered by the respective Constituent Authority.

4. Review of the Joint Committee Arrangements

5.1 The Joint Committee may at any time propose amendments to the Arrangements document which shall be subject to the approval of all of the Constituent Authorities.

5.2 Any Constituent Authority may propose to the Joint Committee amendments to the Arrangements. Such amendments shall only be implemented if agreed by all of the Constituent Authorities on the recommendation of the Joint Committee.

5. Members' Conduct

5.1 All members of the Joint Committee shall observe the "Seven Principles of Public Life" (the 'Nolan' principles) and will be bound by their own authority's code of conduct in their work on the Joint Committee.

5.2 Joint Committee members / representatives shall be subject to the code of conduct for elected members adopted by the Constituent Authority that nominated them to be a Joint Committee member or to the conduct requirements of the organisation that appointed them. This includes the requirement to declare relevant interests at formal meetings of the Joint Committee.

6. Requirements of Joint Committee members

6.1 Joint Committee members shall:

- (a) Act in the interests of the Joint Committee as a whole except where this would result in a breach of a statutory or other duty to their constituent authority or would be in breach of their Constituent Authority's Code of Conduct.

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- (b) Be committed to, and act as a champion for, the achievement of the Joint Committee's aims.
- (c) Be an ambassador for the Joint Committee and its work.
- (d) Attend Joint Committee meetings regularly, work with others to achieve consensus on items of business and make a positive contribution to the Committee's work.
- (e) Act as an advocate for the Joint Committee in any dealings with their organisation including seeking any approvals from their Constituent Authority/partner organisation to Joint Committee recommendations.
- (f) Adhere to the requirements of the 'Arrangements' document and maintain high ethical standards.

7. Appointment of Chairman and Vice-Chairman

7.1 The Joint Committee shall elect a Chairman and Vice-Chairman from amongst the voting membership as the first items of business at its inaugural meeting and at each Joint Committee Annual General Meeting thereafter. The appointments shall be confirmed by a simple majority vote of Constituent Authority members. If a deadlock occurs between two or more candidates a secret ballot shall immediately be conducted to confirm the appointment. If there is still deadlock following a secret ballot then a further meeting of the Joint Committee shall be held within 14 days and a further secret ballot shall be held to resolve the appointment.

7.2 A vacancy occurring in the positions of Chairman or Vice-Chairman between Annual General Meetings shall be filled by election at the next meeting of the Joint Committee. The person elected will serve until the next Annual General Meeting.

7.3 The Chairman and Vice-Chairman shall, unless he or she resigns the office or ceases to be a member of the Joint Committee and subject to 7.5 below, continue in office until a successor is appointed.

7.4 In the absence of the Chairman and the Vice-Chairman at a meeting, the voting members of the Committee present shall elect a Chairman for that meeting.

7.5 The Chairman or Vice-Chairman may be removed by a vote of all of the Constituent Authority members present at a meeting of the Joint Committee.

8. Quorum

The quorum for any meeting of the Joint Committee shall be 9 Constituent Authority members. The Chairman will adjourn the meeting if there is not a quorum present. In the absence of a quorum, the meeting shall be adjourned to a date, time and venue to be agreed by the Chairman.

9. Voting

9.1 Wherever possible the elected and co-opted members of the Joint Committee shall reach decisions by consensus and shall seek to achieve unanimity.

9.2 In exceptional circumstances where a formal vote is required, the proposal will be carried by a simple majority agreement of the voting members present and voting by a show of hands. The Chairman of the Joint Committee shall not have a casting vote in the event of a tied vote.

10 Decision making Arrangements

10.1 Only the Joint Committee shall approve the Productivity Strategy.

10.2 The Joint Committee may at any time appoint working groups consisting of Joint Committee members and/or co-opted representatives / officers to consider specific matters and report back / make recommendations to the Joint Committee.

11 Formal Meeting Arrangements

11.1 The Joint Committee will hold an Inaugural Meeting within 30 days of the agreed commencement date and thereafter shall meet on a regular basis as agreed by the Joint Committee annually at its Annual General Meeting.

11.2 The Chairman or in his/her absence the Vice-Chairman, may call a special meeting of the Joint Committee following consultation with the Chief Executives' Advisory Group to consider a matter that falls within the Committee's remit but cannot be deferred to the next scheduled meeting, provided that at least ten clear working days notice in writing is given to the Joint Committee membership.

11.3 Formal meetings of the Joint Committee shall normally be held in public, in accordance with the Access to Information Rules and the Standing Orders / Rules of Procedure of the Administering Authority.

11.4 Meetings of any working groups or task groups established by the Joint Committee shall, unless otherwise agreed, be held in private.

12. Who can put items on the Joint Committee's agenda?

- (a) The Joint Committee itself;
- (b) Any of the members of the Joint Committee appointed by the Constituent Authorities
- (c) A Constituent Authority by way of a formal resolution
- (d) The Chief Executives' Advisory Group
- (e) The Monitoring Officer and / or the Chief Finance Officer of the Administering Authority.

13. Reporting Arrangements

13.1 In addition to any ad hoc reports to the Constituent Authorities, the Joint Committee shall supply an annual report of its activities to the Constituent Authorities in May of each year.

13.2 The Joint Committee shall co-operate with the public scrutiny arrangements of the Constituent Authorities.

14 Record of attendance

14.1 All members present during the whole or part of a meeting are asked sign their names on the attendance sheets before the conclusion of every meeting to assist with the record of attendance.

Julian Gale
Monitoring Officer
Somerset County Council

30.10.17

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APPENDIX B

HOTSW JOINT COMMITTEE DRAFT INTER – AUTHORITY AGREEMENT

1. Commencement and Duration:

1.1 This Agreement (and the obligation of the Constituent Authorities [CAs]) shall take effect on the agreed Commencement Date – Monday 22nd January 2018 - and shall continue until the Joint Committee (JC) is dissolved.

2. Formation provisions:

2.1 The CAs agree to form the JC from the agreed Commencement Date and to delegate / refer the functions specified to the JC from that date as set out in section 2.3 of the Arrangements document.

2.1 The JC shall operate in accordance with the Arrangements document and the Standing Orders and Rules of Procedure of the Administering Authority (AA).

3. Administering Authority (AA) arrangements

3.1 The AA shall be appointed by resolution of the CAs for a 24 month period (24 months is considered as appropriate to provide sufficient continuity but also to provide the option to rotate the role on a regular basis).

3.2 The AA shall provide:

- Financial, legal, constitutional and administrative support to the JC and its meetings
- An on-line presence for the JC via the AA website with links to the CAs / partner organisations websites.
- Ensure it has appropriate insurance arrangements in place to cover the AA role.

