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28 November 2022

## **EXECUTIVE**

A meeting of the **Executive** will be held on **Tuesday, 6th December, 2022** in the **Buckland Athletic Football Club, Kingskerswell Rd, Newton Abbot, TQ12 5JU** at **10.00 am**

PHIL SHEARS  
Managing Director

### **Membership:**

Councillors Connett (Leader), Dewhirst (Deputy Leader), J Hook, Keeling, Jeffries, Nutley, Purser, Taylor and Wrigley

**Please Note:** Filming is permitted during Committee meeting with the exception where there are confidential or exempt items, which may need to be considered in the absence of the press and public. By entering the meeting room you are consenting to being filmed.

## **AGENDA**

### **Part I**

1. **Apologies for absence**
2. **Minutes** (Pages 3 - 6)  
To approve and sign the minutes of the meeting held on 1 November 2022.
3. **Declarations of Interest (if any)**
4. **Public Questions (if any)**  
Members of the Public may ask questions of the Leader or an Executive Member. A maximum period of 15 minutes will be allowed with a maximum of period of three minutes per questioner.

5. **Executive Forward Plan**

To note forthcoming decisions anticipated [on the Executive Forward Plan](#)

6. **Council Tax Reduction Scheme 2023-24** (Pages 7 - 14)

7. **Contribution towards new play park at Manor Gardens,  
Dawlish** (Pages 15 - 18)

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## **EXECUTIVE**

### **1 NOVEMBER 2022**

#### Present:

Cllrs Connett (Leader), Dewhurst (Deputy Leader), J Hook, Keeling, Jeffries, Nutley, Purser and Wrigley

#### Apologies:

Cllrs Taylor

#### Officers in Attendance:

Democratic Services Team Leader & Deputy Monitoring Officer  
Chief Finance Officer & Head of Corporate Services  
Estates Surveyor  
Managing Director

These decisions will take effect from 10.00 a.m. on 8 November 2022 unless called-in or identified as urgent in the minute

#### **54. MINUTES**

The minutes of the meeting held on 4 October 2022 were agreed as a correct record and signed by the Chair.

#### **55. DECLARATIONS OF INTEREST**

None.

#### **56. EXECUTIVE FORWARD PLAN**

**RESOLVED** that the Forward Plan be noted.

#### **57. 2022/23 BUDGET MONITORING - REVENUE & CAPITAL, TREASURY MANAGEMENT LENDING LIST**

The Executive Member for Corporate Resources presented the report to update Members on the principal areas where there were likely to be departures from the 2022/23 revenue budget and summarised those variations to the end of September 2022 including updates on progress with the capital programme and funding and any amendments to the lending list for treasury management purposes. He advised that as at the end of September 2022 there was a favourable variance of £146,160.

**RESOLVED** that:-

- (1) The revenue budget variations for 2022/23 as shown at appendix 1 be approved;
- (2) The updated capital programme as shown at appendix 2 be approved; and
- (3) The updated lending list as shown at appendix 3 be noted.

The vote was unanimous.

**58. LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 - EXCLUSION OF PRESS AND PUBLIC**

**RESOLVED** that, under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of the following items on the grounds that they involve the likely disclosure of exempt information as defined in the relevant paragraph 3 of Part 1 of Schedule 12A of the Act.

**59. APPROVAL FOR NEW LEASES AT MARKET WALK - FORMER POST OFFICE**

Members discussed the constraints with the Former Post Office building and the exploration of options for the future use of the building.

**60. APPROVAL FOR NEW LEASES AT MARKET WALK - UNIT 6**

The Executive Member for Corporate Services presented a report which sought approval for the granting of a lease at Unit 6 Market Walk.

**RESOLVED** that the Head of Place and Commercial Services, in conjunction with the Head of Legal Services, be authorised to grant lease as outlined in the circulated report on such terms as they consider appropriate.

The vote was unanimous.

**61. LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 - INCLUSION OF PRESS AND PUBLIC**

**RESOLVED** that the meeting return to Part I with the press and public present.

**62. APPROVAL FOR NEW LEASES AT MARKET WALK - FORMER POST OFFICE**

Following the discussion in Part II Executive:-

**RESOLVED** that officers prepare a further options report on the Former Post Office building by 30 June 2023.

The vote was unanimous.

The meeting started at 10.00 am and finished at 10.50 am.

