

West Devon Hub Committee



West Devon
Borough
Council

Title:	Agenda								
Date:	Tuesday, 10th September, 2019								
Time:	2.00 pm								
Venue:	Chamber - Kilworthy Park								
Full Members:	<p style="text-align: center;">Chairman Cllr Jory</p> <p style="text-align: center;">Vice Chairman Cllr Samuel</p> <p><i>Members:</i></p> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">Cllr Edmonds</td> <td style="width: 33%;">Cllr Moody</td> </tr> <tr> <td>Cllr Mott</td> <td>Cllr Pearce</td> </tr> <tr> <td>Cllr Leech</td> <td>Cllr Sellis</td> </tr> <tr> <td>Cllr Cheadle</td> <td></td> </tr> </table>	Cllr Edmonds	Cllr Moody	Cllr Mott	Cllr Pearce	Cllr Leech	Cllr Sellis	Cllr Cheadle	
Cllr Edmonds	Cllr Moody								
Cllr Mott	Cllr Pearce								
Cllr Leech	Cllr Sellis								
Cllr Cheadle									
Interests – Declaration and Restriction on Participation:	Members are reminded of their responsibility to declare any disclosable pecuniary interest not entered in the Authority's register or local non pecuniary interest which they have in any item of business on the agenda (subject to the exception for sensitive information) and to leave the meeting prior to discussion and voting on an item in which they have a disclosable pecuniary interest.								
Committee administrator:	Member.Services@swdevon.gov.uk								

1. Apologies for absence

2. Declarations of Interest

Members are invited to declare any personal or disclosable pecuniary interests, including the nature and extent of such interests they may have in any items to be considered at this meeting.

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

3. Items Requiring Urgent Attention

To consider those items which, in the opinion of the Chairman, should be considered by the Meeting as matters of urgency (if any)

4. Confirmation of Minutes

1 - 8

Minutes of meeting held 16 July 2019;

5. Public Questions

a period of up to 15 minutes is available to deal with issued raised by the public;

6. Hub Committee Forward Plan

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7. Medium Term Financial Strategy 2020/21 to 2024/25 - Cllr Jory

15 - 56

8. Quarter 1 Revenue Monitoring 2019/20 - Cllr Edmonds

57 - 68

9. Capital Budget Monitoring 2019/2020 - Cllr Edmonds

69 - 78

10. Approval of the Plymouth and South West Devon Local Development Scheme - Cllr Mott

79 - 108

11. Homelessness Strategy Action Plan 19/20 - Cllr Sellis

109 - 144

12. Write Off Report - Cllr Edmonds

145 - 152

13. Corporate Strategy - Cllr Jory

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14. Partnership Funding - Cllrs Pearce & Leech	161 - 166
15. Environmental Protection Enforcement Policy - Cllr Mott	167 - 180
16. Lead Member Update - Cllr Cheadle	
17. Reports of Other Bodies - Overview and Scrutiny Committee 3 September 2019:	
To include a recommendation to Hub Committee (to follow);	
Planning Enforcement Plan Review - the full report can be accessed here:	
https://mg.swdevon.gov.uk/documents/s22880/WD%20Enforcement%20Report%20-%20O%20S.pdf	
18. Exclusion of Public and Press:	
to consider the following resolution to exclude the public and press:-	
"That in accordance with Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting during consideration of the following items of business in order to avoid the likely disclosure to them of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Act";	
19. IT Procurement - Cllr Edmonds	181 - 196
20. Grounds Maintenance Review - Cllr Mott	197 - 202
21. Land at Okehampton - Cllr Jory	203 - 208

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Agenda Item 4

At a Meeting of the **HUB COMMITTEE** held at the Council Chamber, Council Offices, Kilworthy Park, Drake Road, **TAVISTOCK** on **TUESDAY** the **16th** day of **JULY, 2019** at **3.00 pm**

Present: Cllr N Jory – Chairman
Cllr L Samuel – Vice Chairman

Cllr R Cheadle	Cllr C Edmonds
Cllr A F Leech	Cllr J B Moody
Cllr C Mott	Cllr T G Pearce
Cllr D K A Sellis	

In attendance: Chief Executive
Group Manager Support Services & Customer First
Commissioning Manager
S151 Officer
Head of Assets
Head of Environment Services Practice
Head of IT Practice
Specialist Democratic Services

Other Members in attendance:
Cllrs Ewings, Daniel, Vachon, Crozier, Ratcliffe,
Southcott, Moyses

***HC 10 DECLARATIONS OF INTEREST**

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

Cllr A F Leech declared a personal interest in Item 9: 'Northern Outreach Service' (Minute *HC 15 below refers) by virtue of being a Member of Okehampton Town Council and involved with the Ockment Centre. He remained in the meeting and took part in the debate and vote thereon;

***HC 11 MINUTES**

The Minutes of the Hub Committee meeting held on 4 June 2019 were confirmed and signed by the Chairman as a correct record.

A Hub Member requested that recommendations were presented within minutes in a consistent manner, i.e. that all recommendations were written in full and did not refer to 'as set out in paragraph x'. The Chief Executive agreed that in the interests of transparency it was correct that recommendations be written in full.

***HC 12 HUB COMMITTEE FORWARD PLAN**

Members were presented with the Hub Committee Forward Plan setting out items on the agenda for Hub Committee meetings for the next four months, and the Forward Plan was agreed subject to a minor correction.

HC 13 ACTION PLAN FOR INTERNAL AUDIT REPORT ON TAVISTOCK HOTEL
Members were presented with a report that set out the ten recommendations from the Internal Audit report (Tavistock Hotel Proposal) with the action recommended for each recommendation together with a timescale.

The Lead Member for Resources and Performance introduced the report.

It was then **RESOLVED** that Council be **RECOMMENDED** that the contents of the Internal Audit report (Tavistock Hotel) Action Plan attached at Appendix A of the published agenda report be approved.

[Link to Appendix A here:

<https://mg.swdevon.gov.uk/documents/g1213/Public%20reports%20pack%2016th-Jul-2019%2015.00%20West%20Devon%20Hub%20Committee.pdf?T=10>]

HC 14 COMMERCIAL INVESTMENT STRATEGY

Members were presented with a report that sought approval of an updated and renamed Commercial Property Strategy, amended to take account of recommendations specific to 'in area developments on Council owned land'.

The Lead Member for Enterprise introduced the report and explained the amendments to the Strategy. The Head of Assets responded to questions of clarity, and the Chief Executive and s151 Officer provided further clarity.

During debate, it was recognised that the work of the Invest to Earn Committee and the Climate Change and Biodiversity Group would crossover, and Members needed to keep in mind the distinct purpose for each group.

It was then **RESOLVED** that Council be **RECOMMENDED** that the Commercial Investment Strategy in Appendix A of the published agenda report be approved.

[Link to Commercial Investment Strategy here:

<https://mg.swdevon.gov.uk/documents/g1213/Public%20reports%20pack%2016th-Jul-2019%2015.00%20West%20Devon%20Hub%20Committee.pdf?T=10>]

***HC 15 NORTHERN OUTREACH**

Members were presented with a report that considered the usage of the Northern Outreach Service and how best to offer Council services in the future.

The Lead Member for Customer First introduced the report and he and the Commissioning Manager responded to questions of clarity.

Members had a long and detailed debate on this item. A number of Members were concerned that the Council was withdrawing a service from Okehampton. In response, other Members saw this as an opportunity to provide services in a better way, by engaging with stakeholders.

In response to requests to take more time over the decision, Members were reminded that reviewing the way services were provided in Okehampton had been put forward as a budget saving two years ago. Some Members also noted that service provision was important across the Borough, not just to Okehampton, and generally the Council should look to effective ways of delivering services to all residents. One Member noted the importance of a communications strategy when the service was closed, and ensuring all partner agencies had the correct signposting information to help residents. Members were also reminded of the cost of providing the current service. In concluding, the Lead Member advised that this should not be seen as a cessation of activity but an opportunity to do things differently.

It was then **RESOLVED** that the outreach service at the Ockment Centre be withdrawn as of 31 July 2019 and that an option appraisal on the future of Tavistock Reception be presented to the Hub Committee meeting on 5 November 2019.

To ensure that the withdrawal of the service has as minimal an impact as possible the following steps be implemented:

- Clear Communication: that all residents, agencies based at the Ockment Centre, Okehampton Library, Okehampton Town Council and local parish councils be advised of the withdrawal and given clear guidance on how best to contact the Council;
- Vulnerable Customers: in instances where customers are not able to engage with the Council online or over the telephone, that Mobile Locality Officers be on hand to assist these customers;
- Improved Customer Service: that the Council remain committed to improving customer satisfaction levels in line with its adopted Action Plan.

HC 16

MEDIUM TERM FINANCIAL POSITION FOR 2020/21 ONWARDS

Members were presented with a report that presented a starting point for developing a meaningful five year strategy that set out the strategic intention for all of the different strands of funding available to the Council.

The Leader introduced the report. The s151 Officer responded to a number of specific questions on figures within the report. In responding to a question on the detail of the remedial works to the Tavistock Viaduct, the Chief Executive made clear that Health and Safety was a priority for the Council and if a surveyor advised that works be undertaken then her recommendation was that those works must be completed.

During debate, a Lead Member expressed frustration with the lack of information from central government. The Leader confirmed that at the recent Local Government Association Annual Conference, there was evidence of a great deal of lobbying by local government representatives to central government colleagues on the lack of information being announced by the government on the 2019 Spending Review.

It was then **RESOLVED** that:

1. The forecast budget gap for 2020/21 of £0.4 million and the position for future years be noted;

2. The current options identified and timescales for closing the budget gap in 2020/21 and future years, to achieve long term financial sustainability be noted. These options are summarised as follows:
 - Pensions Strategy (Actuarial Valuation);
 - Council Tax Support Grant;
 - Extended Leadership Team Budget Options;
 - Senior Leadership Team Restructure;
 - Asset Review;
 - Negative Revenue Support Grant;
 - New Homes Bonus allocations for 2020/21 onwards; and
 - Use of Reserves as a temporary measure.

That Council be **RECOMMENDED**:

3. That the Borough Council consults with all of the Town and Parish Councils within the Borough on the basis that the Borough Council is 'minded to' withdraw the Council Tax Support Grant from Town and Parish Councils with effect from 1 April 2020; and
4. To approve a capital budget provision for remedial works to the Tavistock Viaduct as set out in exempt Appendix E and to fund the budget provision from usable capital receipts.

HC 17

PARKING ORDER AMENDMENTS – ELECTRICAL CHARGING AND ADDITIONAL PARKING IN OKEHAMPTON

Members were presented with a report that recommended adding three areas of the Borough Council owned land in Okehampton to the Off Street Parking Places Order and recommended that the Order be updated to allow for the future provision of electric charging points, and to allow enforcement should it be necessary.

The Lead Member for Environment Services introduced the report.

It was then **RESOLVED** that Council be **RECOMMENDED**:

1. That three areas in Okehampton (named: 'North Road', 'Rear of Northfield Road' and 'Neville Road') are added to the Off Street Parking Places Order, so that the land may be protected for the future and so that enforcement may be undertaken; and
2. That the Off Street Parking Places Order be amended to include reference to Electric Charging Points, to enable future provision and enforcement.

***HC 18**

WRITE OFF REPORT

Members were presented with a report that informed them of the debt written off for revenue streams within the Revenue and Benefits service. Debts up to the value of £5,000 were written off by the s151 officer under delegated authority. Permission was sought to write off individual debts with a value of more than £5,000.

The s151 Officer responded to questions of clarity on bad debt provision and collection rates, and also confirmed that for 2018/19 the collection rates for the Council were higher than national average for council tax and slightly lower than average for non-domestic rates. A Lead Member asked that the relevant officers be thanked for their hard work in council tax collection.

It was then **RESOLVED** that:

1. It be noted that, in accordance with Financial Regulations, the s151 Officer has authorised the write off of individual West Devon Borough Council debts totaling £62,632.91 as detailed in the appendices to the presented agenda report at tables 1 and 2; and
2. That the write off of individual debts in excess of £5,000 (totalling £24,407.89) be approved.

HC 19

RESTRUCTURE OF THE SENIOR LEADERSHIP TEAM

Members were presented with a report following the request of Council at its 12 February 2019 meeting for the Chief Executive to present a report recommending a new management structure (Minute: CM 54 'Establishment Review' refers).

The Leader introduced the report. The Chief Executive then outlined her recommended approach.

It was then **RESOLVED** that Council be **RECOMMENDED**:

1. That, with effect from 1 September 2019, a new Senior Leadership Team structure be developed that has the capacity to meet the Councils' needs and addresses four key requirements:
 - Customer Facing;
 - Community Facing;
 - Financial; and
 - Governance and Assurance.

To meet these requirements, it is recommended that the team comprises of the Chief Executive and four Director roles: Strategic Director of Customer Service and Delivery; Strategic Director of Place and Enterprise; Corporate Director of Governance and Assurance; and Corporate Director of Strategic Finance (and Section 151 Officer).

For each of the four Director roles, it is recommended that the role profiles and salaries be approved as set out in Appendix A of the presented agenda report.

2. That the Chief Executive be requested to review and implement changes to the Extended Leadership Team and pay structure to take account of the new Senior Leadership Team structure, other recent changes in the organisation and benchmarking data by the end of December 2019; and
3. That it be noted that the combined restructures will achieve ongoing annual revenue savings estimated to be at least £120,000 per annum (£60,000 per annum for each Council)

***HC 20 LEAD MEMBER UPDATE**

Cllr Jory had circulated a paper to all Members in advance of the meeting that set out how the Corporate Strategy linked to Lead Member areas of responsibility. He accepted that a number of projects were cross-cutting and therefore likely to be across more than one theme, and that on occasion, workloads might require a report to be presented by a different Lead Member.

One Member asked that the circulated document be annotated with lead officer names. The Chief Executive confirmed that the list was not exhaustive but would give an indication of areas of responsibility. In response to a query regarding officer availability, the Chief Executive confirmed that officers would be reminded of the need to prioritise meetings with Members over agile work arrangements.

***HC 21 REPORTS OF OTHER BODIES
Overview and Scrutiny Committee – 11 June 2019**

A: O&S 6 Customer Satisfaction Action Plan Progress

The Committee received the recommendations of the Committee and, with no questions or debate being raised, it was then:

RESOLVED

1. That the progress made to date in improving customer satisfaction in the Waste and Recycling Service and Development Management be noted; and
2. That the next steps in focusing on: pre-empting customer needs; managing expectations; improving the Council's website; social media and call waiting messaging; and preparing for the next Institute of Customer Satisfaction Benchmarking Survey be endorsed.

***HC 22 EXCLUSION OF PUBLIC AND PRESS**

RESOLVED

That in accordance with Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting during consideration of the following item of business as the likely disclosure of exempt information as defined in paragraph 3 of Schedule 12A to the Act is involved.

***HC 23 IT PROCUREMENT**

Following a brief discussion, it was agreed that this report be deferred to the next meeting of the Hub Committee on 10 September 2019.

(The meeting terminated at 6.05 pm)

Chairman

***(NOTE: THESE DECISIONS, WITH THE EXCEPTION OF MINUTES
HC 13, HC 14, HC 16 PARTS 3 and 4, HC 17 and HC 19 WHICH ARE
RECOMMENDATIONS TO FULL COUNCIL
ON 23 JULY 2019, WILL BECOME EFFECTIVE
FROM WEDNESDAY 24 JULY, 2019 UNLESS CALLED IN,
IN ACCORDANCE WITH SCRUTINY PROCEDURE RULE 18).***

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WEST DEVON BOROUGH COUNCIL: HUB COMMITTEE FORWARD PLAN

This is the provisional forward plan for the four months starting September 2019. It provides an indicative date for matters to be considered by the Hub Committee. Where possible, the Hub Committee will keep to the dates shown in the plan. However, it may be necessary for some items to be rescheduled and other items added.

The forward plan is published to publicise consultation dates and enable dialogue between the Hub Committee and all councillors, the public and other stakeholders. It will also assist the Council's Overview and Scrutiny Committee in planning their contribution to policy development and holding the Hub Committee to account.

The Plan is published on the Council's website (www.westdevon.gov.uk)

Members of the public are welcome to attend all meetings of the Hub Committee, which are normally held at Kilworthy Park, Tavistock, and normally start at 2.00 pm. If advance notice has been given, questions can be put to the Hub Committee at the beginning of the meeting.

The Hub Committee consists of nine Councillors. Each has responsibility for a particular area of the Council's work.