3.3 The AA may resign from the role by giving 6 months' notice to the CAs.

3.4 The AA may be removed and replaced by a majority vote of the CA members at a formal meeting of the JC.

3.5 The JC shall cease to exist in the event that no CA or organisation can be identified to undertake the AA role.

4. JC Finance

4.1 The JC's budgetary arrangements shall be detailed in a budget and cost sharing agreement (to be drafted) to be agreed by all of the CAs annually on the recommendation of the JC and in advance of the financial year. The only exception

to this will be in the JC's first year of operation when the JC shall recommend a budget and cost sharing agreement to the CAs for approval at the first opportunity following its establishment.

- 4.2 The budget and cost sharing agreement shall cover:
- (a) The responsibilities of the CAs for providing funding for the JC
 - (b) The anticipated level of expenditure for the JC for the year ahead
 - (c) The cost sharing mechanism to be applied to the CAs
 - (d) Details of how the budget will be set and agreed each year
 - (e) Who is to be responsible for maintaining financial records on behalf of the JC (the 'accountable body');
 - (f) What financial records are to be maintained;
 - (g) What financial reports are to be made, to whom and when;
 - (h) What arrangements and responsibilities are to be made for:
 - auditing accounts;
 - insurance including ensuring all partners have sufficient cover;
 - (i) How any financial assets held by the JC on behalf of the CAs will be redistributed to the CAs in the event of the dissolution of the JC or in the event of a CA formally withdrawing from the CA.

5. Roles and responsibilities of the CAs

- 5.1 The CAs shall:
- (a) Appoint Members and named substitutes to the JC in accordance with the 'Arrangements'.
 - (b) Undertake to share the costs of the JC in accordance with the budget and cost sharing agreement and pay their contribution to the JC to the AA in good time.
 - (c) Make appropriate arrangements for recommendations of the JC to be considered and decisions made by the CA.
 - (d) Support the work of the JC by offering services, resources or other 'in kind' support to assist with JC projects and activities.
 - (e) Within the terms of the Inter-Authority Agreement, agree to share information to support the work of the JC.

6. Chief Executives' Advisory Group

- 6.1 The Group shall:
- (a) Ensure that the JC fulfils its functions and responsibilities and in accordance with all legal and constitutional requirements.
 - (b) Plan and co-ordinate the JC's activities to ensure the achievement of its aims and objectives
 - (c) Consider the performance and effectiveness of the JC on an on-going basis and make recommendations for changes for consideration by the JC and CAs as necessary.
 - (d) Ensure that professional advice is available and provided as necessary to the JC to enable it to carry out its functions.
 - (e) Rigorously monitor and scrutinise the JC's budget.

- (f) Consider disputes between the CAs over the application or interpretation of this Agreement together with any potential breaches of this Agreement.

7. Withdrawal from / dissolution of the JC

7.1 A CA wishing to withdraw from the JC shall give a minimum of 6 months' notice in writing to the other CA via the AA. The CAs shall co-operate with any such request.

7.2 If two or more CAs give notice of withdrawal from membership of the JC in the same Financial Year, the JC shall consider and make recommendations to the remaining CA as to the future operation of the JC and, if appropriate, recommend any necessary amendments required to the JC's functions and operating arrangements.

7.3 Where a majority of the CAs at any time agree (via formal resolutions) that the JC should be dissolved or terminated on a specified date then the JC shall cease to exist from that date.

8. Accounts, Audit and Reporting arrangements

8.1 The AA's accounts and audit arrangements will apply to JC business.

8.2 The AA will ensure appropriate reporting arrangements are in place for the JC.

9. Review of Inter-Authority Agreement

9.1 At any time one or more of the CAs may seek a review of this agreement and the operation of the JC by giving notice to the CAs via the AA.

9.2 The review shall be undertaken by the Chief Executives Advisory Group for report to the JC. Any recommendations for changes to the agreement from the JC shall only be implemented if agreed by all of the CAs.

10. Insurance, Indemnities, and Conduct of Claims

10.1 The JC as a scrutiny and policy making group rather than a commissioning body undertakes administrative functions and therefore carries relatively little risk.

10.2 Each authority's insurance cover will automatically extend to provide protection for their members and officers participating in the work of the JC and in their capacity as officers or members of that authority.

11. Information Sharing, Data Protection, Confidentiality, Publicity and Freedom of Information (FOI) Requests

11.1 The CA shall share information about their organisations where that information is relevant to the aims and objectives of the JC.

11.2 Where such information is confidential or privileged, for example for reasons of commercial, customer or client confidentiality, the CA concerned shall seek to provide the information in such a form as to assist the JC whilst maintaining confidentiality, for example by the use of statistical and other non-identifiable forms of data. If confidential information is provided by a constituent authority to assist the work of the JC, then each CA will respect that confidentiality and shall not use or disclose such information without the permission of the authority that provided the information.

11.3 In respect of FOI requests, the AA will ensure that the requirements of the FOI Act 2000 are met in respect of the activities of the JC. In particular the AA will consult the officers of the CA as necessary regarding any potentially contentious enquiries and will then respond to them accordingly on behalf of the JC.

11.4 The JC and the CAs shall at all times abide by the requirements of the Data Protection Act.

11.5 A CA shall not make any public statement or issue any press release or publish any other public document relating to, connected with or arising out of the work of the JC without obtaining the other CAs' prior approval as to the contents thereof and the manner of its presentation and publication.

12. Promoting Equality, Diversity and Social Inclusion

12.1 All CAs will support and promote the principles of inclusiveness and equality for all through the work of the JC.

13. Extent of obligations and further assurance

13.1 Nothing in this Agreement is to require any of the CA to act in any way that is inconsistent with its obligations or duties as a local authority.

14. Variations of the Agreement

14.1 Subject to the express provisions of this Agreement, no variation of this Agreement will be valid or effective unless agreed by formal resolution of all of the CA.

15. Dispute Resolution / Breach of this Agreement

15.1 In the event of a dispute arising from the interpretation and operation of this Agreement or a breach of this Agreement by any CA or JC member, the matter shall

first be considered by the Chief Executives' Advisory Group. The Group shall seek to resolve the matter by discussion and mutual agreement and report to the JC and CA as necessary.

15.2 Where this fails to achieve a resolution, then the JC may give formal consideration to further action. Such action may include:

- (a) A request to a CA to replace a JC member;
- (b) A request to a CA to withdraw from the JC;
- (c) A recommendation to the other CAs for the termination of the participation of a CA.

Julian Gale
Monitoring Officer
Somerset County Council

30.10.17

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COUNCIL

CHAIRMAN: Cllr Timothy Golder

DATE: 15 January 2018
REPORT OF: DEMOCRATIC SERVICES MANAGER
SUBJECT: FINANCIAL INSTRUCTIONS

PART I

RECOMMENDATION

The Council is recommended to consider this report and the Audit Scrutiny Committee’s recommendations made on 14 December 2017, and resolve to approve the proposed amendments to the Financial Instructions.

1. PURPOSE

To give approval for the Financial Instructions to be amended.