Chair

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**Teignbridge District Council  
Executive  
6 December 2022  
Part i**

**Council Tax Reduction Scheme 2023-24**

**Purpose of Report**

To seek support for the Council Tax Reduction scheme for year 2023-24.

The report proposes no change to the current Council Tax Reduction Scheme (CTR) itself but highlights the potential need to uplift the income thresholds within the bands to reflect any annual uprating in primary benefits. This will protect claimants from any loss of CTR support should the Government decide to apply an increase. The scheme makes provision for an uplift to be applied where appropriate. At the time of writing no decision has been taken by Government in this regard.

**Recommendation(s)**

The Executive RECOMMENDS to Council that the Council Tax Reduction Scheme (attached as Appendix A) is adopted for the year 2023-24 with the income amounts uprated in line with any annual uprating in primary benefits which may be announced later this year.

**Financial Implications**

The financial implications are highlighted in paras 3.1 - 3.5 and 6.1 - 6.2. CTR scheme costs are considered as part of the council tax and council tax base numbers within the budgetary process

Martin Flitcroft – Chief Finance Officer and Head of Corporate Services

Email: [martin.flitcroft@teignbridge.gov.uk](mailto:martin.flitcroft@teignbridge.gov.uk)

**Legal Implications**

The legal implications are highlighted in paras 6.3 – 6.5.

Paul Woodhead – Head of Legal Services and Monitoring Officer

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## Risk Assessment

This is a no change proposal and is therefore considered low risk. See para 4.5 of the report.

Tracey Hooper – Service lead for Revenue, Benefits and Customer Support  
Email: [tracey.hooper@teignbridge.gov.uk](mailto:tracey.hooper@teignbridge.gov.uk)

## Environmental/Climate Change Implications

There are no environmental or climate change implications associated with the recommendations of this report.

William Elliott  
Climate Change Officer  
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## Report Author

Tracey Hooper - Service Lead for Revenue, Benefits and Customer Support  
Email: [tracey.hooper@teignbridge.gov.uk](mailto:tracey.hooper@teignbridge.gov.uk)

## Executive Member

Cllr Richard Keeling – Executive Member for Resources

## Appendices/Background Papers

Appendix A – [Council Tax Reduction Scheme 2022-23](#)  
Appendix B - [Discretionary Discount and Exceptional Hardship Relief Policy](#)

### 1. Introduction/Background

- 1.1 On 14 January 2020 Teignbridge adopted a new Council Tax Reduction Scheme for working age claimants. The new scheme represented a departure from the previous fully means-tested scheme which was complex and costly to administer, to a new discount-based, income-banded scheme which is simpler for customers to understand and quicker to administer.
- 1.2 The new scheme continues to provide up to 100% support and disregards certain incomes when calculating entitlement. In order to maintain work incentives we introduced a standard earnings disregard of the first £25 of earned income and introduced a Return to Work Incentive, continuing to pay Council Tax Reduction for one month beyond the return to work date.
- 1.5 In 2021-22 the Council approved a new provision within the scheme to allow any emergency increases to the levels of welfare benefits made by Government to be disregarded. This was in response to the support measures introduced by Government to help benefit claimants during the Covid-19



pandemic, and ensures the scheme can respond immediately to any future Government imposed changes to welfare provision.