Leader – Cllr Neil Jory

Deputy Leader – Cllr Lois Samuel

Lead Member for Environment – Cllr Caroline Mott

Lead Member for Health and Wellbeing – Cllr Tony Leech

Lead Member for Enterprise – Cllr Ric Cheadle

Lead Member for Communities – Cllr Terry Pearce

Lead Member for Customer First – Cllr Jeff Moody

Lead Member for Resources and Performance – Cllr Chris Edmonds

Lead Member for Homes – Cllr Debo Sellis

Further information on the workings of the Hub Committee, including latest information on agenda items, can be obtained by contacting the Democratic Services Section by e-mail to democratic.services@westdevon.gov.uk

All items listed in this Forward Plan will be discussed in public at the relevant meeting, unless otherwise indicated

Portfolio Area	Report Title and Summary	Lead Officer/ Member	Documents to be considered in making decision	Date of Meeting	Consultees and means of consultation
Environment	Title: Coastal Concordat Purpose: To consider the Concordat agreed between WDBC and Marine Management Organisation in respect of planning matters below the mean low tide	Tom Jones	Report of the Head of Place Making Practice Coastal Concordat	Date tbc	
Resources and Performance	Title: IT Procurement* Purpose: Proposal for the approach for the IT Procurement, including proposals for joint arrangements with South Hams District Council	Mike Ward/Cllr Edmonds	Report of Head of ICT	10 September 2019	
Enterprise	Title: Land at Okehampton* Purpose of Report: To seek authority to purchase a parcel of land to support the Council's development ambitions for regeneration of the area	David Parkes/Cllr Cheadle	Report of Specialist Assets	10 September 2019	
Leader	Title: Draft Corporate Strategy Delivery Plans Purpose of report: To consider the feedback gathered by Members from their community engagement	Nadine Trout/ Cllr Jory	Report of the Commissioning Manager	10 September 2019	
Environment (Joint Local Plan)	Title: Local Development Scheme Purpose of Report: To seek approval for the Joint Local Development Scheme	Richard Grant/Cllr Mott	Report of Strategic Planning Manager (Joint Local Plan)	10 September 2019	
Environment	Title: Environmental Protection Policies	Cathy Aubertin/Cllr Mott	Report of Head of Environment Services	10 September 2019	

Portfolio Area	Report Title and Summary	Lead Officer/ Member	Documents to be considered in making decision	Date of Meeting	Consultees and means of consultation
	Purpose of report: To review and update current policies in line with legislation in respect of enforcement				
Environment	Title: Grounds maintenance service* Purpose of report: To consider the future provision of a grounds maintenance service, and opportunities for income growth in respect of service area	Cathy Aubertin/ Cllr Mott	Report of the Group Manager Commercial Services and Head of Environment Services Practice	10 September 2019	
Homes	Title: Homeless Strategy Year 3 Purpose of the report: To set out Year 3 of the Strategy	Issy Blake/ Cllr Sellis	Report of Head of Housing, Revenues and Benefits Practice	10 September 2019	
Council	Title: Write Off Report for Quarter 1 Purpose of report: The Council is responsible for the collection of: Housing Rents, Sundry Debts including Housing Benefit Overpayments, Council Tax and National Non-Domestic Rates. The report informs members of the debt written off for these revenue streams.	Lisa Buckle/ Cllr Edmonds	Report of s151 Officer	10 September 2019	
Council	Title: Revenue Budget Monitoring Quarter 1 Purpose of report: A revenue budget monitoring report to monitor income and expenditure variations against the approved revenue budget for 2019/20, and to provide a forecast of the year end position	Pauline Henstock/ Cllr Edmonds	Report of Head of Finance Practice	10 September 2019	

Portfolio Area	Report Title and Summary	Lead Officer/ Member	Documents to be considered in making decision	Date of Meeting	Consultees and means of consultation
Council	Title: Capital Budget Monitoring Quarter 1 Purpose of report: The report advises Members of the progress on individual schemes within the approved capital programme for 2019/20, including an assessment of their financial position	Pauline Henstock/ Cllr Edmonds	Report of Head of Finance Practice	10 September 2019	
Council	Title: Medium Term Financial Strategy for the five years 2020/21 to 2024/25 Purpose of the report: To set the strategic intention for all of the different strands of funding available to the Council. This brings together all known factors affecting the Council's financial position and its financial sustainability, to provide a long term financial forecast.	Lisa Buckle/ Cllr Jory	Report of s151 Officer	10 September 2019	
Communities/Wellbeing	Title: Partnership Funding Levels 2020/21 Purpose of the report: To review Partnership Funding Levels for 2020/21 onwards	Nadine Trout/ Cllr Pearce and Cllr Leech	Report of Commissioning Manager	10 September 2019	
Communities/Wellbeing	Title: Council Tax Reduction Scheme 2020/21 Purpose of the report: It is an annual requirement for the Council to revisit its existing council tax support scheme	Issy Blake/ Cllr Pearce & Cllr Leech	Report of Head of Housing, Revenues and Benefits Practice	5 November 2019	
Enterprise	Title: Formation of a wholly owned company	C Brook/ Cllr Cheadle	Report of Head of Assets	5 November 2019	

Portfolio Area	Report Title and Summary	Lead Officer/ Member	Documents to be considered in making decision	Date of Meeting	Consultees and means of consultation
	Purpose of Report: To consider the formation of a wholly owned company to facilitate commercial activity				
Council	Title: Report of the Political Structures Working Group Purpose of Report: To update Members on the outcome of the Political Structures Working Group meeting and recommendations	Kathy Trant/Cllr Jory	Report of Political Structures Working Group	5 November 2019	
Leader & Enterprise	Title: Accommodation Strategy Purpose of report: To make recommendations for a future accommodation strategy	C Brook/ Cllr Jory and Cllr Cheadle	Report of Head of Assets	5 November 2019	Accommodation Strategy Working Group
Environment (Joint Local Plan)	Title: Statement of Community Involvement Purpose of Report: To seek authority to go out to consultation on the Statement of Community Involvement	Richard Grant/Cllr Mott	Report of Strategic Planning Manager (Joint Local Plan)	5 November 2019	
Council	Title: Budget Update report, including the announcement on the one-year Spending Review for 2020-21 Purpose: To update Members on the anticipated Government announcement on the One Year Spending Review for 2020-21	Lisa Buckle/Cllr Jory	Report of s151 Officer	5 November 2019	
Council	Title: Write Off Report for Quarter 2 Purpose of report: The Council is responsible for the collection of: Housing Rents, Sundry	Lisa Buckle/ Cllr Edmonds	Report of s151 Officer	3 December 2019	

Portfolio Area	Report Title and Summary	Lead Officer/ Member	Documents to be considered in making decision	Date of Meeting	Consultees and means of consultation
	Debts including Housing Benefit Overpayments, Council Tax and National Non-Domestic Rates. The report informs members of the debt written off for these revenue streams.				
Council	Title: Revenue Budget Monitoring Quarter 2 Purpose of report: A revenue budget monitoring report to monitor income and expenditure variations against the approved revenue budget for 2019/20, and to provide a forecast of the year end position	Pauline Henstock/ Cllr Edmonds	Report of Head of Finance Practice	3 December 2019	
Council	Title: Capital Budget Monitoring Quarter 2 Purpose of report: The report advises Members of the progress on individual schemes within the approved capital programme for 2019/20, including an assessment of their financial position	Pauline Henstock/ Cllr Edmonds	Report of Head of Finance Practice	3 December 2019	
Council	Title: Draft Revenue Budget Proposals 2020/21 Purpose: To present draft budget proposals for 2020/21	Lisa Buckle/Cllr Jory	Report of s151 Officer	3 December 2019	
Council	Title: Draft Capital Programme Proposals 2020/21 Purpose: To present draft Capital Programme Proposals for 2020/21	Lisa Buckle/ Cllr Jory	Report of s151 Officer	3 December 2019	

Report to: **Hub Committee**
Date: **10th September 2019**
Title: **Medium Term Financial Strategy 2020/21 to 2024/25**
Portfolio Area: **Cllr N Jory - Budget Setting Process**
Wards Affected: **All**

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

Author: **Lisa Buckle** Role: **Strategic Finance Lead (S151 Officer)**

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

Recommendations:

**It is recommended that the Hub Committee considers the Medium Term Financial Strategy and recommends to Council:
(These recommendations are set out in detail in Appendix C)**

Recommendation 1: To set the strategic intention to raise council tax by the maximum allowed in any given year, without triggering a council tax referendum, to endeavour to continue to deliver services. The actual council tax for any given year will be decided by Council in the preceding February.

Recommendation 2: To respond to any Government announcement/consultation in September 2019 on Business Rates Reform

Recommendation 3: To continue to actively lobby and engage with the Government, Devon MPs and other sector bodies such as the District Councils Network and the Rural Services Network, for a realistic business rates baseline to be set for the Council for 2020 onwards, if business rates reform is introduced for 2020-21 or a later timescale (it is widely thought that it will be delayed until 2021-22).

Recommendation 4: That WDBC continues to lobby in support of the Government eliminating Negative Revenue Support Grant in 2020/21 (and thereafter) and continues to lobby for Rural Services Delivery Grant allocations which adequately reflect the cost of rural service provision.

Recommendation 5: To use £200,000 of New Homes Bonus funding for 2020-21 (or any alternative scheme) to fund the revenue base budget and then reduce to £100,000 by 2021-22 and £50,000 by 2022-23 for modelling purposes.

Recommendation 6: That the minimum level of Unearmarked Reserves to be retained is increased from £750,000 (2019/20 level) to £900,000 for 2020/21, to reflect the increase in financial risks which the Council faces.

Recommendation 7: To transfer £200,000 of Unearmarked Reserves into the Financial Stability Earmarked Reserve.

Recommendation 8: That the Council continues dialogue with the actuaries of the Devon Pension Fund and DCC on the options for the Council's Pension position, with the aim of reducing the current contributions, increasing affordability, whilst best managing the pension deficit. A report will be presented to Members by January 2020 of options, once the results of the Triennial Pension Revaluation are known.

Recommendation 9: That the Council maintains an Upper Limit on External Borrowing (for all Council services) as part of the Medium Term Financial Strategy of £50 million.

It is also recommended that the Hub Committee:-

- (x) Notes the forecast budget gap for 2020/21 of £0.38 million and the position for future years.
- (xi) Notes the current options identified and timescales for closing the budget gap in 2020/21 and future years, to achieve long term financial sustainability.

1. Executive summary

- 1.1 The Council's Medium Term Financial Strategy (MTFS) is based on a financial forecast over a rolling five year timeframe to 2024/25. The Council, along with other local authorities, has faced unprecedented reductions in Government funding since the Comprehensive Spending Review 2010. Between 2009/10 and 20/21, the Council's Core Government funding has reduced by £3 million.

- 1.2 West Devon has continued to work in partnership with South Hams District Council which has allowed West Devon Borough Council to achieve annual savings of £2.2 million and more importantly protect all statutory front line services.
- 1.3 Between both Councils the annual shared services savings being achieved are over £6 million. However, the Councils continue to face considerable financial challenges as a result of uncertainty in the wider economy and constraints on public sector spending.
- 1.4 West Devon Borough Council is currently forecasting a £0.38 million budget gap in 2020/21. It is important to note that this is a snapshot (a position statement) in September 19 and future Member decisions on the budget strategy and Government announcements will inform future figures within the Medium Term Financial Strategy (MTFS).
- 1.5 In the Financial Modelling in Appendix B, the total budget gap is £379,913 in 2020/21 and this is predicted to decrease to £354,158 in 2021/22 (the £354,158 assumes the budget gap in 20/21 of £379,913 has not been closed). The aggregated Budget Gap is £1.24 million over the five years.
- 1.6 It is important to note that this Medium Term Financial Strategy sets out the budget strategy for the Council for the next five years, with annual reviews and updates when items are further known or are announced by the Government (e.g. it is envisaged that the One Year Spending Review for 2020-21 will be announced in September 2019).
- 1.7 This is the starting point for developing a meaningful five year strategy that sets out the strategic intention for all of the different strands of funding available to the Council. The Council will then be able to rely on this to inform future decisions.
- 1.8 A Cross Party Member Working Group (Financial Stability Review Group) was set up in November 2017 with defined Terms of Reference to look at the Medium Term Financial Strategy and to further look at options for securing financial stability for the longer term. The FSRG is due to reconvene in September 2019 when the announcements on the Spending Review for 2020-21 are envisaged to be made (see details in Section 2.4). The FSRG will regularly report to the Hub Committee and the Overview and Scrutiny Committee

2 BACKGROUND AND UPDATE ON THE BUDGET 2020/21

- 2.1 Over the past four years, West Devon Borough Council has had a 38.2% reduction in Government funding. This compares against 38.8% for the average for Shire District Councils. The Council now receives **no main Government Grant (Revenue Support Grant)** – this has been reduced to zero. Core Government funding has been reduced by £3million per year since 2009/2010.

- 2.2 Negative Revenue Support Grant (RSG) for 2019/20 of £293,000 was eliminated by the Government for one year. There has been no news on what will happen to negative RSG from 2020/21 onwards and therefore the modelling in this report has assumed negative RSG will remain for 2020/21 onwards in some form (e.g. as part of the business rates baseline reset). It is currently estimated to be £293,000 per annum which would be deducted off the Council's business rates funding and represents negative Government grant (it is effectively the Council's further predicted funding cuts). The Council would need to pay this money (£293,000) over to the Government out of its business rates income.
- 2.3 It is thought that the Council Tax Referendum limits for District Councils for 2020/21 will remain the same (the higher of £5 or 2.99%).
- 2.4 The new Chancellor (Sajid Javid) has announced that there will be a one year Spending Review covering the period 2020-21, with a multi year Spending Review held thereafter. The one year Spending Review will be announced in September 2019 – this will mean the Council should find out more information about its finances in September for 2020-21.
- 2.5 Rishi Sunak (Chief Secretary to the Treasury) announced that the Government's Priorities in the Spending Review will be: "We will invest in the priority areas of schools and policing, while delivering our promises on the NHS, defence and Official Development Assistance (ODA)." It is noted that local government is not mentioned as a priority for funding by Rishi Sunak – therefore investment for local Councils is not a stated priority.
- 2.6 The Council was already expecting a one year funding settlement for 2020-21, with any more fundamental changes in funding delayed until 2021-22. It is expected that the Fair Funding Review and the reform of Business Rates will now be delayed until 2021-22 but this has not yet been confirmed. The Council assumes that no decisions or announcements are going to be made until Parliament reconvenes in September. It is also thought more likely that New Homes Bonus will continue in its current form in the one year settlement for 2020-21, with changes being put in place after that.

3 ASSUMPTIONS FOR FINANCIAL MODELLING PURPOSES

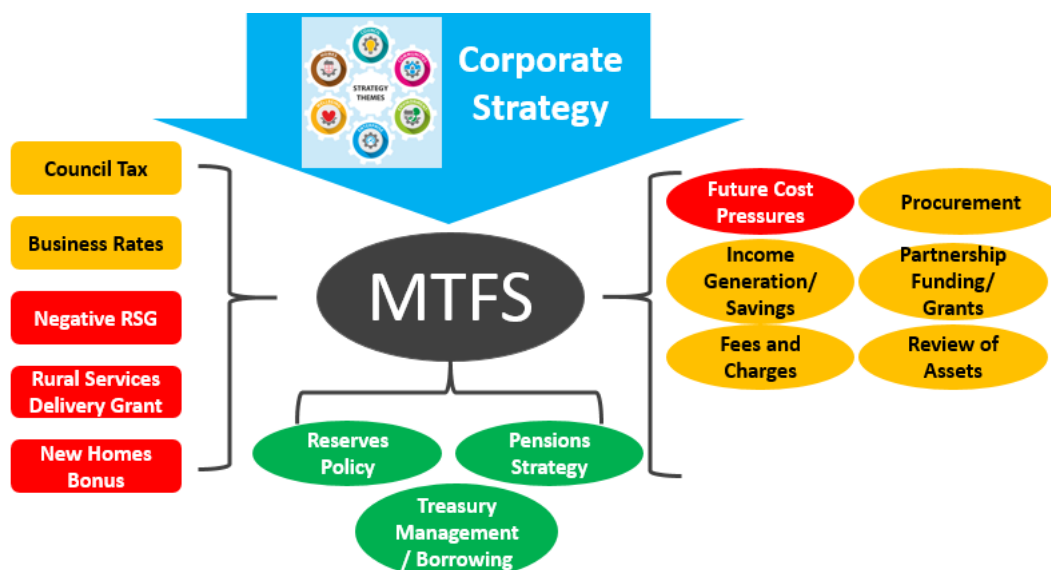
- 3.1 The last pay offer covered the two years up to 31 March 2020. A 1% pay increase has been modelled from 2020/21 onwards. In view of past national agreements, consideration may need to be given to this being increased for modelling purposes to say 2%. The Medium Term Financial Strategy is not an expression of Council Policy on pay awards, but a means of ensuring an appropriate provision is made as part of the overall financial planning of the Council.

- 3.2 This report assumes inflation will run at 2% over the five year period. The Consumer Prices Index (CPI) was 2.0% in July 2019.
- 3.3 The predicted interest rate forecast from our treasury management advisors, Link Services, is that interest rates will remain at 0.75% up to December 2020. By March 2022 the bank base rate is predicted to increase to 1.25%.
- 3.4 An increase in council tax of 2.99% for the next five years has been modelled for council tax purposes. This would equate to a Band D council tax for West Devon of £238.54 in 2020/21 as shown in Appendix B (an increase of £6.91 for the year which equates to 2.99%).
- 3.5 It has been assumed that the number of properties within the Borough will increase by 70 per annum from 2020/21 onwards – this is an increase of approximately 0.3% and is based on projections from the Strategic Planning team.

4. THE COMPONENTS MAKING UP A MEDIUM TERM FINANCIAL STRATEGY (MTFS)

4.1 The Diagram below sets out all of the component parts which constitute the make-up of a Medium Term Financial Strategy. Appendix C goes through each of these components in detail and makes recommendations where appropriate. The recommendations are summarised below. Items in Green denote those elements where the Council has a large degree of control over the setting of policies and strategies. Items in Amber denote those components of the MTFS where the Council has a degree of control. Red items signal components where the Council has hardly any control over funding allocations which are decided by the Government and future cost pressures which can largely be outside of the Council’s control or influence.

2019/20 Net Budget £7.1 million



Council Tax

- 4.2 Members have options to either freeze council tax or to raise council tax anywhere between zero and 2.99%. Anything above 2.99% currently requires a council tax referendum, which is a costly exercise. Recent funding settlements from the Government are based on the assumption that Councils increase council tax by the maximum allowed. The actual council tax for any given year will be decided by Council in the preceding February. (The council tax for 2020/21, the WDBC share, will be set at the Council meeting on 18th February 2020).

A 2.99% increase in council tax for 2020/21 would equate to an increase of £6.91 and a Band D council tax for WDBC of £238.54.

Recommendation 1: To set the strategic intention to raise council tax by the maximum allowed in any given year, without triggering a council tax referendum, to endeavour to continue to deliver services. The actual council tax for any given year will be decided by Council in the preceding February.

Business Rates

- 4.3 The income from Business Rates which West Devon Borough Council retained in 2018-19 was the funding baseline of £2,049,573 plus the pilot gain of £460,000. Estimates have been made of the Baseline funding Level for 2020/21 onwards as set out in Appendix B. This is £1.66m for 2020/21 and £1.70m for 2021/22.

It is widely thought that the reform of Business Rates will now be delayed until 2021-22 but this has not been publicly confirmed by the Government. It is hoped that further clarity on the timescale for Business Rates Reform will be announced by the Government as part of the One Year Spending Review for 2020-21 in September 19.

Recommendation 2: To respond to any Government announcement/consultation in September 2019 on Business Rates Reform

Recommendation 3: To continue to actively lobby and engage with the Government, Devon MPs and other sector bodies such as the District Councils Network and the Rural Services Network, for a realistic business rates baseline to be set for the Council for 2020 onwards, if business rates reform is introduced for 2020-21 (it is widely thought that it will be delayed until 2021-22).

Negative Revenue Support Grant and Rural Services Delivery Grant (RSDG) for 2020-21 onwards

The negative RSG currently included within the Council's modelling for 2020/21 amounts to £293,000. If the Government eliminates this, as an outcome of the one year Spending Review for 2020/21, the Council's budget position is bettered by £293K for 2020/21. However the benefit of this is likely to only be for one year, with negative RSG expected to be implemented in full in 2021/22 – so it just gives the Council longer to prepare for the extra cuts in funding. If the position changes, the MTFs will be updated to reflect this.

Rural Services Delivery Grant (RSDG) – The Council currently receives an allocation of £464,365 per annum for this grant which is given to Councils to compensate for the extra costs of delivering services in rural areas. The Government has not indicated what RSDG allocations will be for 2020-21 onwards (The financial modelling for 2020-21 onwards assumes that this grant will continue at the same level of £464K per annum).

Recommendation 4: That WDBC continues to lobby in support of the Government eliminating Negative Revenue Support Grant in 2020/21 (and thereafter) and continues to lobby for Rural Services Delivery Grant allocations which adequately reflect the cost of rural service provision.