2. BACKGROUND

The Audit Scrutiny Committee considered proposed amendments to the Financial Instructions on 14 December 2017. The report is available on the Council’s website at <https://www.teignbridge.gov.uk/committee-meetings-and-agendas/audit-scrutiny-committee/audit-scrutiny-2017-2018/>

The Audit Scrutiny Committee recommended that the Council approve these changes, subject to the following minor adjustment to the proposals set out in the original report:

- that the proposal for Capital Budget changes in section (vi) be amended to require that :

“the Portfolio Holder is to be consulted”

as opposed to:

“the Portfolio Holder is to be informed”.

This adjustment was recommended during consultation with the Portfolio Holder for Assets and Resources, who advised that democratic accountability

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was better served by consultation, and this was subsequently agreed by the Audit Scrutiny Committee.

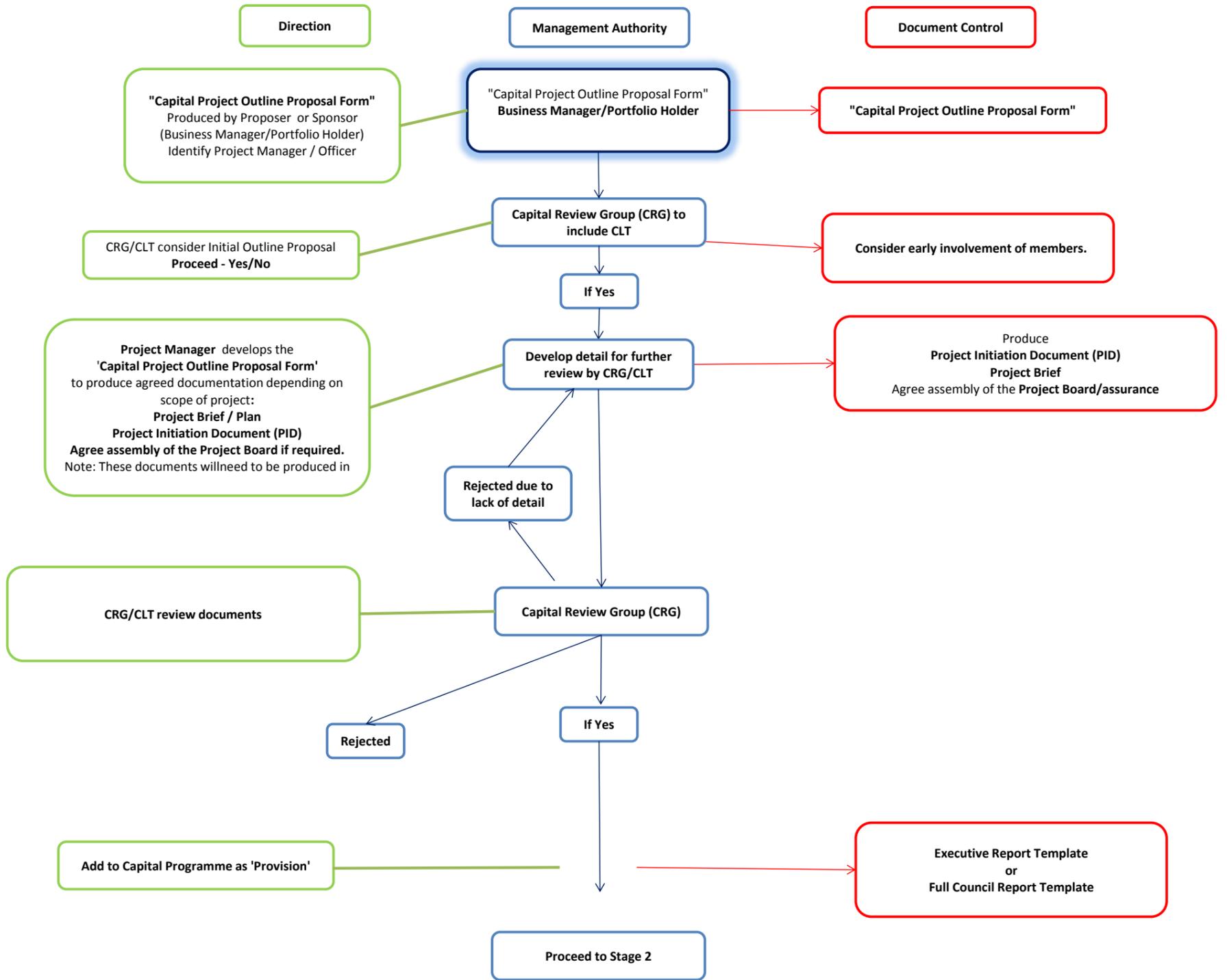
Neil Aggett Democratic Services Manager

Wards affected	All
Contact for any more information	Neil Aggett - Democratic Services Manager Tel: 01626 215113 Martin Flitcroft – Chief Finance Officer (Interim) Tel: 01626 215246 Tony Watson – Business Manager Strategic Place Tel: 01626 215828 Sue Heath – Audit Manager Tel: 01626 215258
Background Papers (For Part I reports only)	Financial Instructions Audit Scrutiny Report 14 December 2017
Key Decision	N
In Forward Plan	N
In O&S Work Programme	N
Appendices attached:	None