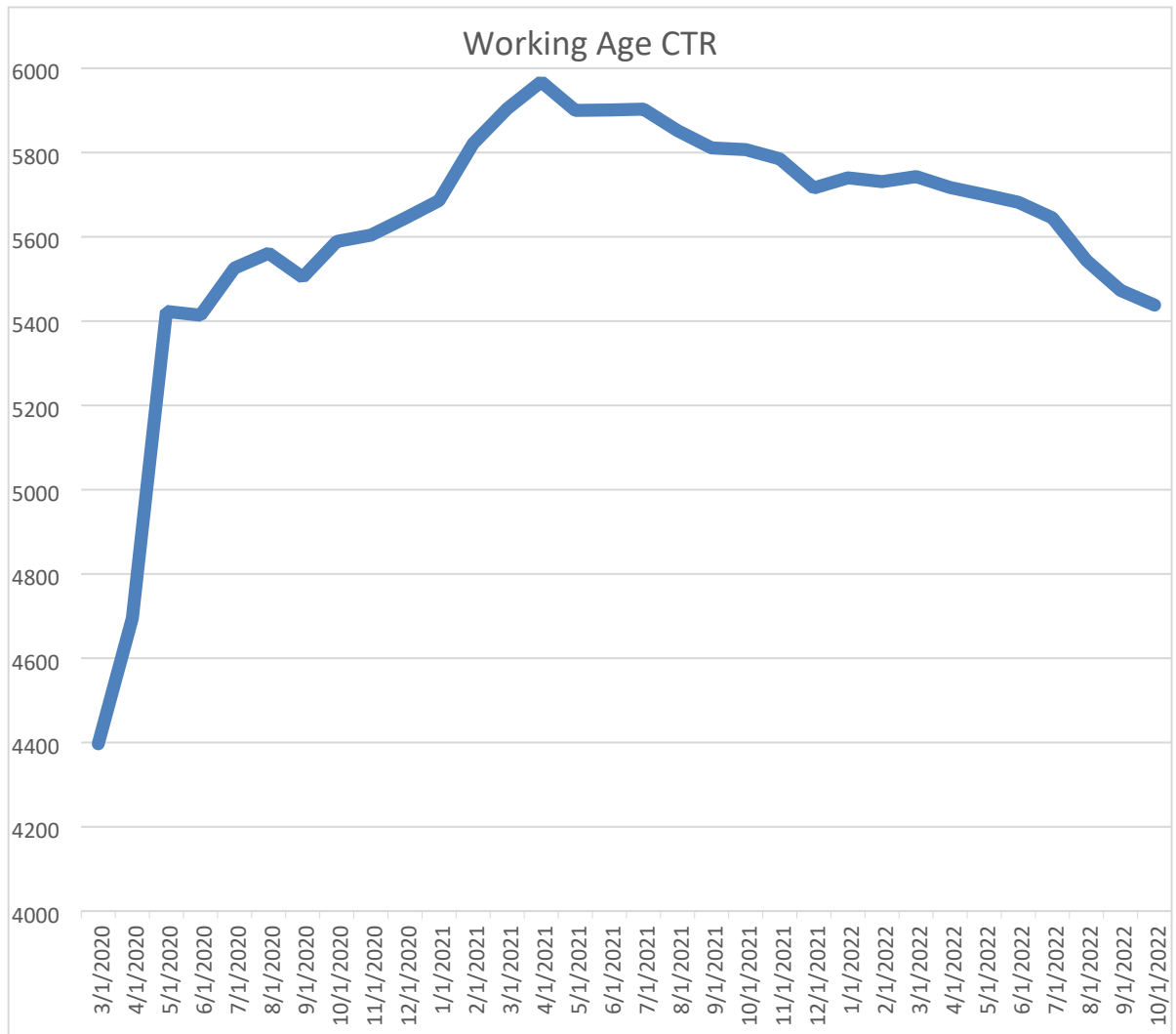
- 1.6 The main scheme is underpinned by our Discretionary Discount and Exceptional Hardship Policy available at Appendix B. The exceptional hardship element of the scheme operates as a safety net for households who receive only partial support from the main scheme and also provides transitional protection where required for households negatively affected by changes to the main Council Tax Reduction scheme. Applications are considered on their merits and, as well as providing financial support in the form of a reduction in council tax liability, provides claimants with access to budgeting and income-maximisation advice via our Homemaker Service.

## 2. Impact of Covid-19 on CTR caseload

- 2.1 As a result of the Covid-19 outbreak in 2020 we experienced an unprecedented increase in the number of working age Council Tax Reduction claimants. This was largely driven by the lockdown which saw a significant increase in Universal Credit claimants. Many of these claimants subsequently claimed CTR.
- 2.2 The impact on number of working age Council Tax Reduction claimants each month since the outbreak is shown below:

Date	Working Age CTR	Change	% Change
31/03/2020	4397		
30/04/2020	4695	298	6.78%
31/05/2020	5423	728	15.51%
30/06/2020	5414	-9	-0.17%
31/07/2020	5526	112	2.07%
31/08/2020	5561	35	0.63%
30/09/2020	5504	-57	-1.02%
31/10/2020	5589	85	1.54%
30/11/2020	5604	15	0.27%
31/12/2020	5644	40	0.71%
31/01/2021	5686	42	0.74%
28/02/2021	5821	135	2.37%
31/03/2021	5904	83	1.43%
30/04/2021	5968	64	1.08%
31/05/2021	5900	-68	-1.14%
30/06/2021	5901	1	0.02%
31/07/2021	5903	2	0.03%
31/08/2021	5852	-51	-0.86%
30/09/2021	5811	-41	-0.70%
31/10/2021	5807	-4	-0.07%
30/11/2021	5785	-22	-0.38%
31/12/2021	5716	-69	-1.19%
31/01/2022	5740	24	0.42%