New Homes Bonus (NHB)

- 4.4 The Government has stated that 2019/20 represents the final year of NHB funding and from 2020 onwards they will explore how to incentivise housing growth most effectively and will consult on this issue. The financial modelling has included using £200,000 of New Homes Bonus (or its replacement) funding for 2020/21 to fund the revenue base budget and this has then been reduced to £100,000 for 2021/22 and £50,000 for 2022/23 onwards for modelling purposes. The Council is awaiting announcements from the Government on how New Homes Bonus is going to be reformed.
- 4.5 For 2019/20 there were no changes to the New Homes Bonus baseline of 0.4% (the previous concern was that this could be increased to 0.6%). The baseline is the proportion of housing growth which is deducted as 'natural growth as such' before New Homes Bonus is paid to a Council – this is the equivalent of 98 properties for West Devon. So the Council receives no New Homes Bonus on the first 98 properties of property growth per year. The Council's New Homes Bonus allocation for 2019/20 was £500,595.

Recommendation 5: To use £200,000 of New Homes Bonus funding for 2020-21 (or any alternative scheme) to fund the revenue base budget and then reduce to £100,000 by 2021-22 and £50,000 by 2022-23 for modelling purposes.

Reserves Policy

- 4.6 The current Levels of Reserves: £1.286 million Unearmarked Reserves and Earmarked Reserves of £4.3 million. The Council's Net Budget is £7.1 million for 2019/20. Therefore Unearmarked Reserves equate to 18% of the Council's Net Budget. There is £0.2m uncommitted in the Invest to Earn Earmarked Reserve and £0.2m uncommitted in the Financial Stability Earmarked Reserve. It is further recommended to transfer £0.2m of Unearmarked Reserves into the Financial Stability Earmarked Reserve, to allow the Council to have further flexibility and options around how to close the Budget Gap in 2020/21.
- 4.7 Given the increase in financial risks which the Council faces, the Council should consider increasing the minimum level of Reserves to be held, through a stepped increase over the next five years, to reflect the new level of risks. The increased financial risks are in part from the Council's commercial investment strategy where prudential borrowing of up to a total borrowing limit of £50 million (for all Council services) has been approved.

Recommendation 6: That the minimum level of Unearmarked Reserves to be retained is increased from £750,000 (2019/20 level) to £900,000 for 2020/21, to reflect the increase in financial risks which the Council faces.

Recommendation 7: To transfer £200,000 of Unearmarked Reserves into the Financial Stability Earmarked Reserve.

Pensions Strategy (Actuarial Valuation)

- 4.8 The Council has taken specialist pension advice on the options for the Council's Pension position (informing the actuarial valuation), with the aim of reducing the current deficit contributions, increasing affordability, whilst best managing the pension deficit. Options were presented to the Council's Audit Committee on 22nd January and this work is being progressed by the S151 Officer in accordance with the timetable for the Triennial Pension Revaluation.

Recommendation 8 - That the Council continues dialogue with the actuaries of the Devon Pension Fund and DCC on the options for the Council's Pension position, with the aim of reducing the current contributions, increasing affordability, whilst best managing the pension deficit. A report will be presented to Members by January 2020 of options, once the results of the Triennial Pension Revaluation are known.

Treasury Management and Borrowing Strategy

- 4.9 The Council has taken external treasury management advice on the Council's overall borrowing levels and debt levels (see Exempt Appendix G to the Medium Term Financial Strategy in September 2018). The Council set an Upper Limit on External Borrowing (for all

Council services) as part of the Medium Term Financial Strategy (MTFS) in September 2018 of £50 million. In March 2019, the Council considered its Capital Strategy and Treasury Management Strategy which contained the new requirements issued by MHCLG in February 2018 of the new guidance.

- 4.10 The Council needs to re-consider its borrowing limit as part of this MTFS in September 2019. Officers are not recommending any change to the current borrowing limit of £50 million. The previous treasury management advice on an appropriate and proportional borrowing limit for Borough Council was based on a range of benchmarking of indices. Borrowing needs to be proportionate and affordable and with always having regard to the risks involved in the repayment of the debt.

Recommendation 9 – That the Council maintains an Upper Limit on External Borrowing (for all Council services) as part of the Medium Term Financial Strategy of £50 million.

Income Generation/Savings and Fees and Charges

- 4.11 The Council's Extended Leadership Team will present further budget options to Members for income generation/savings/reduced expenditure, as part of the Budget Setting Workshop being planned for late September/early October.

Procurement

- 4.12 There is a separate report on the Hub Committee agenda for the IT procurement. This report considers the options available for procuring an IT platform which meets the Councils' customer satisfaction aspirations, and digital vision, and describes the rationale and methodology used in arriving at a recommendation.

Partnership Funding/Grants

- 4.13 Partnership Funding levels for 2020/21 onwards is a separate report on the Hub Committee agenda. It is recommended that the Hub Committee adopts a commissioning model to award partnership funding from 2020-23, based on one or all of the following:
- i) local need
 - ii) alignment to the Council's Corporate Strategy
 - iii) statutory duty

Commercial Property and Review of Assets

- 4.14 The Council's Asset Base is £46 million at 31 March 2019. The Council will continually review and challenge its asset base in order to deliver the optimum value for money from the Council's Assets.

- 4.15 The Invest to Earn Committee consider commercial property business cases within the Commercial Investment strategy. The Council has approved a commercial investment strategy within the Council's overall borrowing limit of £50 million. To date, four investment properties have been purchased in 2018/19 with a value of just over £21 million in aggregate. An income projection of £200,000 from the net ancillary income from investments in commercial property has been built into the 2019/20 Base Budget.

Council Tax Support Grant (CTSG) for 2020/21 onwards

- 4.16 The Borough Council is consulting with all of the Town and Parish Councils within the Borough, on the basis that the Borough Council is 'minded to' withdraw the Council Tax Support Grant from Town and Parish Councils with effect from 1st April 2020, in line with the other Devon District Councils and given the number of years which have passed since Council Tax Benefit was abolished in 2014. The Council has requested responses back from Town and Parish Councils by the end of September 2019 and the results will be presented to Members at the Hub Committee meeting on 5th November 2019.

5 BUDGET PRESSURES, SAVINGS AND INCOME GENERATION

- 5.1 Financial modelling has been undertaken for the next five years to predict the Council's financial situation for the short and medium term.
- 5.2 **Appendix A** to the Medium Term Financial Position sets out the Budget Pressures forecast for the next five years and the additional savings and income forecast.
- 5.3 ***These figures in Appendix A show the changes to the existing base budget.***

(As set out in Appendix A)	2020/21	2021/22	2022/23	2023/24	2024/25
Cost Pressures	£479,500	£300,000	£260,000	£335,000	£260,000
Contributions to Earmarked Reserves	£120,000	£120,000	£120,000	£120,000	£120,000
Savings and additional income	(£316,200)	(£221,200)	(£391,200)	(£1,200)	(£1,200)

- 5.4 On 3 September 2019 the Overview and Scrutiny Committee are considering a report on Planning Enforcement, which contains a recommendation for two additional permanent case managers for Planning Enforcement.

- 5.5 If approved, the two posts are recommended to be funded from the Planning Earmarked Reserve in 2019/20 and would be built into the budget setting process as a cost pressure for 2020/21 onwards (these posts are not yet included as a cost pressure within the financial modelling in Appendices A and B). The annual cost pressure would be £21,460 (WDBC share of the cost).

6. OVERALL POSITION – BUDGET GAP

- 6.1 Appendix B illustrates the overall financial forecast for the forthcoming five years. The Council's Net Budget is £7.1 million in 2019/20.
- 6.2 A Summary forecast is shown below of the potential budget situation if all of the budget pressures and the savings and income generation in Appendix A were approved. It also shows the situation if the Council Tax is increased by 2.99% per annum (shown in Appendix B).
- 6.3 The following table illustrates the predicted budget gap from 2020/21 onwards for the Council as shown in Appendix B:

Cumulative Budget Gap	2020/21 £	2021/22 £	2022/23 £	2023/24 £	2024/25 £	Total Aggregated Budget Gap £
Modelling as set out in Appendix B	379,913	354,158	60,124	181,562	262,220	1,237,977

- 6.4 In the Modelling in Appendix B, the total budget gap is £379,913 in 2020/21 and this is predicted to decrease to £354,158 in 2021/22 (the £354,158 assumes the budget gap in 20/21 of £379,913 has not been closed). The aggregated Budget Gap is £1.24 million.

7 FINANCIAL SUSTAINABILITY AND TIMESCALES

- 7.1 The Council is progressing various options for closing the budget gap for 2020/21 onwards, to achieve long term financial sustainability. The table below sets out a timescale for those options and the various strands that the Council is exploring.

Option	Possible Budget Impact	Timescale
<p>Pensions Strategy (Actuarial Valuation) The Council has received specialist pensions advice on its Pensions position (informing the actuarial valuation). Options were reported to the January Audit Committee and the S151 Officer is progressing this work with the Pensions team at Devon County Council and the actuaries.</p>	<p>To be quantified (could be up to £100,000 or more)</p>	<p>Reported to the Audit Committee 22nd January 2019. New pensions contributions for the three years 2020/21 to 2022/23 are likely to be notified to the Council by December 2019.</p>
<p>Council Tax Support Grant The grant to Town and Parish Councils has been reduced by 8.6% over the four year period of the finance settlement from 2016/17 to 2019/20.</p> <p>Council has approved to consult with all of the Town and Parish Councils within the Borough, on the basis that the Borough Council is 'minded to' withdraw the Council Tax Support Grant from Town and Parish Councils with effect from 1st April 2020, in line with the other Devon District Councils and given the number of years which have passed since Council Tax Benefit was abolished in 2014.</p>	<p>£59,000 for 2020/21 onwards</p>	<p>To be considered as part of the 2020/21 Budget process</p> <p>The results of the consultation exercise will be reported back to Members at the Hub Committee meeting on 5th November 2019.</p>

Option	Possible Budget Impact	Timescale
<p>Extended Leadership Team (ELT) Budget options</p> <p>The Extended Leadership (ELT) have been tasked with identifying budget options for Members to consider in September and these are currently being collated and assessed.</p>	To be quantified	September 2019
<p>Asset Review</p> <p>The Invest to Earn Committee are considering commercial property business cases within the Commercial Property acquisition strategy. A report on the updated Commercial Investment Strategy was a separate report on the July 2019 Hub Committee agenda.</p>	To be quantified	On-going through meetings of the Invest to Earn Committee
<p>Funding Options</p>		
<p>Negative Revenue Support Grant (RSG)</p> <p>Negative Revenue Support Grant (RSG) for 2019/20 of £293,000 was eliminated by the Government for one year. There has been no news on what will happen to negative RSG from 2020/21 onwards and therefore the modelling in this report has assumed negative RSG will remain for 2020/21 onwards in some form (e.g. as part of the business rates baseline reset).</p> <p>It is currently estimated to be £293,000 per annum which would be deducted off the Council's business rates funding and represents negative Government grant (it is effectively the Council's further predicted funding cuts). The Council would need to pay this money (£293,000) over to the Government out of its business rates income.</p>	Negative RSG of £293,000 for 2020/21 onwards has been built into this budget report.	The position for 2020/21 onwards is not known and it is hoped that this will be announced as part of the One Year Spending Review for 2020/21.

Option	Possible Budget Impact	Timescale
<p>New Homes Bonus allocations for 2020/21 onwards</p> <p>The Government has stated that 2019/20 represents the final year of NHB funding and from 2020 onwards they will explore how to incentivise housing growth most effectively and will consult on this issue.</p> <p>The financial modelling has included using £200,000 of New Homes Bonus (or its replacement) funding for 2020/21 to fund the revenue base budget and this has then been reduced to £100,000 for 2021/22 and £50,000 for 2022/23 onwards for modelling purposes. The Council is awaiting announcements from the Government on how New Homes Bonus is going to be reformed. This remains a risk for the Council.</p>	<p>To be assessed</p> <p>It is not known what NHB allocations (or a similar scheme) will be in future years when the NHB scheme is replaced.</p>	<p>Awaiting further announcements from the Government</p>
<p>Use of Reserves as a temporary measure</p> <p>The Council could temporarily utilise Reserves to balance an element of the 2020/21 budget, whilst longer term solutions are being implemented.</p> <p>This would be a very short term solution though. The current levels of Reserves are £1.3 million Unearmarked Reserves and Earmarked Reserves of £4.3 million.</p>	<p>To be assessed</p>	<p>To be decided as part of the Budget Process</p>

7.2 Through the Financial Stability Review Group, further measures will be considered to balance the 2020/21 onwards budget positions.

8 CAPITAL PROGRAMME AND PRUDENTIAL BORROWING

8.1 The Capital Programme is set by the Council and may be funded by sale proceeds from the disposal of assets (capital receipts), external grants and contributions, directly from revenue or from borrowing. Bids to the Capital Programme will be presented to Members by December 2019.

8.2 **Commercial Property Acquisition Strategy** – The Council has agreed a commercial property acquisition strategy. To date, four investment properties have been purchased with a value of £21.3 million in aggregate. Purchases made within the strategy are capital expenditure. A report on the updated Commercial Investment Strategy was a separate report on the July 2019 Hub Committee agenda.

8.3 **Prudential Borrowing** - The Council will consider the use of prudential borrowing to support capital investment to deliver services and will ensure that the full costs of borrowing are taken into account when investment decisions are made.

9. Sensitivity analysis and risk analysis

9.1 The Council carries out sensitivity analysis and risk analysis of its Budget Proposals on an annual basis and this is shown in Appendix E.

10 PROPOSED WAY FORWARD

10.1 The MTFs is the starting point for developing a meaningful five year strategy that sets out the strategic intention for all of the different strands of funding available to the Council. The Council will then be able to rely on this to inform future decisions. The different elements that make up a Medium Term Financial Strategy are shown in the diagram in 4.1 and Appendix C. This report is asking Members to set the strategic intention for each of these components of the MTFs.

10.2 Officers will continue to work with the Cross Party Member Working Group (Financial Stability Review Group) and the results of this will be incorporated into future Budget reports. Section 7 sets out the potential timescales against the areas identified.

11. IMPLICATIONS

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance	Y	The Hub Committee is responsible for recommending to Council the budgetary framework. It is the role of the Overview and Scrutiny Committee to scrutinise the Budget proposals being proposed by the Council on an annual basis. In accordance with the Financial Procedure Rules, Council must decide the general level of Reserves and the use of Earmarked Reserves.

		The preparation of the Budget report is evidence that the Council has considered and taken into account all relevant information and proper advice when determining its financial arrangements in accordance with statutory requirements, and in particular, that it will set a lawful budget.
Financial Implications to include reference to value for money	Y	In the Modelling in Appendix B, the total budget gap is £379,913 in 2020/21 and this is predicted to decrease to £354,158 in 2021/22 (the £354,158 assumes the budget gap in 20/21 of £379,913 has not been closed). The aggregated Budget Gap is £1.24 million. The recommendations adopted and the annual budget setting process will ensure the Council has arrangements in place to secure economy, efficiency and effectiveness in its use of resources. The Council's auditors, Grant Thornton, provided an unqualified value for money opinion for the Borough Council for 2018-19, which was reported to the Council's Audit Committee in July 2019.
Risk	Y	Each of the budget options taken forward by Members will consider the risks of the option.
Supporting Corporate Strategy		The Budget report supports all six of the Corporate Themes of Council, Homes, Enterprise, Communities, Environment and Wellbeing.
Comprehensive Impact Assessment Implications		
Equality and Diversity		Equality Impact Assessments are completed for the budget proposals.
Safeguarding		None directly arising from this report.
Community Safety, Crime and Disorder		None directly arising from this report.
Health, Safety and Wellbeing		None directly arising from this report.
Other implications		None directly arising from this report.

Supporting Information

Appendices:

Appendix A – Budget pressures and savings

Appendix B – Modelling of the Budget Position

Appendix C – Components of a MTFS

Appendix D – Schedule of Reserves (Unearmarked and Earmarked)

Appendix E – Sensitivity Analysis

Background Papers

Council – 12th February 2019 – Budget Proposals 2019-20 onwards update report

Hub Committee – 11th September 2018 – Medium Term Financial Strategy 2019/20 to 2023/24

Hub Committee – 16th July 2019 – Medium Term Financial Position for 2020/21 onwards

Approval and clearance of report

Process checklist	Completed
Portfolio Holder briefed	Yes
SLT Rep briefed	Yes
Relevant Exec Director sign off (draft)	Yes
Data protection issues considered	Yes
Accessibility checked	Yes

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BUDGET PRESSURES AND SAVINGS
(This shows the changes to the existing Base Budget)

APPENDIX A

WEST DEVON BOROUGH COUNCIL

BUDGET PRESSURES	BASE 2019/20 £	Yr1 2020/21 £	Yr2 2021/22 £	Yr3 2022/23 £	Yr4 2023/24 £
Waste collection, recycling and cleansing contract (estimate)	80,000	80,000	80,000	80,000	80,000
ICT future service provision	0	150,000	0	0	0
Triennial Pension revaluation	0	75,000	0	0	75,000
Inflation on goods and services	70,000	70,000	70,000	70,000	70,000
Increase in salaries - increments and pay and grading	40,000	40,000	40,000	40,000	40,000
Increase in salaries - pay increase at 2% modelled (1% for 20/21 onwards)	95,000	40,000	40,000	40,000	40,000
Maintenance of trees	0	(20,000)	0	0	0
ICT support contracts - increase the budget to better align to actual expenditure	95,000	0	0	0	0
Reduction in Housing Benefit administration subsidy	20,000	10,000	10,000	10,000	10,000
National Insurance and National Living Wage	20,000	20,000	20,000	20,000	20,000
Additional Level 5 Planning Specialist post (wdbc share of costs 40%)	19,000	0	0	0	0
Member Locality Fund (£500 per Member)	15,500	(15,500)	0	0	0
Payment Collection Expenses	0	30,000	0	0	0
Housing Benefit overpayment recoveries	0	0	40,000	0	0
TOTAL IDENTIFIED BUDGET PRESSURES	454,500	479,500	300,000	260,000	335,000

WEST DEVON BOROUGH COUNCIL

Contribution to Earmarked Reserves (This line shows the annual contributions into the Reserve)	Yr1 2019/20 £	Yr2 2020/21 £	Yr3 2021/22 £	Yr4 2022/23 £	Yr5 2022/23 £
Contribution to IT Development Reserve (£25K per annum)	25,000	25,000	25,000	25,000	25,000
Contribution to Planning Reserve (£25K per annum)	25,000	25,000	25,000	25,000	25,000
Contribution to Elections Reserve (20K per annum)	20,000	20,000	20,000	20,000	20,000
Contribution to Vehicles Replacement Reserve (£50K per annum) - see 10.4 - Minute CM42	50,000	50,000	50,000	50,000	50,000
Total Contribution to Earmarked Reserves	120,000	120,000	120,000	120,000	120,000