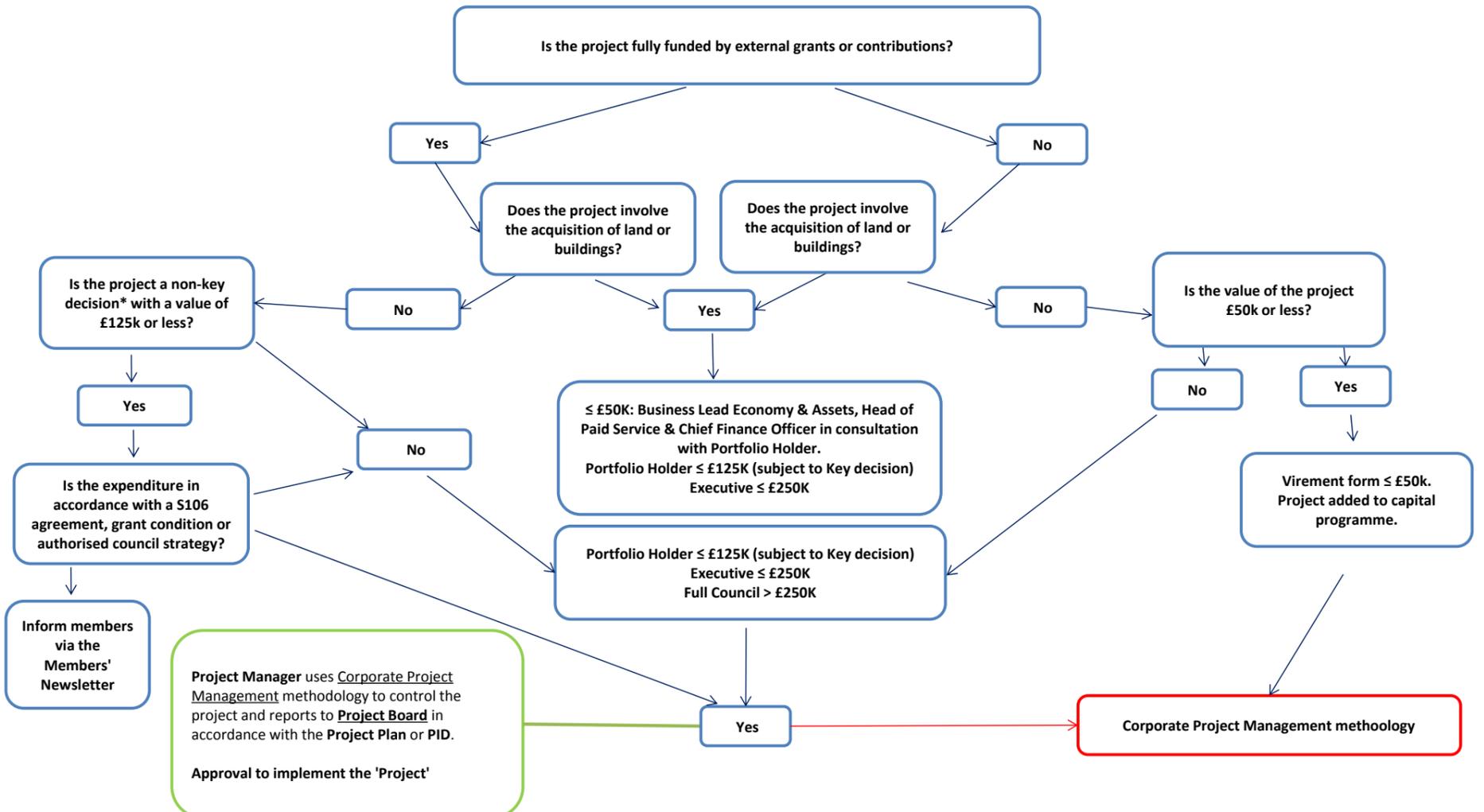
Project Management - Reporting Flow Diagram

Project Start Up Structure

Stage 1 - Internal Approval by Capital Review Group and CLT



Stage 2 - Committee and Financial Approval



* Key decision: For capital, results in expenditure or savings which are significant, ie. more than £125k and is significant in terms of its effects on communities living or working in an area comprising two or more wards in the opinion of the Director or the Chief Executive

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TEIGNBRIDGE DISTRICT COUNCIL

COUNCIL

CHAIRMAN: Cllr Tim Golder

DATE: 15 January 2018

REPORT OF: MARTIN FLITCROFT – INTERIM CHIEF FINANCE OFFICER

SUBJECT: COUNCIL TAX BASE 2018/19

PART I**RECOMMENDATION**

That the Council resolve to approve the council tax base of 48,577 for 2018/19 at appendix A of the agenda report.

1. PURPOSE

- 1.1 To consider the proposed council tax base 2018/19 as recommended by the Executive at its meeting on the 9 January 2018 as shown at appendix A.

2. BACKGROUND

- 2.1 The council tax base is the estimated number of band D equivalent properties in the district for next year less a small allowance for likely collection losses. The details are shown at section 1 of appendix A. The council tax for each of district, county, fire, police and towns/parishes multiplied by the council tax base gives the income or precept which the district pays to each authority. The district is responsible for collecting council tax.
- 2.2 The estimate for next year must be based on information available on the 30 November. It has to be approved by Council and notified to the major preceptors - county, fire and police between 1 December 2017 and 31 January 2018. Similarly towns and parishes also need the council tax base for their area to calculate their council tax from their precept.
- 2.3 The initial data is extracted from the council tax records. This includes the deduction for council tax support which reduces the base. Finally an estimate is made of the growth in the number of dwellings to 2017/18 based on recent history and this has been calculated at 1%. Thus a total of 49,067.7 is the estimated number of band D properties for next year.
- 2.4 As for the current year a collection rate of 99% has been assumed giving 48,577 for 2018/19. For Teignbridge this base means that at the current

TEIGNBRIDGE DISTRICT COUNCIL

council tax level of £160.17 just under £7.8 million of income would be generated next year. This is 2.0% or £154,000 more than in the current year. Estimated 2018/19 income for all preceptors is shown at appendix A section 2 based on the current council tax.

Martin Flitcroft
Interim Chief Finance Officer

Wards affected	All
Contact for any more information	Martin Flitcroft 01626 215246 or Claire Moors 01626 215242
Background Papers (For Part I reports only)	
Key Decision	Y
In Forward Plan	Y
In O&S Work Programme	N
Community Impact Assessment attached:	N
Appendices attached:	A: Council Tax Base

Section 1

Council Tax Base adjustment for Council Tax Support (CTS) and estimated growth						
	Estimated 18/19 Band D Number	17/18 Council Tax £	Estimated Income £	Estimated Collection Rate %	Estimated Net Income £	Estimated 18/19 Base
Full band D at November 2017	53,532.1	1,749.02	93,628,710			
less CTS at November 2017	<u>-4,949.9</u>	1,749.02	<u>-8,657,470</u>			
Starting point based on November 2017	48,582.2		84,971,240			
Anticipated growth at 1%	485.5	1,749.02	849,150			
Total (rounded)	49,067.7	1,749.02	85,820,390	99.0%	84,962,140	48,577

Section 2

2018/19 Expected Council Tax (CT) Income at Current Council Tax Levels compared with 2017/18				
Preceptor	Estimated CT Base Number	17/18 Council Tax £	Expected income £	
2018/19 expected income (rounded)				
Towns and parishes	48,577	63.08	3,064,240	
District	48,577	160.17	7,780,580	
County	48,577	1,267.92	61,591,750	
Fire	48,577	81.57	3,962,430	
Police	48,577	176.28	8,563,150	
Total (rounded) shows a 2.0% increase in expected income		1,749.02	84,962,150	
2017/18 expected income (rounded)				
Towns and parishes	47,614	63.08	3,003,490	
District	47,614	160.17	7,626,330	
County	47,614	1,267.92	60,370,740	
Fire	47,614	81.57	3,883,870	
Police	47,614	176.28	8,393,400	
Total (rounded)		1,749.02	83,277,830	

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COUNCIL

CHAIRMAN: Cllr Tim Golder

DATE: 15 January 2018

REPORT OF: TRACEY HOOPER – REVENUE, BENEFITS & FRAUD
MANAGER
STUART BARKER, PORTFOLIO HOLDER FOR
CORPORATE SERVICES

SUBJECT: COUNCIL TAX REDUCTION SCHEME 2018-19

PART I

RECOMMENDATION

That the Council resolve to:

- a) Adopt the Council Tax Reduction Scheme for 2018-19 (Appendix A)
- b) Approve the continuation of the Exceptional Hardship Policy

1. PURPOSE

- 1.1 The purpose of the report is to provide members with an update on the current [Council Tax Reduction \(CTR\) Scheme](#), and to seek approval of the Scheme and the Exceptional Hardship Policy (EHP) for the 2018-19 financial year.