<b>28/02/2022</b>	5731	-9	-0.16%
<b>31/03/2022</b>	5743	12	0.21%
<b>30/04/2022</b>	5717	-26	-0.45%
<b>31/05/2022</b>	5700	-17	-0.30%
<b>30/06/2022</b>	5682	-18	-0.32%
<b>31/07/2022</b>	5645	-37	-0.65%
<b>31/08/2022</b>	5544	-101	-1.79%
<b>30/09/2022</b>	5473	-71	-1.28%
<b>31/10/2022</b>	5438	-35	-0.64%



2.3 As can be seen from the chart above, our caseload peaked in April 2021 with 5,968 working age claimants receiving CTR. Since that time caseload has fallen with the number in receipt of CTR at the end of October 2022 standing at 5,438 – a reduction since April 2021 of 8.9%. This is still 23.6% higher than our pre-pandemic caseload of around 4,400. Although caseload continues to drop month on month, the drop off rate is quite slow.

- 2.4 Pension age claim numbers, which are less susceptible to economic impacts, have reduced over the last 2 ½ years, with a 9.7% reduction in numbers over the period March 2020 (4,187 claimants) to October 2022 (3,780 claimants)

### 3. CTR Scheme Costs

- 3.1 CTR scheme costs fluctuate in response to caseload increases/decreases as well as annual increases in council tax. Total scheme costs for each year since 2019 are shown below:

	<b>Total spend (working age and pensioner schemes) £</b>	<b>£ Cost to TDC Assuming 8.9%</b>
Accounting year 2019/20	<b>9,110,181.36</b>	810,806.14
Accounting year 2020/21	<b>10,448,093.58</b>	929,880.33
Accounting year 2021/22	<b>10,884,748.42</b>	968,742.61
2022/23 - As at 9 November	<b>10,524,804.38</b>	936,707.59

- 3.2 The cost of the scheme is shared between Teignbridge and the three major preceptors (County, Police and Fire). As at 9th November 2022, the cost to Teignbridge is £936,707.59 (8.9% of total cost). This compares with £968,742.61 (8.9% of total cost) as at end of 21/22. A decrease of £32,035.02.
- 3.3 Due to the gradual reduction in caseload the overall costs of the scheme are slowly reducing. This trend could change if the country falls into recession leading to a likely increase in claimant numbers and a corresponding increase in scheme costs.
- 3.4 The cost of delivering support under our Discretionary Discount and Exceptional Hardship Scheme remains relatively low but we are starting to see an increase in applications as a result of the Cost of Living crisis and anticipate demand may continue to grow. The costs of awarding additional support under this scheme are shared across all major preceptors with Teignbridge bearing 8.9% of the total cost. In 2021-22 total spend amounted to £15.8K (cost to Teignbridge £1,406).

### 4. Review of CTR scheme

- 4.1 During 2022-23, we had planned to conduct a review of all working age council tax claimants to help inform any recommendations for changes in 2023-24 and beyond. However, with the announcement of the Council Tax Energy Rebate Scheme, which ran from 1 April 2022 to 30 November 2022 and the additional demands this placed on the Service we did not have capacity to undertake this review. As the Energy Rebate Scheme is now drawing to an end we have recently commenced the review process and findings from this exercise will help inform any proposals for 2024-25.

- 4.2 We have continued to record reasons for Exceptional Hardship applications in order to monitor its effectiveness as a safety net to the main CTR scheme and to identify whether any changes should be proposed for future years. Analysis indicates that a significant number of applicants submitting an application can afford to pay their council tax but issues with household budgeting have prevented payment. These cases are supported to prioritise their household bills and to maximise income to ensure future liabilities can be met. Households identified as most in need of exceptional hardship support are single occupiers and lone parents but overall numbers are low and findings do not suggest any need to change the design of the main scheme.
- 4.4 We have also reviewed customer comments and complaints and sought feedback from Citizens Advice Teignbridge on the performance of the scheme to date. Having done so, we are satisfied that the Exceptional Hardship scheme is operating effectively as a safety net to the main scheme and that any individual cases caused hardship by the changes introduced in 2020 can be adequately supported via this scheme. We will continue to monitor impacts and consider these alongside the caseload review to inform any longer term changes required.