BUDGET PRESSURES AND SAVINGS
(This shows the changes to the existing Base Budget)

APPENDIX A

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SAVINGS AND INCOME GENERATION IDENTIFIED	Yr1 2019/20 £	Yr2 2020/21 £	Yr3 2021/22 £	Yr4 2022/23 £	Yr5 2023/24 £
Income from investments in commercial property	100,000	80,000	40,000	120,000	0
Re-procurement of contracts (e.g. savings from Leisure contract)	0	100,000	130,000	270,000	0
Re-procurement of waste collection, recycling and cleansing contract (The £50K contribution to the Vehicle Replacement Earmarked Reserve is deducted from these savings to give a net saving of £254,000 per annum as per 2.10)	304,000	0	0	0	0
Public Conveniences	50,000	0	0	0	0
Kilworthy Park - reduction in operating costs	0	0	50,000	0	0
Housing Benefit recoveries of overpayments (increase income target to reflect actual income being achieved)	50,000	0	0	0	0
Planning Fees (increase income target to reflect actual income being achieved)	50,000	0	0	0	0
Senior Leadership Team - Interim arrangement (£34,000) - Restructure (£60,000) as per July 2019 Council report	34,000	60,000	0	0	0
Reduction in Partnership funding (Minute CM24 - Council 24th July 2018)	14,000	0	0	0	0
Corporate consultancy income	20,000	0	0	0	0
Introduction of Direct Lets Scheme	12,000	0	0	0	0
Energy Certification for Eco Schemes	10,000	0	0	0	0
Cessation of Communities Together Fund	5,000	0	0	0	0
Council Tax Support Grant (CTSG) - the withdrawal of CTSG has been modelled from 1.4.2020	5,500	59,000	0	0	0
Charging for duty planning service	3,500	0	0	0	0
Advertising on websites and e-bulletins	3,500	0	0	0	0
Review corporate training budgets	15,000	0	0	0	0
Reduction in ICT contracts	12,000	16,000	0	0	0
Implement e-billing in council tax	1,200	1,200	1,200	1,200	1,200
TOTAL SAVINGS AND INCOME GENERATION	689,700	316,200	221,200	391,200	1,200



Modelling assumptions: Assumes Council Tax is increased by 2.99% annually					
Line	BASE	Yr1	Yr2	Yr3	Yr 4
No.	2019/20 £	2020/21 £	2021/22 £	2022/23	2023/24 £
1	7,313,795	7,078,595	6,861,982	6,966,537	7,129,371
2	454,500	479,500	300,000	260,000	335,000
3	(689,700)	(316,200)	(221,200)	(391,200)	(1,200)
4	7,078,595	7,241,895	6,940,782	6,835,337	7,463,171
Funded By:-					
5	4,673,499	4,829,617	4,991,172	5,158,006	5,330,368
6	84,000	80,000	80,000	80,000	80,000
7	1,620,367	1,661,000	1,704,000	1,750,000	1,790,000
8	0	(293,000)	(293,000)	(293,000)	(293,000)
9	0	40,000	40,000	40,000	40,000
10	464,365	464,365	464,365	464,365	464,365
11	375,000	200,000	100,000	50,000	50,000
12	(120,000)	(120,000)	(120,000)	(120,000)	(120,000)
13	25,000	0	0	0	0
14	(43,635)				
15	7,078,595	6,861,982	6,966,537	7,129,371	7,341,733
Budget gap/(surplus) per year					
15	0	379,913	(25,755)	(294,034)	121,438
Actual Predicted Cumulative Budget Gap					
	0	379,913	354,158	60,124	181,562
Aggregated Budget Gap (if no action is taken in each individual year to close the budget gap annually)					
	0	379,913	734,071	794,195	975,757

Modelling Assumptions: (Assumes an increase in Band D Equivalent properties of 70 per annum)					
Council Tax (Band D) (an increase of 2.99% per annum has been modelled)	231.63	238.54	245.67	253.01	260.57
Council TaxBase	20,176.57	20,246.57	20,316.57	20,386.57	20,456.57

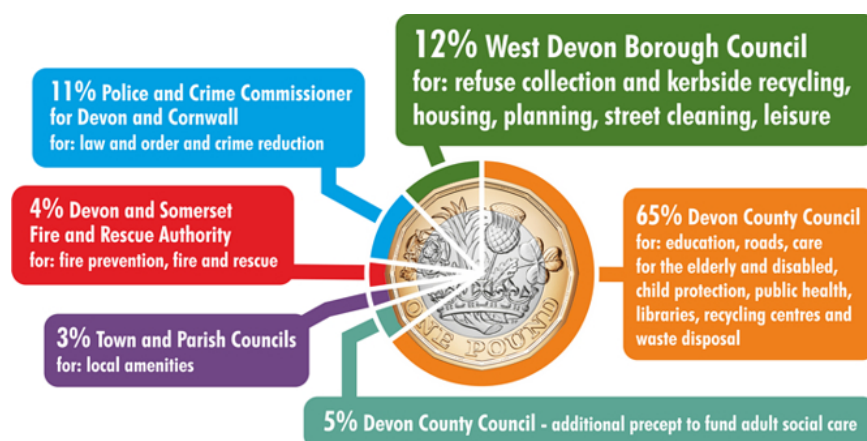
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Council Tax

- Average Band D total bill was £1,987 for 2019-20 (WDBC Band D of £231.63 equates to a 12% share of the council tax bill)



- 2019/20 increase of £6.72 to £231.63 (2.99%) – a 1% increase raises £47,000
- Government Council Tax referendum threshold higher of £5 or 2.99% for 2019-20. There has been no announcement from the Government as to what the referendum threshold will be for 2020-21 (maybe announced in September).
- The Government has not announced any plans to change the council tax system or to carry out a council tax revaluation within the near future. In 2018/19 the Council had 25,576 properties on the Valuation List, the make of up of which was 3,474 (Band A), 6,411 (Band B), 5,332 (Band C), 4,138 (Band D), 3,359 (Band E), 1,764 (Band F), 1,015 (Band G) and 83 properties in Band H. There are more Band B properties in the Borough than any other Band (representing 25%).

Council Tax Strategy Options: Members have options to either freeze council tax or to raise council tax anywhere between zero and 2.99%. Anything above 2.99% currently requires a council tax referendum, which is a costly exercise. Recent funding settlements from the Government are based on the assumption that Councils increase council tax by the maximum allowed.

Recommendation 1: To set the strategic intention to raise council tax by the maximum allowed in any given year, without triggering a council tax referendum, to endeavour to continue to deliver services.

If this recommendation were to be agreed, it would have the following impact on council tax:

Council Tax	2019/20 CURRENT YEAR	2020/21 Year 1	2021/22 Year 2	2022/23 Year 3	2023/24 Year 4	2024/25 Year 5
Band D	£231.63	£238.54	£245.67	£253.01	£260.57	£268.36
£ Increase		£6.91	£7.13	£7.34	£7.56	£7.79
% Increase		2.99%	2.99%	2.99%	2.99%	2.99%

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Business Rates

- Self-sufficient local government: Business Rates Retention (BRR) of **growth above the business rates baseline**. The Government introduced the BRR system in April 2013 with the aim of providing a direct link between business rates growth (economic growth) and the money councils have to spend on local services.
- The title of the scheme (Business Rates Retention) has caused public confusion – as it implies that Councils are able to keep 40% of **all of** the business rates that they collect. This is not the case. Councils are only able to keep a share of any business rates growth above a baseline set by the Government.
- The baseline is the amount of money that the Government has assessed that the Council needs to keep to fund its services, based on a needs formula. The Baseline is around £1.66 million for West Devon for 2020/21 (rising to £1.7 million in 2021/22). Out of the business rates collected of £10.3 million, the Council keeps approximately 16 pence in every £1 to run its services. The rest is paid back to the Government and a proportion goes to Upper Tier Councils e.g. the County Council, to pay for their services.
- There is a risk of volatility in the system because Councils are exposed to any loss of income if businesses go into decline. The Council retains a Business Rates Volatility Earmarked Reserve to cope with any fluctuations in business rates and at 31.3.19 the balance on this Reserve was £0.492m. The Council's appeals provision was £1.62m.
- Since 2013/14 (when Business Rates Retention was introduced with a 50% scheme), the Council has been part of a Devonwide Business Rates Pool which has included all of the Devon District Councils (except South Hams for some of the latter years), Plymouth City Council (Lead Authority), Devon County Council and Torbay Unitary Council. The Pool has made Pooling gains every year and West Devon receives a share of the gains. The table below shows the business rates position from the 2018/19 Accounts.

Business Rates Income receivable 2018/19 (collected)	£10,293,212
Add on Section 31 Grants and Small Business Rates Relief	£1,865,276
TOTAL	£12,158,488
WDBC share (40% - see next page)	£4,863,395
Less Tariff (amount deducted and paid to Government)	£(3,107,710)
Total Business rates remaining after the Tariff (A)	£1,755,685
Funding Baseline 18/19 (money retained by WDBC) (B)	£1,585,208

(Note: As WDBC was a Pilot in 2018/19, the £464,365 of Rural Services Delivery Grant was also included within the Business Rates Baseline for 18/19).

Growth (Business Rates achieved over the Baseline) (A-B)	£170,477
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Therefore the income from Business Rates which West Devon Borough Council retained in 2018-19 was the funding baseline of £2,049,573 (£1,585,208 plus £464,365) plus the pilot gain of £460,000.

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Business Rates Pilot 18/19

- In 2018/19 the Devon Authorities applied to the Government to be a business rates Pilot area and Devon was chosen by the Government to be one of ten Pilot areas nationally.
- West Devon benefitted by approximately £460,000. This was one-off additional revenue money for the year of the pilot only (2018-19). Some of this funding was used to fund the revenue base budget in 2018-19 and the remainder of £316,484 was put into a future financial stability earmarked reserve.
- West Devon is a low growth area as shown overleaf (growth above baseline in 2018/19 was £170,000). West Devon is a beneficiary of the pooling and pilot arrangements as the growth across the whole of Devon is divided up amongst all Devon Councils
- In the future as Council funding is more reliant on business rates income, it puts West Devon in a more precarious position than most Councils due to its low growth and it is extremely important that the Council remains within the Devon pooling arrangements.
- The diagram below compares the split of business rates income under the 50% scheme (from 2013/14 to 2017/18) to the 100% scheme (Pilot status in 2018/19) to the 75% scheme which could be rolled out nationally from 2020/21 onwards.

Split of business rates income	50% scheme (Devon Pool) From 2013/14 to 2017/18	100% scheme (Devon Pilot status) 2018/19 only	75% scheme (could be rolled out nationally)
WDBC (see note)	40%	40%	40%
Central Government	50%	Nil	25%
DCC	9%	59%	34%
Fire	1%	1%	1%
Total	100%	100%	100%
NOTE: Even though West Devon starts off with a 40% share, a tariff is then deducted and paid over to Central Government, and therefore the amount of money West Devon ends up keeping is its business rates baseline funding amount plus any Pooling or Pilot Gain each year.			



Business Rates Baseline Re-set

The future for Business Rates in 2020 onwards

- One of the largest financial risks that the Council is facing is around how the Government will re-set the Business Rates Baseline for the Council in 2020 onwards when the 75% scheme is rolled out nationally. Many factors will influence this, including the Government's Fairer Funding Review.
- It is widely thought that the reform of Business Rates will now be delayed until 2021-22 but this has not been publicly confirmed by the Government. It is hoped that further clarity on the timescale for Business Rates Reform will be announced by the Government as part of the One Year Spending Review for 2020-21 in September 19.

Recommendation 2: To respond to any Government announcement/consultation in September 2019 on Business Rates Reform

Recommendation 3: To continue to actively lobby and engage with the Government, Devon MPs and other sector bodies such as the District Councils Network and the Rural Services Network, for a realistic business rates baseline to be set for the Council for 2020 onwards, if business rates reform is introduced for 2020-21 or a later timescale (it is widely thought that it will be delayed until 2021-22).

Rural Services Delivery Grant



- Rural Services Delivery Grant – The Council currently receives an allocation of £464,365 per annum for this grant which is given to Councils to compensate for the extra costs of delivering services in rural areas. In 2018-19 the £464,365 was built into the Council's business rates baseline due to the Council's Pilot status. The Government has not indicated what RSDG allocations will be for 2020-21 onwards (The financial modelling for 2020-21 onwards assumes that this grant will continue at the same level of £464K per annum).
- The Strategy for Rural Services Delivery Grant (RSDG) is that the Council will continue to provide local evidence of the cost of delivering services in rural areas, in order to lobby for higher allocations of RSDG as has happened in previous years.

Negative Revenue Support Grant



Business Rates Tariff Adjustment in 2019/20 (Negative Revenue Support Grant)

- The Business Rates Tariff Adjustment is an amount (originally scheduled to be applied in 2019/20) which increases an authority's tariff. It is applied where cuts to a Council's Settlement Funding Assessment (SFA) cannot be achieved through further cuts to the Revenue Support Grant (RSG), as the RSG is already zero. In effect the Tariff Adjustment is negative Revenue Support Grant which the Government chose to reflect through a change to the tariff, although this change has nothing to do with the business rates system and has caused confusion.
- In response to the technical consultation issued on 24 July 2018, the Government withdrew temporarily Negative Revenue Support Grant in 2019/20. This cost the Government £153m as negative RSG affects 168 Councils (with both West Devon and South Hams being affected).
- It is not known what will happen to negative RSG in 2020/21 and Councils including ourselves have stressed to the Government the importance of being given certainty of this as soon as possible. It is hoped that the Government will make an announcement on this as part of the One Year Spending Review for 2020/21 due to be announced in September 2019.
- The modelling within the MTFS currently assumes that negative RSG remains in some form (e.g. as part of the business rates baseline reset) from 2020/21 onwards.
- The negative RSG currently included within the Council's modelling for 2020/21 amounts to £293,000. **If the Government eliminates this, as an outcome of the one year Spending Review for 2020/21, the Council's budget position is bettered by £293K for 2020/21. However the benefit of this is likely to only be for one year, with negative RSG expected to be implemented in full in 2021/22 – so it just gives the Council longer to prepare for the extra cuts in funding.** If the position changes, the MTFS will be updated to reflect this.

Recommendation 4: That WDBC continues to lobby in support of the Government eliminating Negative Revenue Support Grant in 2020/21 (and thereafter) and continues to lobby for Rural Services Delivery Grant allocations which adequately reflect the cost of rural service provision.



COMMUNITIES

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New Homes Bonus

- The New Homes Bonus was introduced in 2011 to provide a clear incentive for local authorities to encourage housing growth in their areas. It rewards local Councils for additional homes added to the council tax base, as well as long term empty properties brought back into use. The Council receives £1,337 per property over the baseline plus £280 per affordable home. The Council has modelled an extra 70 properties per annum in its Taxbase (estimate of housing growth).
- The length of New Homes Bonus payments was reduced in length from 6 years to 5 years in 2017-18 and 4 years from 2018-19. From 2017-18 the Government has introduced a national baseline for housing growth of 0.4% below which New Homes Bonus will not be paid, which the Government has said reflects a percentage of housing that would have been built anyway. The baseline equated to 98 Band D Equivalent properties for West Devon. **So for the first 98 extra properties per annum the Council receives no NHB.**
- **The Government has previously stated that 2019-20 represents the final year of NHB funding** and from 2020 onwards they will explore how to incentivise housing growth most effectively, for example by using the Housing Delivery Test results to reward delivery or incentivising plans that meet or exceed local housing need. The Government will consult widely on any changes prior to implementation. It is not known if NHB will continue for one more year in 2020-21 with wider reform for 2021-22. It is also not known if legacy payments already earned will be honoured.
- The table below shows possible levels of NHB (or an alternative introduced post 2020) and how this could be used.

	2019-20	2020-21	2021-22	2022-23
Amount of NHB (or alternative scheme)	500,595	337,000?	270,000?	270,000?
To fund Capital (affordable housing)	(80,000)	(50,000)	(50,000)	(50,000)
To fund the Revenue Base Budget	(375,000)	(200,000)	(100,000)	(50,000)
Funding remaining/shortfall	45,595	TBA	TBA	TBA

Recommendation 5: To use £200,000 of New Homes Bonus funding for 2020-21 (or any alternative scheme) to fund the revenue base budget and then reduce to £100,000 by 2021-22 and £50,000 by 2022-23 for modelling purposes.

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Reserves Policy

- Current Levels of Reserves(at 31/3/19): £1.286 million Unearmarked Reserves and Earmarked Reserves of £4.3 million
- The Council's Net Budget is £7.1 million for 2019/20. Therefore Unearmarked Reserves equate to 18% of the Council's Net Budget.
- The Council currently makes annual contributions to Earmarked Reserves of £120,000 to the IT Development Reserve (£25,000), Planning Reserve (£25,000), Elections Reserve (£20,000) and Vehicle Replacement Reserve (£50,000).
- There is £0.2m uncommitted in the Invest to Earn Earmarked Reserve and £0.2m uncommitted in the Financial Stability Earmarked Reserve. It is further recommended to transfer £0.2m of Unearmarked Reserves into the Financial Stability Earmarked Reserve, to allow the Council to have further flexibility and options around how to close the Budget Gap in 2020/21.

Minimum level of Reserves to be held

- As part of the Medium Term Financial Strategy report, it is recommended to approve to retain the policy of maintaining a minimum level of Unearmarked Reserves of £900,000. The Unearmarked Reserves (General Fund) balance of £1.286 million stands above the minimum balance of £900,000 and acts as a safeguard against unforeseen financial pressures. Given the increase in financial risks which the Council faces, the Council should consider increasing this level through a stepped increase over the next five years, to reflect the new level of risks. The increased financial risks are in part from the Council's commercial investment strategy where prudential borrowing of up to a total borrowing limit of £50 million (for all Council services) has been approved.
- Further detail on the Council's Unearmarked and Earmarked Reserves is set out in Appendix D of the Medium Term Financial Strategy.

Recommendation 6: That the minimum level of Unearmarked Reserves to be retained is increased from £750,000 (2019/20 level) to £900,000 for 2020/21, to reflect the increase in financial risks which the Council faces.

Recommendation 7: To transfer £200,000 of Unearmarked Reserves into the Financial Stability Earmarked Reserve.