2. BACKGROUND

- 2.1 The national council tax benefit scheme was abolished with effect from 1 April 2013 and replaced with locally agreed council tax reduction schemes. Pensionable age claimants were protected from any change but, from 1 April 2013, the extent of reduction for working age claimants could be determined locally.
- 2.2 At the same time, the budget for council tax reduction was cut by 10%. In Teignbridge our estimated spend for 2013-14 was £10m, requiring savings of £1m to be found (£100k for Teignbridge District Council, excluding County, Police, Fire, and parish precepts).
- 2.3 Teignbridge worked in collaboration with the other Devon authorities to design and implement a locally devised framework within which each scheme was adapted to suit the individual requirements of respective authorities. It was

TEIGNBRIDGE DISTRICT COUNCIL

agreed across the Devon authorities, including County, Police and Fire, that each billing authority would strive to deliver a 'cost-neutral' scheme.

- 2.4 In 2013-14 Teignbridge achieved this by reducing the level of discount given to second homes and empty properties, and removing second adult rebate, supplemented by a central government transitional grant. This grant was paid for one year only.
- 2.5 In 2014-15, to offset the loss of the transitional grant, two new measures were introduced: a Band D restriction and a £6,000 capital limit.
- 2.6 No changes were made to the scheme in 2015-16 or 2016-17 but, in order to align with changes made by central government to other welfare benefits, a number of changes were made in 2017-18. Three of these changes were financial, but only one of these, the Minimum Income Floor for self-employed claimants, reduced the amount of award currently being received by claimants.
- 2.7 We are the only local authority in Devon, and one of only 37 nationally, that continues to pay up to 100% of council tax liability.

3. Impact of Minimum Income Floor (MIF)

- 3.1 This is the only change that reduced the amount of award currently being received by claimants. Because of the direct impact of this change we have monitored the situation closely throughout the year to ensure that anyone experiencing difficulty in paying their council tax was given appropriate support.
- 3.2 Initially we wrote to all of our self-employed claimants to tell them about the change and how it would affect them. We also invited them to claim under our EHP. Anyone who failed to contact us but went on to accrue council tax arrears was contacted by telephone to discuss their situation and was offered support as appropriate.
- 3.3 This approach has proven highly effective and we have been able to offer tailored support including the setting up of special payment arrangements, helping claimants to prioritise debts, signposting where necessary, and assisting with EHP applications.
- 3.4 At the end of Q2, most of the original 393 claimants affected were up to date with their council tax payments. Only 13 cases were subject to liability orders and 2 were with enforcement agents. These 15 cases have been closely monitored and we know that none of them has any disability or caring responsibilities. Most have a previous history of non-payment and/or are not gainfully employed but could reasonably take steps to become so.

Further information on the impact of the changes is available in the Business Impact Assessment at Appendix B

4. SCHEME COSTS AND FUNDING

- 4.1 The overall cost of the scheme is reducing year on year. As at Q2 2017-18 the total spend stood at £8,682,953. This compares to £9,638,795 in Q2 2013-14 (the first year of operation). We have current high levels of employment which has led to a drop in the number of claimants requiring support. Improved initiatives for detecting fraud and error, and the scheme changes outlined in section 2 of this report have also contributed to the reduction in spend.
- 4.2 Although the cost of the scheme has reduced, grant funding has been cut by significantly more. The cost of the scheme will outstrip funding by a significant amount from 2018-19 with excess spend impacting on the Council's net budget.

5. 2018-19 SCHEME

- 5.1 Despite the reduction in funding it is intended to retain support at current levels for 2018-19¹.
- 5.2 This is for the following reasons:
- Universal Credit Full Service is due to roll out in Teignbridge from September 2018 and we need to better understand the impacts before we consider any further changes to the scheme
 - There have been no national changes to housing benefit, CTR for pensioners, or Universal Credit, that require any re-alignment of our scheme.
 - Members are keen to protect residents on low incomes in Teignbridge
 - The overall cost of the Scheme is following a downward trend

6. EXCEPTIONAL HARDSHIP POLICY

- 6.1 Because of the changes made to our scheme in 2017-18, members approved the adoption of an EHP. The purpose of the policy is to mitigate against any hardships experienced as a result of the changes. It allows for a discretionary payment to be made to any claimant who receives less or no CTR as a result of changes to the scheme and who is unable to meet their council tax liability as a consequence of this. The cost of awarding relief is shared equally by Teignbridge and its major preceptors.
- 6.2 We have actively encouraged claims for Exceptional Hardship and, to date, have received 78 claims. Each of these claims was considered on its merits with a full appraisal of claimant circumstances, resulting in 26 claimants being awarded a reduction in the amount of council tax they had to pay.

¹ The scheme makes provision for standard up-ratings to be applied and these will continue as normal

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- 6.3 By the end of Q1 we had awarded £10,156 in Exceptional Hardship, and £2,295 by the end of Q2 – a total of £12,451. This represents a cost to Teignbridge of £1,121 (9%).

7. BUSINESS IMPACT ASSESSMENT

- 7.1 The Business Impact Assessment has been reviewed and is attached at appendix B. Members are reminded that this document should be read in full.

8. MAJOR PRECEPTOR POSITION

- 8.1 The cost of the scheme, and any relief awarded under the EHP, is shared with County, Police and Fire in proportion to their preceptor share. All have been made aware that support is to be maintained for 2018-19 and are in agreement.

9. FUTURE OF CTR SCHEMES

- 9.1 With the forthcoming roll out of Universal Credit Full Service and associated cuts in admin grant, we will need to review the way we provide support in the future. Our current scheme is designed around its predecessor, Council Tax Benefit, which aligns with the housing benefit scheme still in operation. This is a sensible approach because they are structured in the same way and the rules are very similar. This makes it easier for claimants to understand and it avoids double handling and reduces risk of error as housing benefit and CTR can be administered together.
- 9.2 Once Universal Credit Full Service is fully rolled out, housing benefit will cease to exist for the majority of our working age claimants and the rationale for retaining our current CTR scheme will no longer exist. Funding for HB for working age claimants will come to an end and we will no longer be able to administer a complex, expensive scheme. In addition, many of the benefits to claimants of the current scheme will cease to apply.
- 9.3 In recognition of this fact, local authorities across the country are starting to look at other ways of delivering support e.g. income-banded schemes. A handful of local authorities across the country have already introduced this type of scheme and the Devon Benefit Officers' Group has been gathering evidence and data to form a view on these schemes and whether they would be appropriate for us going forwards. The Group will make recommendations in due course.

10. TIMESCALES

- 10.1 At the time of writing this report, Schedule 1A of the Local Government Finance Act 2012 required a billing authority to adopt its Scheme before 31st January in the year preceding the financial year to which the scheme applies. Regulations laid before Parliament on 21st December 2017, and coming into

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effect on 12th January 2018 (SI No. 1305 of 2017) have now deferred this date to 11th March in any given year.