## **5. 2023-24 Scheme proposals**

- 5.1 The pandemic, followed by the Cost of Living of Crisis, is having a national impact on household budgets. With energy bills having increased in October and likely to increase further, many households, particularly low income households, will struggle to make ends meet.
- 5.2 Teignbridge's CTR scheme currently pays up to 100% support to those on the lowest incomes and has done so ever since the scheme was localised in 2013. Until now it has been the only council in Devon, and one of around only 32 nationally to do so. That picture is now changing with more councils considering increasing support. This includes three Devon councils who are proposing an increase in support up to 100% (East Devon, Mid-Devon and North Devon)
- 5.3 With significant numbers of residents now facing a cost of living crisis it is essential that Teignbridge continues to maximise support for its lowest income households, and the recommendation therefore is for the current scheme, with its maximum 100% level of support to be carried forward unchanged.
- 5.4 The scheme has in-built provision to keep in line with CPI increases where required, primarily to ensure annual increases in primary benefit rates can be accommodated within the existing banding levels. This ensures persons in receipt of primary benefits do not receive reduced CTR support as a result of a cost of living increase in welfare benefits. The Government has yet to announce the level of uplift, if any, but the income bands will be uplifted as necessary to ensure claimants are protected.
- 5.5 The scheme also has in-built provision to incorporate the prescribed changes to pensioner claims which are also set by Government.

## 6. Implications, Risk Management and Climate Change Impact

- 6.1 **Financial** - The cost of the Council Tax Reduction scheme falls on the collection fund with each preceptor meeting the cost in proportion to their precept share. For Teignbridge this share is around 8.5% of the total cost and is factored into the council budget.
- 6.2 The potential increase in income thresholds will preserve entitlement at current levels for claimants on primary benefits so will be cost neutral. However there may be some upward movement into the next band for claimants close to the 'cliff edges' who are not on primary benefits but this is not expected to be significant.
- 6.3 **Legal** – In considering its Council Tax Reduction scheme, the Council must take into account the provisions of the Council Tax Reduction Schemes (Prescribed Requirements) (England) 2012 and subsequent amendments.
- 6.4 Each financial year every billing authority in England is required to consider whether to revise or replace its CTR scheme. Certain procedural requirements must be satisfied before a billing authority can make any revisions including a requirement to consult persons who are likely to have an interest in the operation of the scheme. As no revision is proposed this year there is no requirement to consult
- 6.5 Decisions on the Council Tax Reduction scheme must be made by a meeting of Full Council before 11 March of the preceding financial year. Importantly, for operational reasons the scheme needs to be approved by Council ahead of the Council Tax annual billing process, ideally at its meeting on 12<sup>th</sup> January 2023.
- 6.6 A full Equality Impact Assessment was carried out prior to implementation of the new scheme in 2020-21 and this was reviewed prior to changes made for 2021-22. As no changes are proposed to the current scheme for 2023-24 there are no equality impacts arising from this report.
- 6.7 **Risks** - Since the introduction of Council Tax Reduction schemes there have been a number of legal challenges against other local schemes. Most of these challenges have been in relation to the consultation undertaken when changes were made to schemes. As no changes are proposed for 2023-24 it has not been necessary to carry out a consultation process. The adoption of the current scheme for 2023-24 is therefore considered to be low risk
- 6.8 **Environmental/climate change impact** - The proposal has no impact on environmental or climate change issues.

## **7. Alternative Options**

- 7.1 Council could decide against adopting the scheme for 2023--24. In this scenario the regulations make provision for the 2022-23 scheme to become the default scheme for 2023-24.
- 7.2 Although not in itself a change to the CTR scheme, Council could decide not to use the existing provisions to increase the income band thresholds in line with the uplift in primary benefits. This would result in claimants in receipt of these primary benefits losing 25% of their Council Tax Reduction as a direct result. As our scheme thresholds are largely aligned with these benefit rates (to ensure persons on primary benefits receive appropriate support) failure to increase the thresholds would effectively undermine one of the main intentions of the scheme.