Pension Strategy

- WDBC currently pays a 13.3% employer pension contribution for staff in the Local Government Pension Scheme. This is called the future service contribution rate. This is the anticipated cost to the Council of the pension rights that staff will accrue in the future and is expressed as a percentage (%) of pensionable payroll. Employees pay a separate amount out of their salary into the Pension Fund (the employee contribution).
- In addition to the 13.3%, the Council pays an annual sum of £524,000 into the Pension Fund as a past service deficit annual contribution. This cost arises where the cost of pension rights that have already been accrued turn out to be higher than expected. This happens where the Fund experience differs from previous assumptions, and so the contributions paid do not match the cost of the pension rights accrued during a previous period. The Council has been paying this sum annually for a long period of time.
- The Pension Fund has an Actuarial Valuation every 3 years which re-calculates the employer contributions that need to be paid for the next three years and the deficit contributions. Below are the results of the 2016 Actuarial Valuation. The results of the 2019 Actuarial Valuation are expected to be known around December 2019.
- WDBC is currently paying the Deficit off over a 17 years recovery period. An option being discussed with the actuaries is to extend the 17 years deficit recovery period to align with the period of other employers within the Devon Pension Fund (which is longer e.g. 20 to 25 years) and to increase the affordability of the payments in the next Actuarial Revaluation. The Council has currently included a £75,000 cost pressure for 2020/21 for the Triennial Pension Valuation. New contribution rates will be advised to the Council by DCC in December 2019, which will inform the cost pressure.

WDBC Pension Fund	2016 Actuarial Valuation
Assets	£22.2 million
Liabilities	£(29.4) million
Deficit	£(7.2) million
Funding Level	76%
Deficit Recovery Period	17 years

Recommendation 8 - That the Council continues dialogue with the actuaries of the Devon Pension Fund and DCC on the options for the Council's Pension position, with the aim of reducing the current contributions, increasing affordability, whilst best managing the pension deficit. A report will be presented to Members by January 2020 of options, once the results of the Triennial Pension Revaluation are known.

Treasury Management /Borrowing Strategy



The Council's Treasury Management Strategy details its borrowing limits and specifies approved institutes for investment, (with maximum limits), based on credit ratings and other pertinent factors. It also publishes Prudential Indicators which set investment and borrowing performance indicators to ensure that the Council stays within these guidelines.

- Borrowing Limits – The Treasury Management Strategy for 2019-20 (approved by Council in March 2019) shows the approved level of Borrowing Limits: Operational Boundary of £47.5 million and Authorised Limit of £50 million
- The Council took external treasury management advice on the Council's overall borrowing levels in September 2018 and this advice was attached in Exempt Appendix G to the Medium Term Financial Strategy in September 2018. Their recommendation was that the Council limits its overall borrowing envelope for its whole operations and services to £50 million. This advice was based on a range of benchmarking of indices that they undertook. Borrowing needs to be proportionate and affordable and with always having regard to the risks involved in the repayment of the debt. Members are able to set a higher borrowing limit if they wish to do so. The S151 Officer's advice is to keep borrowing levels within the £50 million limit advised. Sensitivity analysis is shown in Appendix E.
- The Council has published new indicators for the Investment Strategy for 2019/20 and these include indicators such as the following:
 - Level of debt compared to Net Service Expenditure (proportionality)
(This indicator shows debt is projected to be 6.62 times the net service expenditure of £7 million)
 - Net Commercial Income to Net Service Expenditure ratio (3.86%)
 - Interest cover ratio (this indicator shows the ratio of income from commercial property investments compared to the interest expense incurred by them – stated as 207.88%) – This indicator shows that gross income from commercial property is over twice that of the interest expense.

Recommendation 9 – That the Council maintains an Upper Limit on External Borrowing (for all Council services) as part of the Medium Term Financial Strategy of £50 million.

Treasury Management /Borrowing Strategy (continued)

- The Council maintains regular engagement with our Treasury Management advisors and constantly seeks their advice on our strategic direction and key operational decisions. The Council's Borrowing Strategy will be to borrow appropriately to meet the Council's objectives as a form of financing. The key is affordability criteria and the Council being able to service that borrowing.
- The Council will set a framework around the borrowing through its annual Treasury Management Strategy. There will be regular (at least annual) reviews of the Council's borrowing levels and the Council will weigh up opportunities against that borrowing limit. The key borrowing mechanism is through the PWLB. However the Council will continue to explore other sources.

Minimum Revenue Provision (repaying the Principal element of debt repayments)

- The Council has currently approved the following Minimum Revenue Provision Policy through its Treasury Management Strategy for 2019/20. No changes are currently proposed to the Council's MRP Policy but this will be kept under regular review. If there are projects which officers feel would warrant a different approach, this will be brought back to Members on a business case basis for approval to vary the current MRP Policy.

Borrowing	MRP Methodology
Commercial Property acquisition (Total Council Borrowing of up to £50 million to include all Council services)	<i>Annuity Method</i> <i>(over the 50 years)</i> Under this calculation, the revenue budget bears an equal annual charge (for principal and interest) over the life of the asset by taking into account the time value of money. Since MRP only relates to the 'principal' element, the amount of provision made annually gradually increases during the life of the asset. The interest rate used in annuity calculations will be referenced to prevailing average PWLB rates.

Borrowing	MRP Methodology
	<p>In area Council developments on Council land may propose to repay MRP based on 50% on the annuity method over the 50 year life (the assets will be regularly maintained), and 50% will be paid on maturity of the loan from either sale of the asset (a capital receipt) or through refinancing of the debt. The position would be regularly monitored. If at any point in time the valuation of the asset falls below the open market value then the MRP policy will be revisited.</p>
<p>Waste Fleet, Leisure Investment and Kilworthy Park</p>	<p>Asset Life Method</p> <p>MRP is charged using the Asset Life method – based on the estimated life of the asset.</p> <p>This option provides for a reduction in the borrowing need over approximately the assets' life.</p>

Investments

The Council has widened its use of approved counterparties from countries with a minimum sovereign credit rating of AA-. The criteria, time limits and monetary limits applying to institutions were set out within the Council's treasury management strategy approved at Council in March 2019.

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Future Cost Pressures

- The Council's Strategy is to identify cost pressures as early as possible. Cost pressures can be annual or one-off and can arise for a variety of reasons e.g. legislative changes, increase in demand, factors beyond the Council's control e.g. market conditions such as recycling rates, economic conditions or natural events.
- Appendix A of the Medium Term Financial Strategy (MTFS) sets out the cost pressures which have been identified for the next five years and these total £479,500 for 2020/21.
- The Medium Term Financial Strategy has included a cost pressure of £70,000 for Inflation and increases on Goods and Services. The main items are £20,000 for Business Rates increases, £2,500 for the Apprenticeship Levy, £7,500 Utilities inflation and an amount of £40,000 is to fund a 2.5% uplift on other expenditure budgets.
- The strategy takes account of a 1% rise in pay, however, the Council needs to respond to national pay bargaining. The Council built the 2% pay award for 2019/20 which was nationally agreed into the MTFS and this equated to £95,000. Thereafter 1% has been profiled each year for years 1 to 5 of the MTFS.
- A cost pressure of £150,000 has been included in 19/20 for ICT future service provision and there is a separate report on the Hub Committee agenda regarding this for consideration.
- The strategy will be to state cost pressures as they come onto the horizon and to put mitigation in place through the budget setting process on an annual basis.

Income Generation / Savings



Fees and Charges

- The Council's Extended Leadership Team will present further budget options to Members for income generation/savings/reduced expenditure, as part of the Budget Setting Workshop being planned for late September/early October.
- The Extended Leadership Team will bring forward business cases to Members to invest in technology to make savings or reduce costs in the base budget. This could also be through working with Partners e.g. Town and Parish Councils.
- Income from Fees and Charges will be annually reviewed and set. Some fees and charges are set by statute (e.g. planning fees) and others are set on a cost recovery basis e.g. licensing.
- The Council's strategy is that COP Leads will work with Hub Lead Members to review fees and charges on a regular (at least annual) basis and these will be presented to the relevant Committee or Council for approval as part of the budget setting process.
- For those not prescribed, fees will be set at a realistic rate following appropriate consultation e.g. car parking tariffs, where the Council will be looking to work with towns to achieve the optimum flow of parking to generate business in the towns with neutral income effect.
- Some income will be incidental e.g. recycling and will be market led in terms of income received. The strategy will be to share that risk with the contractor.
- The Council will continue to carry out paid consultancy work for other Local Authorities for example business transformation (T18), Human Resources (carrying out assessments using the behavioural framework) – to generate income for WDBC.
- Assets and Estate Management – the strategy is that rental income will be at market rates and rents are reviewed in a timely manner with active debt recovery. The Council has target occupancy levels, though rent free periods can also be allowed in limited circumstances where there is a business need.

**ENVIRONMENT**

Protecting, conserving and enhancing our built and natural environment

Procurement

- The Council's strategy is to market test its services through a pragmatic and rational approach and to look at the whole value for money case in terms of whether or not to procure. This would include soft market testing and taking procurement advice around the legislative framework.
- Where the Council does go out to procurement, there will be a balance between cost and quality. The Council's strategy is to build flexibility and risk sharing into the Council's contracts, whilst retaining value for money and having the ability to make potential changes on the contract.
- The Council will look to procure externally, where appropriate, keeping risk in mind. Where the Council doesn't have the necessary in-house expertise, the cost of using external advisers will be included within the cost of the project.
- The Council will also future proof its services. For example ICT contracts are much more dynamic and ever-changing and more suited to shorter contracts. Other services such as waste are more suited to longer term contracts.
- There is a separate report on the Hub Committee agenda for the IT procurement. This report considers the options available for procuring an IT platform which meets the Councils' customer satisfaction aspirations, and digital vision, and describes the rationale and methodology used in arriving at a recommendation.

**COMMUNITIES**

Council and residents working together to create strong and empowered communities

Partnership Funding/Grants

**WELLBEING**

Supporting positive, safe and healthy lifestyles and helping those most in need

- There is a separate report on the Hub Committee agenda for Partnership Funding levels for 2020/21 onwards. It is recommended that the Hub Committee adopts a commissioning model to award partnership funding from 2020-23, based on one or all of the following:
 - local need
 - alignment to the Council's Corporate Strategy
 - statutory duty
- The Council's SeaMoor Lotto (Community Lottery) and the Crowdfunder will help certain projects / groups. Partners can join the Lottery facilitated by the Council in order to raise funding.

Review of Assets



COMMUNITIES

Council and residents working together to create strong and empowered communities

ENTERPRISE

Creating places for enterprise to thrive and business to grow



- The Council's Asset Base is £46 million at 31 March 2019. The Council will continually review and challenge its asset base in order to deliver the optimum value for money from the Council's Assets.
- **Commercial Property Acquisition Strategy** – The Council has approved a commercial investment strategy within the Council's overall borrowing limit of £50 million. To date, four investment properties have been purchased in 2018/19 with a value of just over £21 million in aggregate. An income projection of £200,000 from the net ancillary income from investments in commercial property has been built into the 2019/20 Base Budget.
- On 16th July 2019, the Hub Committee recommended to Council (which was approved) an update to the Commercial Investment Strategy to include the renewable energy sector. The Council's commercial investment strategy has multiple objectives as stated below:
 - To support regeneration and the economic activity of the Borough, the LEP area and the South West Peninsula (in that priority order)
 - To enhance economic benefit & create business rates growth
 - To assist with the financial sustainability of the Council as an ancillary benefit
 - To help the Council continue to deliver and/or improve frontline services in line with the Council's adopted strategy & objectives.

West Devon Borough Council was a business rates pilot area for 2018/19, which set out the economic objectives of the pilot area.
- New property acquisitions are assessed against the Council's multiple objectives and the criteria which are set out in the Strategy. The Council will only acquire properties where the running cost does not require Council subsidy. Per acquisition, a minimum net yield (an ancillary benefit) of 1.0% is to be sought, after acquisition, management, maintenance, capital repayment and funding costs. However, the Council may opt to accept a net yield return of less than 1% if the benefits of job creation or safeguarding, tourism, town centre regeneration, business rate growth or effective asset utilisation are deemed more important than a purely financial return.

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RESERVES - PROJECTED BALANCES					APPENDIX D
	Opening balance 01.04.2019	Additions to the Reserve	Predicted spend	Projected balance 31.03.2020	Comments
	£'000	£'000	£'000	£'000	
EARMARKED RESERVES					
Specific Reserves - General Fund					
2016/17 Budget Surplus Contingency	(375)	0	320	(55)	This is the Budget Surplus from 2016/17 which was put into an Earmarked Reserve. Of the commitments, £76,000 relates to the balance of the JSG funding and £65,000 capital funding. In addition £179,000 has been transferred to the new Vehicle Replacement Reserve.
Business Rates Retention Scheme	(492)	0	0	(492)	This relates to a timing issue on the accounting adjustments required for the localisation of business rates. This reserve also deals with any volatility in Business Rate income e.g. due to appeals.
Cannons Meadow, Tavistock	(11)	0	3	(8)	Written down to revenue annually
Car Parking Maintenance	(417)	0	170	(247)	The commitments relate to Brook Street Car Park and Council Owned Asset Investment & Development (minute ref HC4)
Community Housing Fund	(152)	0	70	(82)	Community Housing Projects
Economic Grant Initiatives	(23)	0	0	(23)	
Elections	(24)	(20)	0	(44)	
Environmental Health	(20)	0	2	(18)	
Financial Stability	(267)	(43)	60	(250)	A new reserve created in 2018/19 from the Business Rates Pilot funding. The commitment relates to the purchase of land at Okehampton. Note Recommendation 7 - To transfer £200,000 of Unearmarked Reserves into the Financial Stability Earmarked Reserve.
Flood Works	(15)	0	0	(15)	
Homelessness Prevention	(115)	0	0	(115)	
ICT Development	(76)	(25)	32	(69)	Commitments include replacement laptops for Members £16,000 and Devon WAN upgrade £10,000
Innovation Fund (Invest to Earn)	(453)	0	190	(263)	The commitment mainly relates to the upgrading of Hayedown Depot and upfront borrowing costs on commercial development opportunities within the Borough.
Invest to Save	(12)	0	8	(4)	The commitment relates to the Council Owned Asset Investment and Development (minute ref HC 4)
Joint Local Plan	(30)	0	30	0	
Leisure Services	(231)	0	0	(231)	
Maintenance Fund (Estates)	(196)	0	0	(196)	
Management, Maintenance & Risk Management	(88)	(119)	16	(191)	This is a new reserve set up to manage the ongoing maintenance costs of the Council's Commercial Property Portfolio. The contributions to the reserve equate to 10% of the rental income.
Neighbourhood Planning Grants	(42)	0	20	(22)	The commitment relates to Neighbourhood Planning Specialists
New Homes Bonus	(291)	(501)	733	(59)	Commitment includes £375,000 to fund the 2019/20 revenue budget and £320,000 for the Capital Programme
Outdoor Sports & Recreation Grants	(18)	0	0	(18)	
Planning Policy and Major Developments	(104)	(25)	7	(122)	The commitment relates to the proposal for two permanent Planning Enforcement case managers as detailed in section 9 of the main report.
Revenue Grants	(422)	0	0	(422)	
Section 106 Monitoring	(8)	0	0	(8)	
Support Services Trading Opportunities	(8)	0	0	(8)	
T18 Strategic Change	(234)	0	227	(7)	The commitments include £50,000 for the capital requirement of the Public Toilets pay on entry review (HC.19) and £167,000 has been transferred to the new Vehicle Replacement Reserve.
Vehicle Replacement	0	(396)	396	0	This is a new reserve set up to fund the Council's vehicle replacement programme (Council 4 Dec 2018)
Waste & Cleansing Options Review	(163)	0	43	(120)	The commitment relates to the three weekly waste collection trial (Hub 4 June 2019)
Other Reserves below £15,000	(29)	0	9	(20)	
TOTAL EARMARKED RESERVES	(4,316)	(1,129)	2,336	(3,109)	
TOTAL UNEARMARKED RESERVES	(1,286)	(16)	0	(1,302)	Projected underspend of £16,000 for 2019/20. Note Recommendation 7 - to transfer £200,000 of Unearmarked Reserves into the Financial Stability Earmarked Reserves.
TOTAL REVENUE RESERVES (EARMARKED AND UNEARMARKED RESERVES)	(5,602)	(1,145)	2,336	(4,411)	

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Sensitivity analysis and risk analysis of the Budget Proposals 2020-21

1. The budget assumes approximately £3.3 million of income from fees and charges, recycling and investments. Whilst this assumption is realistic, given the position of the economy there is a risk that income could fall or be less than anticipated. A 5% reduction in income would result in a loss of £165,000.
2. The Budget Proposals rely on proposed savings over the next 5 years of £931,000. A 5% reduction in the savings would equate to £46,550.
3. The Budget Proposals assume budget pressures over the next 5 years of £1.63 million. A 5% increase in the budget pressures would equate to £81,500.
4. Council Tax Income and New Homes Bonus have been modelled based on an extra 70 Band D Equivalent properties per annum increase. Each extra property attracts £1,337 in NHB. If this figure were to actually be say 50 properties (i.e. 20 properties less), this would mean that Council Tax Income would be £5,000 less and New Homes Bonus income would be £27,000 less.
5. Council Tax has been assumed in the Budget Proposals to increase by £6.91 to £238.54 in 2020/21. The additional council tax income this would generate is £140,000. If council tax for 2020/21 were to remain at £231.63, the income from council tax would be overstated by this amount in the Budget Proposals.
6. If Council Tax income collection fell by 1% (collection in 18/19 was 97.7%), this would mean a reduction of council tax income of £47,000. Similarly if Business Rates income collection fell by 1% (collection in 18/19 was 97.6%), this would mean a reduction in business rates income of £15,000.
7. Income from investments has been assumed to increase in line with the expected interest rate forecasts in Section 3. A 0.25% variation in interest rates on investment income equates to £22,000.
8. An allowance of 2% for inflation is included in the budget. Inflation costs are being managed through cost effective procurement.

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

Exempt Appendix G of the Medium Term Financial Strategy presented to Council last year in September 2018, gave advice on the borrowing level for the Council (recommended at £50 million) and the Interest payments on the borrowing as a percentage of available Reserves. The tables below show the impact that a change of Interest payable at 2.5% on borrowing to 3% on borrowing has on this Indicator.

Total Borrowing	Interest repayments at 2.5%	Level of Reserves £5.6m*	Interest payments (at 2.5%) as % of available Reserves
£50m	£1,250,000	£5.6m	22.3%

Total Borrowing	Interest repayments at 3%	Level of Reserves £5.6m*	Interest payments (at 3%) as % of available Reserves
£50m	£1,500,000	£5.6m	26.8%

*(£1.3m of Unearmarked Reserves and £4.3m of Earmarked Reserves)

Summary & conclusion

Sensitivity analysis and risks are identified above with a potential total adverse revenue effect for 2020/21 of £549,000.

Recommendation 6 of the report is that the minimum level of Unearmarked Reserves to be retained is increased from £750,000 (2019/20 level) to £900,000 for 2020/21, to reflect the increase in financial risks which the Council faces (see 4.7 of the main report). I therefore confirm the robustness of the Budget Proposals and the adequacy of the reserves.