11. S151 COMMENTS

- 11.1 The interim S.151 officer has been consulted and is in agreement with the proposals and the respective costs have been built into the budget proposals for 2018/19.

Tracey Hooper
Revenue, Benefit and Fraud Manager

Cllr Stuart Barker
Portfolio Holder for Corporate Resources

Wards affected	All
Contact for any more information	Tracey Hooper – Revenue, Benefit and Fraud Manager Tel: 01626 215266
Background Papers (For Part I reports only)	Exceptional Hardship Scheme Teignbridge Vulnerability Statement
Key Decision	Y
In Forward Plan	Y
In O&S Work Programme	N
Community Impact Assessment attached:	Y
Appendices attached:	A: CTR Scheme for 2018-19 (online) B: Business Impact Assessment

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Is this a review of an existing BIA?	Y
Is this a new proposal and a new BIA?	N

Ref No: CTR/TMH/2017-18 review

Proposal: Council Tax Reduction Scheme (CTR)

Business Impact Assessment Review

Conducted by: Tracey Hooper

Date: November 2017

Aims of the Proposal

To review the impact of changes made to the Council's CTR scheme in 2017-18 and the effectiveness of the Exceptional Hardship Scheme.

Background

Following abolition of the national Council Tax Benefit (CTB) scheme in 2013, Teignbridge adopted a local Council Tax Reduction (CTR) scheme. This scheme retained the essential features of the means-tested CTB scheme aligning it with the prescribed CTR scheme for pensioners, and the Housing Benefit (HB) scheme.

An Equality Impact Assessment of the move to local schemes was undertaken at a national level by the Department for Communities and Local Government. The report is available [here](#).

At the same time that CTB was abolished, funding was cut by 10% and Teignbridge had to consider whether or not to pass on this cut in funding to claimants. Following a consultation exercise Teignbridge resolved to protect its most vulnerable residents and offset the loss of funding by making changes to council tax discounts on empty properties and second homes, supplemented by a transitional grant from government. Together with the abolition of second adult rebate, these measures offset the loss in funding and meant that the majority of claimants were protected from the cut in funding.

Further cuts followed in 2014-15, including the loss of transitional grant. Teignbridge made two further changes to the scheme to offset this loss in funding: introducing a savings limit of £6,000, and a Band D restriction.

Teignbridge's scheme was re-adopted in 2015-16 and 2016-17 with no change to the level of support provided to claimants.

The Government subsequently introduced a number of changes into Housing Benefit; CTR for pensioners; and Universal Credit. In order to bring our scheme into alignment, as well as to streamline administration, we mirrored these changes, introducing them to our working age CTR scheme in 2017-18.

These changes are listed below:

1. Remove the Family Premium for all new working age applicants
2. Reduce backdating for new claims to 1 month
3. Base CTR on a set minimum income for self-employed earners after 1 year's self-employment
4. Reduce the period a person can be absent from Great Britain, and still receive CTR, to 4 weeks (previously 13 weeks, or 52 in certain circumstances).
5. Remove the 'work-related activity component' in the calculation of the current Scheme for new Employment and Support Allowance applicants.
6. Limit the number of dependant children within the calculation for CTR to a maximum of two for third or subsequent children born after 1 April 2017
7. Where another person is already paid UC (Carers Element) to look after someone with a disability, remove entitlement to the Severe Disability Premium.
8. Remove the additional earnings disregard and apply the standard disregards irrespective of hours worked to those applicants also claiming UC.

No changes are proposed for the year 2018-19

Environment impacts

The proposal indicated no environmental impacts.

Value and financial impacts

The proposal indicated the following financial impacts.

	<i>Please score</i>
	<div style="border: 1px solid black; padding: 5px; display: inline-block;"> +3 ← 0 → -3 </div>
Jobs or training opportunities	0
Business investment within the area	0
Tourism	0
The supply or quality of housing	0
Access to services and benefits	-1
Reduce cost or increase income	+1
Increase capital receipts/funding	0

Financial impact on Teignbridge District Council

The grant allocation for CTR is no longer separately identified on an annual basis so it is not possible to calculate the net cost of the scheme. It is for billing authorities to determine the level of support to provide, bearing in mind the cost of the scheme is shared between the preceptors (County, Police and Fire) in proportion to their respective shares of the overall council tax bill.

Only three of the changes introduced in 2017-18 have any financial impact. These are:

- Removal of the family premium for new applicants
- Introduction of a minimum income floor for self-employed earners after 1 year's trading
- A limit on the number of dependent children within the calculation for CTR to a maximum of two for children born after 1 April 2017

These changes were forecast to reduce costs by a maximum of £42,000.

The only change that can be measured with any degree of accuracy is the minimum income for self-employed earners. This is because it is the only change that directly affected the amount of support in payment. Based on Q2 data, extrapolated to the end of the financial year, we expect to achieve a reduction in cost of £28.5K. This is slightly lower than the £31.5K.

Financial impact on Teignbridge claimants

Pensioners are protected from any changes to the scheme so the proposals applied to claimants of working age only. Our CTR caseload as at Q2 is 8,696 made up of 4,010 working age claimants (46.11%) and 4,686 pensioner claimants (53.89%).

Of the 4,010 working age claimants, only 393 of these (the claimants affected by the Minimum Income Floor - MIF) have received a cut in the level of support they were receiving.

The other changes affected only new claimants or those claimants who experienced a particular change in circumstances after 2017-18. Each of the changes introduced is detailed below with information on impacts, if any, on the claimant.

Removal of Family Premium

This change removed the additional allowance given to households with dependent children. These households still receive more support than households without children but whereas claimants previously received up to an additional £3.49 support per week, new claimants do not. Persons on 'passported' claims e.g. job seekers allowance, income support, employment support allowance etc. were not affected by this change. 'Passported' people generally being the most in need.

Based on number of claims received last year and composition of our current caseload, we estimated that around 330 new claims would be affected in 2017-18. Latest figures indicate that 215 new claims of this type have been received to date which is largely in line with the estimate for the full year. These cases will have received up to £3.49 per week less council tax support than those making a claim before 1st April 2017.

We have received no claims for exceptional hardship relief nor any complaints as a result of this change.

Reduction in backdating

This change reduced the maximum period a claim can be backdated from six months to one month. There are so few cases these can be easily managed through the Exceptional Hardship Relief Scheme. To date there have been no applications for this relief, nor any complaints as a result of this change.

Introduce a minimum income for self-employed claimants

This change applies to both existing and new claimants and takes effect after one year of self-employment. This change aligned our scheme with UC which assumes a notional income for self-employed claimants equal to 35 hours work at the National Living Wage or National Minimum Wage depending on age.

Initially we wrote to all of our self-employed claimants to tell them about the change and how it would affect them. We also invited them to claim under our Exceptional Hardship Scheme. Anyone who failed to contact us but went on to accrue council tax arrears was contacted by telephone to discuss their situation and was offered support as appropriate.