## **8. Conclusion**

- 8.1 The current scheme appears to have performed well overall since its introduction in 2020-21 with low levels of demand for hardship support arising from the changes to the scheme. Collection rates are holding up well and we receive very few complaints or appeals in relation to the operation of our scheme. With the escalating Cost of Living crisis and potential for economic recession it is important that we maintain support at 100% for our lowest income households and continue to provide stability and certainty for our existing claimants by adopting the current scheme for 2023-24

**Teignbridge District Council  
Executive  
6 December 2022  
Part i**

**Contribution towards new play park at Manor Gardens, Dawlish**

**Purpose of Report**

To seek approval for the use of money secured through Section 106 obligations as a contribution towards a new play park at the Manor Gardens, Dawlish

**Recommendation(s)**

The Executive RESOLVES to:

- (1) Approve the use of £143,000 from Section 106 funding for use in the creation of a new play park at the Manor Gardens, Dawlish

**Financial Implications**

The financial implications are set out in paragraphs 2.1 and 3.2 of the report.

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**Legal Implications**

There are no specific legal implications arising from this report.

Head of Legal Services & Monitoring Officer  
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**Risk Assessment**

Risks are set out in section 3.3 of the report.

Head of Place and Commercial Services  
Email: neil.blaney@teignbridge.gov.uk

**Environmental/ Climate Change Implications**

Environmental and climate change implications are covered in Section 3.4 of the report.

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## Report Author

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## Executive Member

Cllr John Nutley, Executive Member for Sport, Recreation and Culture

## Background Papers

1. Dawlish Town Council minutes approving the play park project 6 July 2022 ([Public Pack](#))[Agenda Document for Town Council, 06/07/2022 19:00 \(dawlish.gov.uk\)](#)

### 1. Introduction

- 1.1 Dawlish Town Council are delivering a new play park in the Manor Gardens, Dawlish, and a Play Trail between the park and The Lawn.
- 1.2 The play park and trail will provide enhanced recreational and leisure facilities for all users, with paths and equipment designed to be wheelchair friendly and other features for the visually impaired. The trail will include interactive 'play totems' and a climbing trail.
- 1.3 The new play area is orientated differently to enable a primarily level play space. This has resulted in a loss of open space, which is offset by a much larger and more accessible play area.
- 1.4 The redundant section of the old play area footprint will have a standard tree planted and will be sown with wildflower seed for the benefit and enhancement of biodiversity, habitat and pollination.
- 1.5 The 'Play on the Way' element commences on the Lawn open space. This encourages users to explore the trail, which leads to the new play area, via a small coppice known as The Knowle. The equipment provides climbing, balance, information and interaction.

### 2. Funding

- 2.1 The total cost of the project is £320,882.85, with the Town Council providing up to £200,000 and £143,000 earmarked from Section 106 contributions from developments in Dawlish towards play space and town centre enhancements.
- 2.2 Section 106 money is tied to specific projects or types of projects, and expenditure is time bound.



### 3. Implications, Risk Management and Climate Change Impact

- 3.1 **Financial** – There are sufficient funds available that can be used to fund this request.
- 3.2 **Legal** – There are no specific legal implications arising from this report.
- 3.3 **Risks** – The Town Council has procured the equipment and agreed a project timeline for delivery, on the basis that the Section 106 funding is available for the project. If the transfer of the money is not approved, it places a financial risk on the Town Council. Such that it is likely to jeopardise delivery of the project.
- 3.4 **Environmental/Climate Change Impact** – Applying an emissions factor of 0.142kgCO<sub>2</sub>/£ for Services to Buildings and Landscape to the total project value of £320,882.85 yields an indicative embodied carbon footprint of 45 tonnes CO<sub>2</sub>. When compared to the Authority's total scope 3 carbon footprint, the project would represent approximately 1% of the Authority's carbon footprint. Where the provision of enhanced play parks prevents the need for residents to travel further afield, there will be carbon savings associated with the reduced need to travel.

### 4. Alternative Options

- 4.1 There are no current opportunities or requirements for further investment in play space in the town. On this basis there are no alternative options for investing the Section 106 money, which is earmarked for specific uses.

### 5. Conclusion

- 5.1 There is sufficient budget from Section 106 contributions in Dawlish to fund this contribution.
- 5.2 The proposal represents a very positive opportunity to enhance play provision for all in Dawlish.
- 5.3 The trail and park could have a transformational impact for Dawlish in the same way that The Den play area had in Teignmouth, with wider economic benefits to the town and businesses in the town centre.

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