Mrs Lisa Buckle, Strategic Finance Lead (£151 Officer)

Report to: **Hub Committee**

Date: **10 September 2019**

Title: **Quarter 1 Revenue Monitoring 2019/20**

Portfolio Area: **Performance & Resources – Cllr C Edmonds**

Wards Affected: **All**

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

Date next steps can be taken: **Recommendation 1 after Call In 18 September 2019; Recommendation 2 after Council 17 September 2019**

Author: **Roderick Hewson** Role: **Finance Business Partner**
Pauline Henstock **Head of Finance Practice and Deputy S.151 Officer**

Contact: **01822 813582** roderick.hewson@swdevon.gov.uk
01803 861377 pauline.henstock@swdevon.gov.uk

Recommendations:

It is recommended that the Hub Committee resolves:-

- i. To note the forecast income and expenditure variations for the 2019/20 financial year and the overall projected underspend of £16,000.
- ii. To consider and make recommendation to Council regarding the proposals set out in the report to the Overview & Scrutiny Committee on 3 September 2019, for two additional planning enforcement level 6 case managers which will cost an additional £21,460 per annum (WDBC share). The two posts are recommended to be funded from the Planning Earmarked Reserve in 2019/20 at a maximum cost of £7,200 (WDBC share).

1. Executive summary

- 1.1 The report enables Members to monitor income and expenditure variations against the approved budget for 2019/20, and provides a forecast for the year end position.

2. Background

- 2.1 The Council's finance procedure rules require budget monitoring reports to be made on a regular basis to the Hub Committee as part of the Council's arrangements for budget management.

3. Outcomes/outputs

Budget Overview

- 3.1 The gross service expenditure budget for 2019/20 was set at £20.5 million (£7.08 million net). **The actual net revenue expenditure is forecast to be underspent by £16,000 when compared against the total budget set for 2019/20.** The largest variance relates to the strong performance of the Council's Commercial Property Investments.

Variances against budget

- 3.2 Table 1 below provides an analysis of the projected variances against budget.

TABLE 1: 2019/20 BUDGET FORECAST

	2019/20 Budget expenditure /(Income) £'000	Budget variations		£'000	Note
		%	£'000		
APPROVED BUDGET				7,079	
Reductions in expenditure/additional income					
Customer First					
Planning income	(387)	(2.6%)	(10)		A
Housing Benefit admin subsidy	(106)	(17.0%)	(18)		B
Financing and Investment					
Commercial Property net investment income	(200)	(25.0%)	(50)		C
Sub total of variations				(78)	
Increases in expenditure/reductions in income					
Commercial Services					
Car Parking income	(1,006)	2.1%	21		D
Customer First					
St James, Okehampton	-	-	10		E
Local Land Charges income	(110)	13.6%	15		F
Strategy & Commissioning					

	2019/20 Budget expenditure /(Income)	Budget variations		Note
Corporate Management – payment collection expenses	7	228.6%	16	G
Sub total of variations				62
PROJECTED OUTTURN				7,063
PROJECTED UNDERSPEND				(16)

Notes

- A. **Planning income** – additional planning income of £10,000 is currently anticipated for 2019/20. However, this is a volatile area which can be very difficult to forecast given the impact of large applications so there is every likelihood that the income will fluctuate as the year progresses.
- B. **Housing Benefit administration subsidy** – it is anticipated that the subsidy grant for Housing Benefit administration is likely to exceed the income budget by £18,000.
- C. **Commercial Property net investment income** – Commercial Property Investments continue to perform well and as such are giving rise to a forecast surplus of £50,000 in 2019/20.
- D. **Car Parking income** – a shortfall in car parking income of £21,000 is currently projected from the first three months of data. However, it is acknowledged that this is the first quarter’s monitor so this figure could fluctuate in the coming months as this is a seasonal income stream.
- E. **St James, Okehampton** – this variance of £10,000 relates to the business rates and utility costs in respect of St James, Okehampton for which the Council is still liable.
- F. **Local Land Charges income** – income for Local land Charges is expected to be short of target by approximately £15,000 in 2019/20.
- G. **Payment collection expenses** – in line with 2018/19, the budget for bank processing fees and internet/card processing fees is anticipated to be exceeded. The current projection is an overspend of £16,000 in 2019/20.

3.3 **Savings/Additional Income identified in the 2019/20 Budget**

This monitoring report includes an update on the position regarding the savings and additional income that were identified in the 2019/20 budget setting process. Please see Appendix B for further information.

4. Management Actions

4.1 The table below sets out the relevant management actions for the revenue expenditure and income variations shown above. It is best practice for the Council to state whether there are any corrective actions that need to be taken for the variances identified in 2019/20.

	Budget variations overspend/ (underspend) £'000	Management Action
Reductions in expenditure/ additional income		
Planning income	(10)	Income levels will be kept under review in 2019/20.
Housing Benefit administration subsidy	(18)	No remedial action required.
Commercial Property net investment income	(50)	The Council will continue to monitor the performance of these investments, as well as seeking any further investment opportunities that fits within its Commercial Property Strategy. An additional income target of £80,000 has been built into the 2020/21 budget.
Car Parking	21	Income levels will be kept under review in 2019/20.
St James, Okehampton	10	A planning application for a change of use of St James, Okehampton has been approved.
Local Land Charges income	15	Income levels will be kept under review in 2019/20.
Payment collection epenses	16	A cost pressure of £20,000 has been built into the 2020/21 budget.

5. Prudential Indicators

5.1 The prudential code indicators were approved in the Treasury Management Strategy report approved by Council on 26 March 2019. The indicators are monitored during the year through the normal revenue and capital monitoring processes. Any exceptions are reported to the Audit Committee. To date all Treasury Management limits have been adhered to. The Treasury

Management Indicators set out the level of predicted capital expenditure and borrowing requirements.

6. Review of Earmarked Reserves

- 6.1 The Council annually undertakes a review of the level of its Earmarked Reserves as part of the budget setting process. A schedule of Earmarked Reserves is attached at Appendix A with their proposed use.
- 6.2 Annually transfers are made from Earmarked Reserves to the Comprehensive Income and Expenditure Account as part of the closure of the end of year Accounts.

7. Income and Reserves

- 7.1 Income monitoring is an integral part of financial management. Current income forecasts are as follows:

Service	Actual Income 2018/19 £'000	Income Budget 2019/20 £'000	Projected Income 2019/20 £'000	Deficit/ (Surplus) £'000	Deficit/ (Surplus) %
Car Parks	938	1,006	985	21	2.1%
Employment Estates	319	290	290	-	-
Land Charges	85	110	95	15	13.6%
Planning income	547	387	397	(10)	(2.6%)
Recycling Credits	266	265	265	-	-
Investment Income	91	90	90	-	-
Commercial Property gross rental income - Note A	955	1,108	1,187	(79)	(7.1%)
TOTAL	3,201	3,256	3,309	(53)	(1.6%)

Note A

The commercial property income figures above relate to the gross rental income for 2019/20. The favourable income variance included in the monitoring report of £50,000 is a net figure anticipated for 2019/20 after deducting all relevant costs (e.g. borrowing costs) from the rental income.

The decision on the level of balances and reserves is taken during the formulation of the annual budget and the medium term financial strategy. As a matter of prudence the Council has set aside various amounts in

reserves to cover future liabilities and items of expenditure and these are attached as Appendix A.

8. Options available and consideration of risk

- 8.1 At this early stage it is important to note that these forecasts can change over the course of the year. Managers can seek out opportunities to reduce any overspends, whilst considering the risk of any adverse impact on the customer experience.

9. Staffing for Planning Enforcement

- 9.1 Set out below is an extract from the Planning Enforcement Review report being considered by the Overview and Scrutiny Committee on 3 September 2019. This sets out a recommendation for two additional permanent case managers for Planning Enforcement.
- 9.2 To address the increased level of demand, enable officers to work to the timescales within the Enforcement Plan and maintain confidence in the service, additional resource will be required. It is requested that two additional, permanent Enforcement Case Managers be approved to join the existing team of five planning enforcement officers (4.6 FTE). These will be at Level 6 and will be additional officers who investigate the complaints. These two posts combined would cost a maximum of £71,538 pa at the top of the scale. This would be shared 70:30 South Hams:West Devon and therefore the cost for West Devon would be £21,460 pa. It is requested that these appointments are made within this financial year as deferring to the next financial year would delay dealing with a number of the existing cases. The two posts are recommended to be funded from the Planning Earmarked Reserve in 2019/20 and if approved, to be built into the budget setting process as a cost pressure for 2020/21 onwards. The Council achieved additional planning income of £214,000 more than the budgeted income of £333,000 for 2018/19. Of this extra income, £130,000 of the additional planning income received was transferred to the Planning Earmarked Reserve, to support peaks and troughs in the planning service.
- 9.3 Should the request for two permanent staff be approved, officers are confident that the Planning Enforcement team will achieve success in dealing with reported cases within the time limits prescribed in the Enforcement Plan.

10. Proposed Way Forward

- 9.1 Revenue budget monitoring will continue on a regular basis and further reports will be brought to the Hub Committee each quarter.

11. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance		The Statutory Powers that apply to this report are the Local Government Act 1972 Section 151 and the Local Government Act 2003 Section 28.
Financial implications to include reference to value for money		<p>The report identifies an overall underspend of £16,000 which equates to 0.2% of the overall net budget set for 2019/20 of £7.08 million, mainly due to the strong performance of the Commercial Property Investments.</p> <p>Members are asked to consider the proposals set out in the Planning Enforcement Review report to the Overview & Scrutiny Committee on 3 September 2019, for two additional planning enforcement level 6 case managers which will cost an additional £21,460 per annum (WDBC share). The two posts are recommended to be funded from the Planning Earmarked Reserve in 2019/20 at a maximum cost of £7,200 (WDBC share).</p>
Risk		<p>Budget variances – continual budget monitoring at all levels within the Council ensures early identification of variances. Reporting to the Hub Committee provides an opportunity for Members to identify and instigate remedial action where appropriate.</p> <p>Resource Planning – the Hub Committee takes into account any significant issues when developing the Council’s Medium Term Financial Strategy. These are identified in the Management Actions section of the report (Section 4).</p>
Supporting Corporate Strategy		The budget monitoring process supports all six of the Corporate Strategy Themes of Council, Homes, Enterprise, Communities, Environment and Wellbeing.
<i>Comprehensive Impact Assessment Implications</i>		
Equality and Diversity		None directly arising from this report.
Safeguarding		None directly arising from this report.

Community Safety, Crime and Disorder		None directly arising from this report.
Health, Safety and Wellbeing		None directly arising from this report.
Other implications		None directly arising from this report.

Supporting Information

Appendices:

Appendix A – Reserves

Appendix B – Savings/Additional income Schedule

Background Papers:

Finance Community of Practice budget monitoring working papers
Medium Term Financial Position for 2020/21 onwards – Hub Committee 16
July 2019

Approval and clearance of report

Process checklist	Completed
Portfolio Holder briefed/sign off	Yes
SLT Rep briefed/sign off	Yes
Relevant Heads of Practice sign off (draft)	Yes
Data protection issues considered	Yes
Accessibility checked	N/A

RESERVES - PROJECTED BALANCES					APPENDIX A
	Opening balance 01.04.2019	Additions to the Reserve	Predicted spend	Projected balance 31.03.2020	Comments
	£'000	£'000	£'000	£'000	
EARMARKED RESERVES					
Specific Reserves - General Fund					
2016/17 Budget Surplus Contingency	(375)	0	320	(55)	This is the Budget Surplus from 2016/17 which was put into an Earmarked Reserve. Of the commitments, £76,000 relates to the balance of the JSG funding and £65,000 capital funding. In addition £179,000 has been transferred to the new Vehicle Replacement Reserve.
Business Rates Retention Scheme	(492)	0	0	(492)	This relates to a timing issue on the accounting adjustments required for the localisation of business rates. This reserve also deals with any volatility in Business Rate income e.g. due to appeals.
Cannons Meadow, Tavistock	(11)	0	3	(8)	Written down to revenue annually
Car Parking Maintenance	(417)	0	170	(247)	The commitments relate to Brook Street Car Park and Council Owned Asset Investment & Development (minute ref HC4)
Community Housing Fund	(152)	0	70	(82)	Community Housing Projects
Economic Grant Initiatives	(23)	0	0	(23)	
Elections	(24)	(20)	0	(44)	
Environmental Health	(20)	0	2	(18)	
Financial Stability	(267)	(43)	60	(250)	A new reserve created in 2018/19 from the Business Rates Pilot funding. The commitment relates to the purchase of land at Okehampton.
Flood Works	(15)	0	0	(15)	
Homelessness Prevention	(115)	0	0	(115)	
ICT Development	(76)	(25)	32	(69)	Commitments include replacement laptops for Members £16,000 and Devon WAN upgrade £10,000
Innovation Fund (Invest to Earn)	(453)	0	190	(263)	The commitment mainly relates to the upgrading of Hayedown Depot and upfront borrowing costs on commercial development opportunities within the Borough.
Invest to Save	(12)	0	8	(4)	The commitment relates to the Council Owned Asset Investment and Development (minute ref HC 4)
Joint Local Plan	(30)	0	30	0	
Leisure Services	(231)	0	0	(231)	
Maintenance Fund (Estates)	(196)	0	0	(196)	
Management, Maintenance & Risk Management	(88)	(119)	16	(191)	This is a new reserve set up to manage the ongoing maintenance costs of the Council's Commercial Property Portfolio. The contributions to the reserve equate to 10% of the rental income.
Neighbourhood Planning Grants	(42)	0	20	(22)	The commitment relates to Neighbourhood Planning Specialists
New Homes Bonus	(291)	(501)	733	(59)	Commitment includes £375,000 to fund the 2019/20 revenue budget and £320,000 for the Capital Programme
Outdoor Sports & Recreation Grants	(18)	0	0	(18)	
Planning Policy and Major Developments	(104)	(25)	7	(122)	The commitment relates to the proposal for two permanent Planning Enforcement case managers as detailed in section 9 of the main report.
Revenue Grants	(422)	0	0	(422)	
Section 106 Monitoring	(8)	0	0	(8)	
Support Services Trading Opportunities	(8)	0	0	(8)	
T18 Strategic Change	(234)	0	227	(7)	The commitments include £50,000 for the capital requirement of the Public Toilets pay on entry review (HC.19) and £167,000 has been transferred to the new Vehicle Replacement Reserve.
Vehicle Replacement	0	(396)	396	0	This is a new reserve set up to fund the Council's vehicle replacement programme (Council 4 Dec 2018)
Waste & Cleansing Options Review	(163)	0	43	(120)	The commitment relates to the three weekly waste collection trial (Hub 4 June 2019)
Other Reserves below £15,000	(29)	0	9	(20)	
TOTAL EARMARKED RESERVES	(4,316)	(1,129)	2,336	(3,109)	
TOTAL UNEARMARKED RESERVES	(1,286)	(16)	0	(1,302)	Projected underspend of £16,000 for 2019/20
TOTAL REVENUE RESERVES (EARMARKED AND UNEARMARKED RESERVES)	(5,602)	(1,145)	2,336	(4,411)	

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Summary of Savings and Additional Income from the 2019/20 Budget Setting Process

APPENDIX B

The table below summarises the savings and additional income that were included in the 2019/20 Budget Setting process and indicates whether the saving/additional income is on track to be delivered

Savings and Additional Income for 2019-20	Income/Savings Target for 2019/20 (£)	Latest Projection for 2019/20 (£)	
Net Income from Investments in Commercial Property	100,000	150,000	The Council's ancillary income from Investments in Commercial Property is currently projected to achieve £250,000 in 2019/20 against a total net income budget of £200,000 (£100,000 was built in to the base budget in 2018/19 and a further £100,000 target in 2019/20).
Reprocurement of Waste Collection, Recycling and Cleansing Contract	304,000	304,000	This annual saving target is on track to be fully achieved. From this saving of £304,000, an annual contribution of £50,000 is being made to the Vehicle Replacement Earmarked Reserve giving a net saving of £254,000 as set out in the report to Council on Waste and Cleansing Procurement on 4 December 2018.
Public Conveniences	50,000	50,000	Negotiations with Towns and Parishes have progressed in line with the timescales envisaged with either asset transfers taken place, contributions being paid towards the running costs of the toilets or negotiations continuing where appropriate.
Housing Benefit, recoveries of overpayments	50,000	50,000	It is expected that the additional income target of £50,000 will be achieved in 2019/20 based on the first three months of data.
Planning Fees	50,000	60,000	Based on the first three months of data, an additional £10,000 of planning income is anticipated in 2019/20.
Senior Leadership Team - Interim Arrangement	34,000	34,000	
Partnership Funding Reduction (Min CM24, Council 24/7/18)	14,000	14,000	
Corporate Consultancy Income	20,000	20,000	The Council is currently processing Disabled Facilities Grants on behalf of Torridge DC which will contribute to this income target in 2019/20.
Direct Lets Scheme	12,000	12,000	
Energy Certification for Eco Schemes	10,000	10,000	
Communities Together Fund	5,000	5,000	
Council Tax Reduction Scheme, grant reduction to Towns and Parishes	5,500	5,500	All Town and Parish Councils were notified of their 2019/20 grant levels as part of their 2019/20 precept setting process.
Duty Planning Service	3,500	3,500	
Website & E-Bulletin Advertising	3,500	1,800	Likely to achieve around £1,800, roughly half the budgeted amount.
Corporate Training Budget Review	15,000	15,000	
ICT Contracts	12,000	12,000	
Council Tax E-Billing	1,200	1,200	
TOTAL	£689,700	£748,000	

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NOT FOR PUBLICATION

Appendices A and B of this report contain exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972

Report to: **Hub Committee**
Date: **10 September 2019**
Title: **Capital Budget Monitoring 2019/2020**
Portfolio Area: **Performance & Resources – Cllr C Edmonds**
Wards Affected: **All**

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

Author: **Angela Endean** Role: **Accountant**
Pauline Henstock **Head of Finance Practice**
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Tel. 01803 861377
E-mail: pauline.henstock@swdevon.gov.uk

Recommendations:

It is recommended that the Hub Committee resolves:-

- i. To note the contents of the Report and make any necessary recommendations to Council

1. Executive summary

The report advises Members of the financial position as at 30th June 2019 for the purposes of budget monitoring. **All capital projects are within the individual capital budgets approved by Members.**

The total capital budget for 2019/20 is £7,238,137 of which £130,002 has been spent to date (Appendix A).

The capital programme is currently underspent in comparison to the budgets. This is mainly due to the capital schemes for the Tavistock Temporary Accommodation Development and the Community Housing Schemes at Brentor and Lamerton being in the early stages. Expenditure on Improvement Grants (Disabled Facilities Grants) is £98,461 at Month 3, compared to the budget for 19/20 of £881,942.

2. Background

The capital programme for 2019/20 was approved by Council on 12 February 2019 (CM53 and HC74 refer). This report provides an update on the Capital Programme.