This approach has proven highly effective and we have been able to offer tailored support including the setting up of special payment arrangements, helping claimants to prioritise debts, signposting where necessary, and assisting with Exceptional Hardship applications.

We have actively encouraged claims for Exceptional Hardship and have received 78 claims in total. Each of these claims was considered on its merits with a full appraisal of the claimant circumstances resulting in 26 claimants being awarded a reduction in the amount of council tax they had to pay.

By the end of Q1 we had awarded £10,156 in Exceptional Hardship and £2,295 by the end of Q2 – a total of £12,451. This cost is shared across all major preceptors and represents a cost to Teignbridge of just over £1,000.

At the end of Q2, the vast majority of the original 393 claimants affected were up to date with their council tax payments. Only 13 cases were subject to liability orders and 2 were with enforcement agents. These 15 cases have been closely monitored and we know that none of them has any disability or caring responsibilities. Most have a previous history of non-payment and/or are not gainfully employed but could reasonably take steps to become so.

We were particularly mindful of households with disability and carer premiums in place and have broken down the impact on this group according to type of premium received. Details are shown in the table below.

	No. of households	EHF awarded	Paying	Reminder	Summons
Severe/enhanced disability premium	12	0	9	3	0
Disabled Child Premium	24	2	19	3	0
Disability premium	19	2	14	3	0
Carer Premium	3	0	2	0	1 (paying on arrangement)

We continue to monitor the effects of the MIF on a quarterly basis and will provide advice and support as and when necessary. Anyone identified as falling behind on their council tax payments will be contacted and appropriate support mechanisms put in place.

We have received one complaint about the Introduction of the Minimum Income Floor and this was resolved at Stage 1.

Demographics of Self-Employed Claims and All Working Age CTS Claimants (December 2017)

Gender	Self-Employed Claims Affected	All Working Age CTS
Single - Male	53 (13.4%)	840 (19.5%)
Single - Female	42 (10.6%)	844 (19.6%)
Couple	20 (5.0%)	341 (7.9%)
Lone Parent - Male	16 (4.0%)	82 (1.9%)
Lone Parent - Female	144 (36.4%)	1393 (32.3%)
Couple with children	121 (30.6%)	810 (18.8%)
Total	396	4310

Number of Children	Self-Employed Claims Affected	All Working Age CTS
0	115 (29.0%)	2025 (47.0%)
1	118 (29.8%)	923 (21.4%)
2	102 (25.8%)	792 (18.4%)
3	47 (11.9%)	405 (9.4%)
4	9 (2.3%)	107 (2.4%)
5	4 (1.0%)	43 (1.0%)
6	1 (0.3%)	11 (0.3%)
7	0 (0.0%)	2 (0.05%)
8	0 (0.0%)	1 (0.02%)
9	0 (0.0%)	1 (0.02%)
Total	396	4310

Age	Self-Employed Claims Affected	All Working Age CTS
18 - 24	4 (1.0%)	277 (6.4%)
25 - 29	34 (8.6%)	463 (10.7%)
30 - 44	181 (45.7%)	1527 (35.4%)
45 - 59	155 (39.1%)	1660 (38.5%)
60 - 64	22 (5.6%)	383 (8.9%)
Total	396	4310

Council Tax Band	Self-Employed Claims Affected	All Working Age CTS
A	62 (15.7%)	1307 (30.3%)
B	152 (38.4%)	1805 (41.9%)
C	112 (28.3%)	850 (19.7%)
D	47 (11.9%)	235 (5.5%)
E (limited to D)	16 (4.0%)	83 (1.9%)
F (limited to D)	5 (1.3%)	22 (0.5%)
G (limited to D)	2 (0.5%)	8 (0.2%)
H (limited to D)	0 (0.0%)	0 (0.0%)
Total	396	4310

Disability and Carer premiums	No. affected	All Working Age CTS
Disability Premium / Severe Disability Premium	33 (8.3%)	228 (5.3%)
Disabled Child Premium	25 (6.3%)	122 (2.8%)
Carer Premium	25 (6.3%)	137 (3.2%)

NB: Many claims are in at least 2 of these 3 categories, ie the 3 categories should not be added together.

Reduce the period a person can be absent from Great Britain

This change reduced the period claimants can be absent from their homes from 13 weeks (52 in certain circumstances) to 4 weeks without stopping their council tax support. There are exceptions for certain occupations such as mariners and the armed forces. There is also provision for this to be extended to 8 weeks in specific circumstances, such as the death of a close relative.

We do not hold any data on these cases so are unable to measure any impacts. Non UK nationals and those with family outside the country are more likely to be affected. This could indicate a greater impact on minority ethnic groups.

The change would affect very few people overall and is easily managed through the exceptional hardship scheme. To date we have had no applications for relief nor any complaints about this change.

Remove the work related activity component for new Employment and Support Allowance (ESA) applicants

This change aligned with changes made by central government to HB and the Pensioner Age CTR scheme. Claimants are not impacted by this change to the scheme.

Limit the number of dependant children within the calculation for CTR

This change mirrors the changes made by central government to housing benefit and tax credits.

It affects only those households, not already receiving maximum support, which have a third or subsequent child born on or after 1st April 2017 and there are exceptions, e.g. multiple births. A dependent addition is made for each child within the calculation of the household needs (applicable amounts). This addition is made for the first and second child but the birth of subsequent children no longer gives rise to an increase in the applicable amount.

We estimated around 100 claimants would be affected by this change with a possible maximum weekly 'loss' of £13.38 per claim. We are not able to produce data on numbers actually affected by this change but have received no complaints or any exceptional hardship requests as a result of this.

Remove the entitlement to the Severe Disability Premium where someone else is already paid UC (Carers Element)

This change aligned our scheme with Central Government changes to HB and has no impact on claimant.

Remove the additional earnings disregard for claimants on UC

This change was introduced to align with Universal Credit and simplifies the administration of claims for those in receipt of UC. Prior to this change, an additional amount of earnings could be disregarded if a customer worked sufficient hours. This additional disregard doesn't exist in UC.

Social impacts and duties

The proposal indicates the following social impacts.

	<p>Please score</p> <p>+3 ← 0 → -3</p>
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Age Children (Under 16) – 16%	0
Young (16-24) – 9.6%	-1
Working age (25-59) – 43%	-3
Older (60+) - 31%	-1
Men – 48%	-1
Women – 52%	-3
Transgender – c1%	0
BAME (Black, Asian, minority ethnic) – 4%	-1
LGB (lesbian, gay, bisexual) – c. 5%	0
Marriage and Civil Partnership - 52%	0
Religion and belief (or none) - 72%	0
Disabilities – 21%	-1
Pregnancy and Maternity b n/a	-1
Rural – 27%	0
Economic Deprivation – 21.8%	-2

* **Bold** = 'Protected characteristics'

Protected characteristics impact

CTR exists to support people on low incomes and as such any change to the working age scheme will impact on households on low incomes which will include:

- Those in a lower socio-economic position

And may include:

- Families with children
- Lone parents
- Carers
- Full-time and part-time workers/self-employed
- Single people and childless couples

However, our most vulnerable claimants and those on the lowest incomes will typically be on a passported benefit e.g. Job Seekers Allowance, Income Support, Employment and Support Allowance etc. and will therefore be unaffected by changes to the scheme. Claimants on passported benefits and lowest incomes continue to receive 100% support under Teignbridge's CTR scheme.