3. Outcomes/outputs

Members are requested to note the following updates on Capital Projects:

Community Project Grants (previously Village Hall & Community Project Grants)

There is no additional budget allocation for Community Project Grants in 2019/20 however there is a budget of £41,195 from underspends in previous years.

Expenditure to date in 2019/20 is £3,850, any unspent funds in this financial year will be retained for projects in 2020/21.

Affordable Housing

The budget for Affordable Housing in 2019/20 is £50,000. The budget brought forward from previous years is £89,000 giving a total of £139,000 available in 2019/20.

In recent times the capital programme has facilitated affordable housing developments in rural areas by providing a sum of money, normally between £10,000 and £15,000 per plot, to enable the development to proceed. These schemes are typically on exception sites and therefore do not rely on cross subsidy from open market properties, evidence from a Registered Provider (RP) is provided to ensure additional money is required to make the scheme viable. Money is normally required where there are abnormalities on the site or there is a shortage of public subsidy.

Private Sector Renewals including Disabled Facilities Grants (DFG's)

As at the end of June (Month 3), £98,461 has been spent compared to the budget for 19/20 of £881,942.

A further £173,913 has already been approved (committed) and there are further Statements of Need being progressed which total another £167,300.

Waste Fleet

The Council is in discussions with the Waste Contractor, FCC, with regard to the timing of purchases in 2019. It is envisaged that the budget will be utilised in 2019/20. There is no expenditure to the end of June (month 3) however there are commitments of just under £140,000.

Brook Street Car Park, Tavistock

Tenders have been invited for the refurbishment contract and are due for return early in September. The Council will be liable for a 40% share of the cost which is being funded from the Car Park Maintenance Reserve.

Community Housing Schemes

In June Hub Committee considered a report seeking to approve community housing development expenditure of up to £4.3m to build out the first two community housing schemes at Brentor and Lamerton.

A planning application is to be submitted in September 2019 for 12 residential units in Brentor. It is anticipated that this should be determined by the end of 2019 with construction completion targeted for the end of 2020.

The proposal to build 17 residential units in Lamerton is dependent on support by Lamerton Parish Council. If the scheme is not taken forward the funding allocated will be deployed elsewhere.

Tavistock Viaduct

A recommendation was made to Council in July to approve a budget provision for remedial works to Tavistock Viaduct. This is to be funded from the usable capital receipts reserve. Tenders are being sought for the work.

4. Options available and consideration of risk

This is considered on a project by project basis as part of the project appraisal document and initial business case for each capital project.

5. Proposed Way Forward

This is considered on a project by project basis.

6. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance		<p>Statutory powers are provided by the S1 Localism Act 2011 general power of competence.</p> <p>The capital programme is implemented in line with the Council's legal requirements, which are examined on a project-by-project basis. To date there are no undue legal concerns.</p> <p>The appendices to this report are exempt from publication because they contain information about the Council's financial affairs as defined in paragraph 3 of Schedule 12A to the Local Government Act 1972.</p> <p>The public interest test has been applied and it is considered that the public interest lies in not disclosing this report at this time because it contains financial and commercially sensitive information which could prejudice the Council if such information was disclosed at this time.</p>
Financial Implications to include reference to Value for Money		<p>The total capital budget for 2019/20 is £7,238,137 of which £130,002 has been spent as at 30 June 2019 (Appendix A).</p>

		<p>All the capital projects are within the individual capital budgets approved by Members.</p> <p>The regular monitoring of the Capital Programme ensures the Council has arrangements in place to secure economy, efficiency and effectiveness in its use of resources.</p>
Risk		<p>There is a risk that the Capital Programme does not meet the Council's corporate priorities in line with the Council's Asset Strategy and the opportunity to assess emerging projects, which could contribute to the Council's priorities. The mitigation is that there is a project appraisal for each proposal. This is taken into account when assessing possible implementation timescales. Complex capital programmes have a relatively long lead-in period.</p> <p>The Council demonstrates that capital investment contributes to corporate priorities, provides value for money and takes account of the revenue implications of the investment. Regular monitoring of the capital programme and consideration of new pressures enables Members to control the programme and secure appropriate mitigation where problems arise.</p> <p>There is regular quarterly monitoring of the Capital Programme to Members where any cost overruns are identified at an early stage.</p>
Supporting Corporate Strategy		<p>The Capital Programme supports all six of the Corporate Themes of the Council, Homes, Enterprise, Communities, Environment and Wellbeing.</p>
Comprehensive Impact Assessment Implications		

Equality and Diversity		This matter is assessed as part of each specific project.
Safeguarding		This matter is assessed as part of each specific project.
Community Safety, Crime and Disorder		This matter is assessed as part of each specific project.
Health, Safety and Wellbeing		This matter is assessed as part of each specific project.
Other implications		None

Supporting Information

Appendices:

Exempt Appendix A – Details of capital expenditure to 30th June 2019
Exempt Appendix B – Details of Exempt schemes approved as part of the 2019/20 Capital Budget and Purchase of Land at Okehampton

Background Papers:

Capital Budget proposals for 2019/20 - Council 12 February 2019 (CM53 refers)
Capital Budget proposals for 2019/20 – Hub 29 January 2019 (HC74 refers)

Process checklist	Completed
Portfolio Holder briefed	Yes
SLT Rep briefed	Yes
Relevant Exec Director sign off (draft)	Yes
Data protection issues considered	Yes
If exempt information, public (part 1) report also drafted.	N/a

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Report to: **West Devon Hub Committee**
Date: **10 September 2019**
Title: **Approval of the Plymouth and South West Devon Local Development Scheme**
Portfolio Area: **Environment – Cllr Mott**

Wards Affected: **all**

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

Date next steps can be taken:

Following approval by all three JLP Councils

Author: **Richard Grant** Role: **Strategic Planning Manager (Joint Local Plan)**

Contact: **01752 [304331](tel:01752304331)/Richard.grant@plymouth.gov.uk**

Recommendations:

That the Hub Committee approves the Plymouth and South West Devon Local Development Scheme for adoption and publication.

1. Executive summary

- 1.1 The Planning & Compulsory Planning Act 2004, as amended by the Localism Act 2011, requires each local planning authority to prepare and maintain a document setting out the programme for the preparation of planning documents. This is known as the Local Development Scheme (LDS).
- 1.2 The LDS is a three-year project plan for preparing planning documents. It is not a policy document itself. It provides a starting point for the local community and stakeholders to find out what planning documents are being prepared by the Council and the timetable for their production. It sets out the timetable for the production of planning policy documents over the next 3 years, and indicates the timescale for the for the review and update of the Joint Local Plan, outlining the stages when there will be formal opportunities to get involved with the plan making process.

- 1.3 This report therefore seeks formal approval of the LDS for publication, and that it be brought into force following approval by the three JLP Councils.

2. Background

- 2.1 The Planning & Compulsory Planning Act 2004, as amended by the Localism Act 2011, requires each local planning authority to prepare and maintain a document setting out the programme for the preparation of planning documents. This is known as the Local Development Scheme (LDS).
- 2.2 The LDS is a three-year project plan for preparing planning documents but it is not a policy document itself. It provides a starting point for the local community and stakeholders to find out what planning documents are being prepared by the Council and the timetable for when these documents will be produced.
- 2.3 In March 2019, West Devon Borough Council, South Hams District Council and Plymouth City Council adopted the Plymouth and South West Devon Joint Local Plan. The JLP sets out policies and proposals covering the plan area up to 2034, and thus represents a critical milestone in establishing a robust and consistent strategic and local planning policy framework for the plan area. The JLP also represents the first time that the three JLP Councils have collaborated on the production of a joint local plan, and is the most significant result of the joint working that the Councils have been undertaking since 2016.
- 2.4 With the adoption of the Joint Local Plan, it is necessary to update the adopted Local Development Scheme, to state clearly the documents which make up the development plan for the three local planning authorities and to set out the planning policy documents that the Councils will produce over the next three years. The revised LDS is attached to this report as Appendix A, and sets out the relevant details and timescales for the production of:
 - a. The Plymouth and South West Devon Supplementary Planning Document
 - b. The Managing Rural Development DPD (formally referred to as the Settlement Boundaries Development Plan Document)
 - c. The Plymouth Local Green Space Designations Development Plan Document
 - d. The revised Statement of Community Involvement
 - e. The revision of the Plymouth Community Infrastructure Levy
- 2.5 The Local Development Scheme also sets out the timescale for the review and update of the Plymouth and South West Devon Joint Local Plan.

- 2.6 The Local Development Scheme attached to this report was agreed by the Joint Local Plan Partnership Board on 24th July 2019.

3. Outcomes/outputs

- 3.1 In order to satisfy the requirements of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011) it is necessary for the Local Development Scheme to be brought into force by the three JLP Councils. This report therefore asks West Devon Hub to approve the LDS in order for it to be brought into force.
- 3.2 As soon as the LDS has been approved by the three JLP Councils, it will be published on the Councils' websites as the up to date LDS.
- 3.3 The production of the documents set out in the LDS, against the timescales set out will be monitored and reported in the annual Authorities Monitoring Report.

4. Options available and consideration of risk

- 4.1 The JLP Councils are required by legislation to produce a Local Development Scheme. The documents specified and in the LDS timescales for their production are a matter for the Councils to decide.
- 4.2 The production of the Managing Rural Development DPD was decided as part of the dialogue with the Inspectors who conducted the Examination into the Plymouth and South West Devon JLP. Similarly, the production of the Plymouth and South West Devon Supplementary Planning Document was a decision that arose through the Examination of the JLP.
- 4.3 The Plymouth Local Green Space DPD is a document that affects Plymouth, and responds to the criticisms made by the Inspectors of the approach taken in the submitted JLP to Local Green Space designations in the city.
- 4.4 The timescales for these documents respond to the discussions which took place during the Examination into the JLP.
- 4.5 Finally, it is a requirement set out in regulations that Local Plans are reviewed at least 5 years from the point of adoption. The LDS sets out how the JLP Councils will meet this requirement, and goes further by showing that the Councils will have adopted an updated JLP 5 years from the point of adoption. This timescale will ensure that the three Councils will have at all times an up to date local plan.
- 4.6 All of these matters have been discussed with and agreed by the JLP Partnership Board.

5. Proposed Way Forward

- 5.1 It is proposed that the LDS is approved by the three JLP Councils and is formally brought into force. The LDS will be published on the JLP Councils' websites.

6. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance	Y	It is a requirement of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011) that every Local Planning Authority has an up to date Local Development Scheme. Approval of the LDS attached to this report will satisfy that requirement.
Financial implications to include reference to value for money	Y	The LDS sets out a work programme for the planning policy teams of the three JLP Councils for the next 3 years, and in the case of the Joint Local Plan for the next 5 years. The resources required will be drawn from teams across the three JLP Councils as appropriate.
Risk	Y	The LDS sets out the planning policy documents that are required to maintain a robust development plan across the three Local Planning Authority areas and to meet statutory requirements. If the Councils did not produce these documents there is a clear risk that the planning policy framework would not be strong enough to allow the Councils to make robust planning decisions or to deliver their aspirations for the communities of West Devon, Plymouth and South Hams. There would be a clear risk that the Councils would be unable to demonstrate a 5 year land supply of sites for housing, leaving the Councils open to challenge from developers. Bringing into force the LDS and ensuring documents are produced according to the timescale set out in the document mitigates these risks.
Supporting Corporate Strategy		Environment
Comprehensive Impact Assessment Implications		
Equality and Diversity	Y	All the documents described in the LDS will be subject to an Equalities Impact Assessment.
Safeguarding	N	
Community Safety, Crime and Disorder	N	
Health, Safety and Wellbeing	N	
Other implications	N	

Supporting Information

Appendices:

Appendix A – Plymouth and South West Devon Local Development Scheme
2019

Background Papers:

None

Approval and clearance of report

Process checklist	Completed
Portfolio Holder briefed/sign off	Yes
SLT Rep briefed/sign off	Yes
Relevant Heads of Practice sign off (draft)	Yes
Data protection issues considered	Yes/No
Accessibility checked	Yes/No

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1. PURPOSE OF THE LDS

- 1.1. The Local Development Scheme (LDS) sets out a three year rolling timetable for preparing and reviewing the Development Plan, to provide:
 - A long term framework for the development, within which the Councils, other Agencies and key stakeholders can coordinate their investment programmes;
 - An up-to-date, statutory basis for determining planning applications, (unless material considerations indicate otherwise).
- 1.2. This LDS sets out the timetable for producing development plan documents for Plymouth City Council, South Hams District Council and West Devon Borough Council. The three local planning authorities have successfully collaborated on the production of the Plymouth and South West Devon Joint Local Plan, and are continuing to work together on the delivery of the JLP, and the creation of further local development documents. This LDS therefore applies jointly to the local planning authorities of Plymouth, South Hams and West Devon.
- 1.3. The Local Development Scheme (LDS) will set out the following information:
 - The documents that make up the development plan for the three local authorities;
 - The documents that will be produced in order to maintain an up to date plan led system (explaining who, how and when they will be produced, as well as their status);
 - The purpose of, geographical extent and relationships between these documents, explaining how they will provide the framework for considering the long term social, economic, environmental and resource impacts of development proposals.
- 1.4. The LDS will also set out the associated Local Development Documents which each local authority intends to produce in support of the Joint Local Plan.

2. WHAT ARE THE ADOPTED DEVELOPMENT PLANS FOR PLYMOUTH, SOUTH HAMS AND WEST DEVON?

- 2.1. The following documents make up the development plan for Plymouth and South West Devon.

The Plymouth and South West Devon Joint Local Plan.

- 2.2. The Plymouth and South West Devon Joint Local Plan was adopted by South Hams District Council on 21st March 2019, and by West Devon Borough Council and Plymouth City Council on 26th March 2019. As of the 26th March 2019, the JLP comprises the most significant element of the development plan covering the three local authorities. (It should be noted that parts of the administrative areas of South Hams and West Devon is covered by Dartmoor National Park Authority. DNPA operates as a separate local planning authority and is producing a separate Local Plan, details of which are set out in the DNPA Local Development Scheme).
- 2.3. The Plymouth and South West Devon Joint Local Plan has been produced collaboratively by Plymouth City Council, South Hams District Council and West Devon Borough Council. The decision to produce a Joint Local Plan arose from work the three local authorities had been pursuing through the Duty to Cooperate on their separate Local Plans – the Plymouth Plan, the West Devon Our Plan and the South Hams Our Plan.
- 2.4. Prior to that decision, each of the local authority's Local Plan processes had reached different stages in the plan making process. The Plymouth Plan Part One (dealing with overarching strategy and policies) had been published as a draft and its approach had been subject to several consultation stages as set out below. The West Devon Our Plan had reached a Regulation 19 Pre-Submission consultation stage, and had therefore been published. The South Hams Our Plan had reached an early Regulation 18 'Issues and Options' consultation stage.
- 2.5. Given the outcomes of the ongoing Duty to Cooperate discussions, during 2015 Plymouth, South Hams and West Devon began to examine whether they should consider rolling their separate Local Plans into a single Joint Local Plan. The starting point for this consideration was a growing understanding of the need to consider the three Local Plans as together meeting the needs of the Plymouth Housing Market Area, and therefore needing to present a clear and consistent strategy and approach to the HMA. The question became, what is the most sustainable, effective and efficient plan to meet those needs? A joint local plan provided the answer:
- It enabled the three local authorities to plan more effectively for the needs of the HMA in a single plan, setting out a single strategy and subject to one plan making process.
 - It enabled the cross boundary issues which would have required close alignment of separate Local Plans, to be tackled more simply in one plan which was not constrained by local authority administrative boundaries.
 - The three local authorities would be able to better handle development proposals and delivery through a single integrated set of policies.
 - A single, Joint Local Plan would give Plymouth, South Hams and West Devon a single, stronger voice in the wider region.

- 2.6. Plymouth City Council, South Hams District Council and West Devon Borough Council are all committed to more integrated and holistic plan making. In this respect, the JLP is seen by each authority as the spatial expression of a wider strategy for their areas. For Plymouth, this JLP is seen as part of the Plymouth Plan. The Plymouth Plan will be the City of Plymouth's single, integrated and holistic strategic plan, owned by the City Council and its partners in the city.
- 2.7. Only the JLP elements of the Plymouth Plan and the Our Plans were submitted for public examination. Now that the JLP has been adopted, each local authority will combine the JLP with their wider strategies through the use of an interactive website. In overall policy terms the outcome will be:
- A single Joint Local Plan as the statutory development plan for Plymouth and South West Devon.
 - A single strategy for Plymouth - which incorporates the relevant sections of the JLP.
- 2.8. The JLP fully replaces all of the development plan documents previously adopted by the JLP Councils. These are set out in Appendix 1.

Devon Minerals Local Plan and Waste Local Plan

- 2.9. Plymouth City Council, as a unitary authority, has responsibility for minerals and waste planning, and therefore the JLP contains policies dealing with these matters for the city. In South Hams and West Devon, Devon County Council is the minerals and waste authority. The County Council has produced a Minerals Local Plan and a Waste Local Plan (insert links) and these therefore comprise part of the development plan with regard to these matters for the South Hams and West Devon administrative areas.

Neighbourhood Plans

- 2.10. The Localism Act 2011 introduced powers to enable local communities to produce Neighbourhood Plans. Neighbourhood Plans enable communities to take control of planning matters in their areas, and produce plans setting out policies to bring forward sites for new development and policies to be used by the planning authority to determine planning applications. Once 'made', a Neighbourhood Plan becomes a part of the development plan.
- 2.11. At the time of this LDS coming into the force, the following Neighbourhood Plans were had been formally 'made', and therefore form part of the development plan:

South Hams District Council:

- Stoke Fleming
- Bickleigh
- Malborough
- Ivybridge
- Ugborough
- Thurlestone
- Newton and Noss

West Devon Borough Council

- Bere Peninsula

Plymouth City Council

- Plympton St Mary

Supplementary Planning Documents

- 2.12. Supplementary Planning Documents (SPDs) are not parts of the development plan. Instead, they are local development documents which set out guidance relating to the implementation of policies set out in the development plan.
- 2.13. A number of SPDs have been prepared by the JLP Councils under previous planning policy frameworks. These are listed in Appendix 2. With the adoption of the JLP, it is necessary to review these SPDs in order to ensure that they provide up to date guidance on the use and interpretation of JLP policy. The JLP Councils are therefore producing a single SPD which will support delivery of the JLP – as detailed below. Until the adoption of this SPD, planning decisions will be made in accordance with JLP policy, but with reference to the existing SPDs as appropriate.