- **Young People**
may be affected indirectly by reduced CTR for families.

Working Age People

Changes to the scheme only impact on working age population. Pensioners are protected from changes made to local schemes as their entitlement is assessed under the prescribed national CTR scheme.

- **Older People**
The Teignbridge scheme does not affect people of pension credit age unless they are the partner of a working age claimant. Pensioners are protected from changes made to local schemes as their entitlement is assessed under the prescribed national CTR scheme.
- **Men**
The scheme does not differentiate on gender.
- **Women**
The scheme does not intend to differentiate on gender, however it has been identified that a significant proportion of single parents are women. There is also a disproportionate amount of women claiming CTR to that of the population at large.
- **Transgender**
The scheme does not differentiate on gender.
- **BAME**
The scheme does not differentiate on race but it is possible that the limit on the the amount of time spent away from Great Britain could disproportionately affect ethnic minority groups.
- **LGB**
The scheme does not differentiate on sexuality
- **Married/Civil partnership**
The scheme does not differentiate on those households who are married or in a civil partnership.
- **Religion**
The scheme does not differentiate on religious grounds.
- **Disabilities**
The scheme continues to provide, the following additional protections for this group:
 - A disregard of Disability Living Allowance (DLA), Personal Independence Payments (PIP) and Attendance Allowance (AA) from the CTR calculation
 - Disability premiums for disabled children and claimants and partners which increase entitlement to CTR
 - No non-dependant deductions are made for claimants and partners in receipt of DLA care, daily living component of PIP or AA
 - A carers premium for claimants and partners who receive Carers Allowance

Households with a disabled occupant may be affected by changes to the scheme but this is less likely given the fact that the applicable amounts are higher and many will continue to receive 100% protection.
- **Pregnancy/Maternity**
Households where a third or subsequent child is born later than 1st April 2017 will not receive any additional CTR as a result of increasing the size of their family. Households on passported benefits, generally considered to be those most in need, will however continue to receive 100% support.
- **Rural**
The scheme will not impact on members of the rural community in any particular aspect
- **Economic Deprivation**
The fact that applicants receiving CTR meet the means testing criteria puts them within the lowest earning brackets in Teignbridge. This means that any change to the scheme has the potential to impact. However, those on the very lowest incomes, and on passported claims, will

continue to receive 100% reduction. The Council introduced an Exceptional Hardship Policy in 2017-18 to directly assist anyone in 'exceptional need' who did not qualify for 100% reduction.

Any adverse impacts are justified by positive impacts of the scheme which create stronger incentives for people who are able to work do so and supports the positive work incentives that are inherent within the Government's Universal Credit scheme

Protections in the existing council tax reduction scheme

The Council Tax Reduction Scheme exists as a local scheme to provide assistance to low income taxpayers. It is a robust and complex system and, as it is currently based on the now obsolete Council Tax Benefit Scheme, it has protections for vulnerable groups built in.

The structure of the means test ensures that vulnerable groups are recognised and protected. This works in the following ways:

- Personal allowances are higher for families with children
- Additional premiums for disabled household members and carers
- Income disregards for certain disability benefits, child benefit and child maintenance
- Earned income disregards; higher rates apply for full time work, disabled workers, certain part-time emergency workers and single parent workers
- Childcare costs disregard for workers with children
- Local disregard of War Pension income

The local scheme maintains the protections and work incentives that have been refined over many years.

Exceptional Hardship Policy - extra protection for claimants

Our scheme, which continues to pay up to 100% reduction for those on the lowest incomes, remains the most generous in Devon. Changes to the scheme introduced in 2017-18 do not impact on anyone receiving a passported benefit. These claimants will continue to receive support at 100% of council tax liability.

Any claimant not in receipt of 100% support, meaning they are required to pay part, or all, of their council tax liability may ask for assistance under the Council's Exceptional Hardship Policy. This Policy was introduced last year to provide a safety net for anyone experiencing significant financial hardship and may be used to remit part or all of an individual's council tax liability.

The Policy provides for consideration of the merits of each individual application and ensures those in greatest need receive the most support. This is considered preferable to introducing a 'blanket-policy' approach to discounting council tax which does not take individual circumstances into account and cannot therefore be adequately targeted at those experiencing exceptional need.

Following introduction of the changes in 2017-18 we have actively encouraged claims for Exceptional Hardship and have received 78 claims in total. Each of these claims was considered on its merits with a full appraisal of the claimant circumstances resulting in 26 claimants being awarded a reduction in the amount of council tax they had to pay.

By the end of Q1 we had awarded £10,156 in Exceptional Hardship and £2,295 by the end of Q2 – a total of £12,451. This cost is shared across all major preceptors and represents a cost to Teignbridge of just over £1,000.

Council Tax debt recovery

We take a sensitive but pro-active approach to council tax debt recovery and try to quickly identify any taxpayer experiencing difficulty paying their council tax in order to provide timely support. We recognise that some taxpayers are reluctant to engage or seek help when they fall into debt and because of this we supplement the issue of statutory notices with text messages and outbound telephone calls to encourage taxpayers to seek help and find solutions. This may be via the exceptional hardship scheme and/or, money management and budgeting advice as appropriate.

Duties

Under the Equality Act 2010 s.149 the Council must annually publish what actions we have taken in response to our 3 equality duties.

This proposal contributes to the duties in the following ways:

1) The elimination of discrimination, harassment, victimisation and other prohibited conduct by

It does not contribute positively or negatively to this objective

2) The advancement of equality of opportunity by

It does not contribute positively or negatively to this objective

3) The fostering of good relations between people by

It does not contribute positively or negatively to this objective

Managers' evaluation

- No major change required.
- Adjustments have been made to better advance equality.
- Continue despite having identified some potential for adverse impacts.
(Please detail your justification here.)
- Cease the proposal. It shows actual or potential unlawful discrimination.

Recommended Actions

The CTR Scheme must be formally adopted each year and any proposed changes subject to major preceptor and public consultation. In conjunction with the Devon Benefit Officers Group we will continue to review the scheme each year and consider the impacts of any future proposed changes.

Sign Off	
Service Manager	 Signed Tracey Hooper _____ Date: 04.01.18 _____
BID	 Signed Kay O'Flaherty _____ Date 04.01.18 _____
	Date the BIA should be reviewed/renewed _____ Date: Annually _____

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