3. Documents in Production

- 3.1. The JLP Councils are currently producing the following local development documents, and additionally are updating the Plymouth CIL. Full details of the timescales for producing these documents are set out in Tables 1 - 8:
 - **The Plymouth and South West Devon Supplementary Planning Document.** This SPD incorporates the TTV SPD and PPA SPD that were referenced in the Plymouth and South West Devon Joint Local Plan. It will update and review all of the existing SPDs into one concise document. It will set out guidance on how the policies in the Joint Local Plan should be applied when considering planning applications and development proposals. It will also refer to the NPPF and NPPG. The SPD will clearly cover the whole of the JLP area, and will therefore be produced jointly by Plymouth, South Hams and West Devon.
 - **The Managing Rural Development DPD.** Policy TTV1 of the JLP sets out a settlement hierarchy for the Thriving Towns and Villages Policy Area. This DPD will provide further policy guidance on how the settlement hierarchy should be applied, particularly with reference to settlements identified as a Sustainable Villages in the TTV settlement hierarchy. This DPD will set out guidance on how policy should be applied, and will consider the use of settlement boundaries. The DPD will apply to those parts of South Hams and West Devon that are not part of the Plymouth Policy Area, or part of the Dartmoor National Park.
 - **The Plymouth Local Green Space Designations DPD.** The JLP which was submitted to the Secretary of State in July 2017 contained a set of Local Green Space designations covering the Plymouth Policy Area, which had been developed in partnership with local communities. As a result of discussions which took place at the Hearings into the JLP, the Inspectors expressed concerns regarding the evidence base supporting the LGS designations, and gave the JLP Councils the opportunity to remove them from the JLP and to consider other ways to protect green spaces in the city. As a result, the JLP does not contain any LGS designations. Instead, the Councils will produce a DPD which will set out designations for Plymouth, which will remedy the concerns that were expressed by the Inspectors regarding the evidence base. This DPD will cover the Plymouth Policy Area. It should be noted that the identification of LGS designations in this DPD does not prevent neighbourhood plans from identifying their own LGS sites.

- **Neighbourhood Plans.** As described above, Neighbourhood Plans, once 'made' are part of the development plan. In addition to those 'made' plans listed above, there are a number of plans being produced by communities in all three councils. These Neighbourhood Plans will be brought forward for examination and adopted at various times dependent on the groups producing them, but the Joint Local Plan will provide the plans with a strategic context and an expectation that they will bring forward a certain amount of development. The Joint Local Plan will therefore set out contingency measures that will be triggered should the emerging Neighbourhood Plans not deliver sufficient amount of new homes to meet the needs of the Housing Market Area. One such measure could be the production of a Village Allocations DPD. If such a measure is appropriate and required at a future time to ensure sites are delivered to support the Joint Local Plan strategy, this LDS will be revised to include a description and timetable for production.
- **The Statement of Community Involvement.** In the past the three Councils have produced separate Statements of Community Involvement, setting out the principles they will use when consulting the public and other stakeholders on planning policy and planning applications. The Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017 have introduced a requirement for Statements of Community Involvement to be updated every 5 years. Therefore, the JLP Councils are updating their SCI's into a single document that will cover all three LPAs. This review will be completed by Autumn 2019.
- **The Community Infrastructure Levy.** Plymouth has a CIL Charging Schedule in place and has been applying it since 2013. With the adoption of the JLP, the City Council will be reviewing the CIL against more up to date viability information and the policies and provisions of the plan. South Hams District Council and West Devon Borough Council do not have a CIL Charging Schedule in place. Both authorities are considering whether the introduction of a Charging Schedule would be advantageous now that the JLP is adopted, and if so whether the Charging Schedule should cover South Hams or West Devon, or whether it could be a joint CIL Charging Schedule with the City Council. If the latter course of action is chosen, the timescale for the Plymouth CIL Review set out in Table 2 would need to be amended. At the time of this LDS coming into force no decision has been taken regarding the production of a CIL Charging Schedule covering South Hams and West Devon.

3.2. Other documents will be published to inform and support the production of local development documents and the delivery of the JLP:

- Ongoing updates to key elements of the JLP **evidence base** prepared to support the production of the JLP. The full evidence base which supported the development of the Plymouth and South West Devon Joint Local Plan can be found on the JLP website here <https://www.plymouth.gov.uk/jointlocalplanevidencebase>
- Equality Impact Assessments, Viability Assessments and Habitat Regulations Assessment/ Appropriate Assessment. <https://www.plymouth.gov.uk/plymouthandsouthwestdevonjlpsubmission>
- A Sustainability Appraisal /Strategic Environmental Assessment /Significant Effects report (including the Habitats Regulations Assessment). This is an ongoing process which both assess and informs the content of a DPD. Final

reports will be published at the Regulation 19 pre-submission stage as part of the public consultation process.

- Masterplans and other guidance produced as part of the delivery of key strategic sites such as Sherford and Woolwell.

Monitoring and Review of the Plymouth and South West Devon Joint Local Plan

- 3.3. The JLP will be monitored annually through the publication of a Housing Position Statement, which will set out the up to date 5 year land supply position alongside other housing indicators at the whole plan level, and through the Authorities Monitoring Report, which will report on the delivery of the JLP against a range of indicators, including but not limited to those set out in the JLP. The Housing Position Statement will be published in July of each year, with the full AMR following in November of each year.
- 3.4. The Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017 introduced the requirement for local plans to have completed a review 5 years from the point of adoption of the plan.
- 3.5. Paragraph 33 of the National Planning Policy Framework sets out that “policies in local plans and spatial development strategies should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary.” The NPPG goes on to give detailed guidance on how a review should be undertaken, and how to update all or some of the policies in a local plan. It also sets out that local plan policies may need updating before the 5 year review, if there has been a significant change in circumstances.
- 3.6. Therefore, the requirement set out in the regulations and expanded upon in the NPPF and NPPG is for local authorities to complete a review of their local plans within 5 years of the date of adoption of the plan. In this context, review means to conduct an audit of policies in the local plan to assess if any policies are out of date, and if any are found to need updating, to proceed to update those policies. Any full or partial plan updates should meet the full procedural, legal and soundness requirements as set out in the regulations and NPPF/NPPG.
- 3.7. The Plymouth and South West Devon Joint Local Plan was adopted on 26th March 2019, and so the review of the JLP must be completed by 26th March 2024 at the latest, with any policy updates required then being carried out. The JLP Councils are committed to the delivery of the plan, and to keeping its policies fully up to date at all times. The Councils will therefore keep under review the JLP policies, including in the AMR an assessment of whether any policies need updating. As soon as it is considered that JLP policies need updating in full or partially, this LDS will be revised to set out a timetable for the update of the plan.
- 3.8. Following adoption of the JLP the Councils are ensuring that the strategy and objectives of the plan are delivered. Part of this emphasis on delivery is ensuring that the Councils are at all times prepared for an early review and update of the Joint Local Plan. An early review and update of the plan could be triggered by a number of events, including:
 - A significant increase in local housing need, as calculated using the methodology set out in the NPPG,
 - A significant shortfall in the delivery of new homes and the supply of land for new homes, which can only be remedied through a refresh and update of the strategy set out in the plan. For example, if monitoring were to show the lack

of a 5 year land supply of land for new homes, or the failure to meet the Housing Delivery Test, it would be necessary for the Councils to understand the reasons for the shortfall in delivery. This understanding could include a review of the policies in the JLP, and if this review were to suggest that the JLP strategy was inhibiting the delivery of new housing, the plan would require updating.

- A significant change in other factors which form a core element of the JLP strategy and evidence base (for example the strength of the economy in Plymouth), or a need to place a greater emphasis on an existing or new strategic policy consideration – for example the need to revisit the strategy in the light of responses to a declared climate emergency.
- If the annual review of the JLP policies reveals that a number of policies are out of date, for example due to significant changes to national policy.

3.9. In order to maintain the high level of evidence and understanding of these and other matters, which the Councils have achieved through work so far on the Joint Local Plan, a number of actions will be commenced following adoption of the JLP. These are set out in Table 8.

3.10. The JLP Councils see the plan, and the Plymouth and South West Devon Supplementary Planning Document as ‘living documents’ that are capable of being updated in a straightforward manner, using the process set out in Regulations. The Councils will therefore look to use partial updates of the JLP as far as possible, only updating those parts of the plan which have become out of date. The Councils will also maintain an evidence base which enables accurate assessment of the success of the delivery of the JLP, which is constantly looking ahead to identify issues which need to be dealt with via the JLP and developing strategic policy responses, and which is always fit for purpose to support the process of updating the local plan.

4. Further Information

Governance Arrangements

4.1. In order to ensure consistent delivery of the JLP, Plymouth City Council, West Devon Borough Council and South Hams District Council have agreed the following governance arrangements:

- The Partnership Board. This is a Board consisting of two senior Councillors from each of the JLP Councils. The Board meets twice each year to consider progress on delivery of the JLP and to provide guidance on the production of other local development documents and other strategic planning matters.
- A Joint Local Plan Management Board. This is an officer meeting which provides senior management of the delivery of the JLP.
- A Joint Local Plan Team. This is an officer team working jointly for the three JLP Councils. The team monitors the delivery of the JLP, provides strategic planning advice and services to each LPA and will be responsible for the development of strategic policy and future reviews of the JLP.

4.2. These arrangements were approved by the relevant Council meetings in March 2019.

Duty to Cooperate

- 4.3. The introduction of the Duty to Cooperate, which is intended to strengthen the obligation for neighbouring authorities to work together on cross border matters, creates an opportunity for a more joined up approach across sub-regional areas.
- 4.4. The story of how the JLP Councils worked together, with neighbouring authorities and with other stakeholders through the Duty to Cooperate is set out in the Duty to Cooperate Topic Paper which was produced for the JLP Examination.
- 4.5. The revisions to the National Planning Policy Framework in 2018 and 2019 introduced a requirement for LPAs to produce Statements of Common Ground with their neighbouring authorities, documenting the cross-boundary matters being addressed and progress in cooperating to address these. Therefore, the JLP Councils will progress Statements of Common Ground with the following neighbouring authorities:
 - Cornwall Council
 - Torbay Council
 - North Devon Council
 - Torridge District Council
 - The Greater Exeter Strategic Plan Councils (Mid Devon District Council, Exeter City Council, East Devon District Council, Teignbridge District Council)
 - Devon County Council
 - Dartmoor National Park Authority.
- 4.6. In addition, the JLP Councils will continue to engage under the Duty to Cooperate with other partners and stakeholders, both through ongoing dialogue and specifically in connection with local plan processes.

Timetable for Producing Local Development Documents

- 4.7. The following table, chart, map, document profiles and appendices provide further details about each of the LDD documents being produced by the JLP Councils:
 - Table 1 Timetable for producing development plan documents.
 - Tables 2 - 3 Timetable for producing further local development documents and CIL
 - Table 4 - 7: Details of local development documents in preparation
 - Appendix 1: Development plan documents replaced by the Plymouth and South West Devon Joint Local Plan, and supplementary planning documents to be replaced by the Plymouth and South West Devon Supplementary Planning Document.
 - Appendix 2: Supplementary Planning Documents To Be Replaced By The Plymouth And South West Devon Supplementary Planning Document
 - Appendix 3: Glossary of Terms

TABLE 1 - TIMETABLE FOR PRODUCING ADDITIONAL DEVELOPMENT PLAN DOCUMENTS

Table 1	Regulation 18 Consultation	Regulation 19: Pre-submission Consultation	Regulation 20: Submission	Public Examination	Inspector's Report	Adoption
Managing Rural Development DPD	Autumn 2019	Spring 2020	Summer 2020	Autumn 2020	Spring 2021	Spring 2021
Plymouth Local Green Space DPD	Spring 2020	Winter 2020	Spring 2021	Summer 2021	Autumn 2022	Winter2022

TABLE 2 - 3: TIMETABLE FOR PRODUCING FURTHER LOCAL DEVELOPMENT DOCUMENTS AND CIL

Table 2	Charging Schedule Consultation	Charging Schedule Publication	Examination	Inspector's Report	Adoption date
PLYMOUTH COMMUNITY INFRASTRUCTURE LEVY - Revised Draft CIL Charging Schedule	Winter 2019	Spring 2020	Autumn 2020	Winter 2020	Spring 2021

Table 3	Consultation on Draft SPD	Adoption of SPD
Plymouth and South West Devon SPD	Autumn 2019	Spring 2020

TABLE 4 - 7: DETAILS OF LOCAL DEVELOPMENT DOCUMENTS IN PREPARATION AND THE POLICIES MAP

Table 4	Managing Rural Development DPD
Description	The Managing Rural Development DPD responds to Policy TTV1 of the Plymouth and South West Devon Joint Local Plan, which sets out a settlement hierarchy for the Thriving Towns and Villages Policy Area.
Content	The Managing Rural Development DPD will set out policy guidance on the application of the settlement hierarchy, and will consider setting out settlement boundaries for each Sustainable Village as designated in the JLP. It will set out guidance explaining how settlement boundaries may be designated in Neighbourhood Plans.
Area covered	The Managing Rural Development DPD will cover South Hams District Council and West Devon Borough Council, not including those areas that are part of the Plymouth Policy Area as designated in the JLP, and not including those areas that are in Dartmoor National Park.
Status and Chain of conformity	The Managing Rural Development DPD will be a development plan document covering West Devon Borough Council and South Hams District Council (excluding Dartmoor National Park) The Managing Rural Development DPD will be in conformity with the Plymouth and South West Devon Joint Local Plan and national planning policy.
Key Milestones:-	
Preparation (Regulation 18)	September 2019
Pre-submission consultation	Spring 2020
Submit Sec. of State	Summer 2020
Public Hearing	Autumn 2020
Inspector's Report	Winter 2020
Adoption	Spring 2021
Monitor / Review	Monitored on an annual basis and reviewed at least every 5 years.
Production arrangements	To be prepared by West Devon Borough Council and South Hams District Council with support from the Joint Local Plan Team

Table 5	Policies Map
Description	<p>Illustrates the location and extent of all the development proposals arising from the development plan covering Plymouth City Council, West Devon Borough Council and South Hams District Council (excluding Dartmoor National Park).</p> <p>Its purpose is to illustrate areas of protection (e.g. protected landscapes, nature conservation) and all the spatial planning policies / proposals set out in the development plan.</p>
Content	It shows (on a base map at an appropriate scale) all the policies and proposals (that can be illustrated on a map) contained in the development plan.
Area covered	The Proposals Map will cover the whole of the Plymouth and South West Devon Joint Local Plan area.
Status	The Policies Map should be updated to reflect the spatial extent of policies adopted in a development plan document.
Chain of conformity	It shows all the policies and proposals in the Adopted Local Plan that can be illustrated on a map.
Key Milestones:-	
Adoption	Updated to reflect policies introduced by the adoption of DPDs
Monitor / Review	Updated to reflect policies introduced by the adoption of DPDs
Production arrangements	Updated to reflect policies introduced by the adoption of DPDs

Table 6	Plymouth Local Green Space Designations DPD
Description	The Plymouth Local Green Space Designations DPD will set out Local Green Space Designations in the Plymouth Policy Area
Area covered	The Plymouth Policy Area – comprising the whole of Plymouth City Council and that part of South Hams District Council which is part of the Plymouth Policy Area.
Status	The Plymouth Local Green Space Designations DPD will be a development plan document covering Plymouth City Council and South Hams District Council
Chain of Conformity	The Plymouth Local Green Space Designations DPD will be in conformity with the Plymouth and South West Devon Joint Local Plan and national planning policy.
Key Milestones:-	
Preparation (Regulation 18)	March 2020
Pre-submission consultation	Winter 2020
Submit Sec. of State	Spring 2021
Public Hearing	Summer 2021
Inspector's Report	Autumn 2021
Adoption	Winter 2021
Monitor / Review	Monitored on an annual basis and reviewed at least every 5 years
Production arrangements	To be produced by Plymouth City Council.

Table 7	Plymouth and South West Devon SPD
Description	Reviews the adopted Supplementary Planning Documents produced by Plymouth City Council, South Hams District Council and West Devon Borough Council (see Appendix 2) into a single, concise set of guidance to support the delivery of the Plymouth and South West Devon Joint Local Plan. This SPD incorporates the TTV SPD and TTV SPD referenced in the Plymouth and South West Devon Joint Local Plan.
Area covered	The Plymouth and South West Devon Joint Local Plan area.
Status	The SPD will be a Local Development Document covering South Hams, West Devon and Plymouth.
Chain of Conformity	Consistent with the Plymouth and South West Devon Joint Local Plan, in line with the NPPF and NPPG.
Key Milestones:-	
Consultation (Regulation 12)	Autumn 2019
Adoption	By March 2020
Review	Monitored on an annual basis, and reviewed as appropriate.
Production Arrangements	This will be a Joint SPD to be prepared collaboratively by Plymouth City Council, South Hams District Council and West Devon Borough Council, guided by the Joint Local Plan Partnership Board. All formal decisions will be taken by the Full Council meetings of each authority. Production will include an engagement process with the relevant statutory bodies, as well as all partners / key stakeholders, communities and the general public

**TABLE 8 – PLYMOUTH AND SOUTH WEST DEVON JOINT LOCAL PLAN
POST ADOPTION SCHEDULE**

Year	Activities (to include)
2019/20	Commence JLP Monitoring Arrangements: Housing Position Statement published July Full Authorities Monitoring Report published November Commence update of evidence base: Housing Trajectories Sites Evidence Viability Evidence Undertake Climate Emergency Strategic Evidence... Undertake Density Study Scope out additional evidence base requirements Employment Space Strategic approach. Complete first review of JLP policies Commence Statement of Common Ground discussions Update SA/SEA indicators and methodology Undertake 'horizon scanning' of key strategic policy matters
2020/2021	Commence JLP Monitoring Arrangements: Housing Position Statement published July Full Authorities Monitoring Report published November Update Evidence Base Housing Trajectories Local Housing Need Employment Land Review Open Space Evidence Complete second review of JLP policies Complete First Statements of Common Ground Undertake 'horizon scanning' of key strategic policy matters
2021/2022	JLP Monitoring Arrangements: Housing Position Statement published July Full Authorities Monitoring Report published November Complete third review of JLP policies Undertake 'horizon scanning' of key strategic policy matters Update Evidence Base: SHLAA Retail Needs and Town Centre Health Check

	Commence Update of JLP policies deemed to be out of date (Reg 18) Complete Statements of Common Ground
2022/2023	JLP Monitoring Arrangements: Housing Position Statement published July Full Authorities Monitoring Report published November First Partial Update of the JLP (Reg 19, Submission)
2023/2024	JLP Monitoring Arrangements: Housing Position Statement published July Full Authorities Monitoring Report published November Complete First Partial Update of the JLP (adopt new policies by March 2024)

APPENDIX 1

DEVELOPMENT PLAN DOCUMENTS REPLACED BY THE PLYMOUTH AND SOUTH WEST DEVON JOINT LOCAL PLAN.

Plymouth

Replaced Development Plan Documents:	Adoption Date:
(1) Plymouth's Core Strategy (including Criteria Based Policies)	04/2007
(2) North Plymstock Area Action Plan and (3) Minerals Development Plan Document	08/2007 08/2007
(4) Devonport Area Action Plan	08/2007
(5) Millbay and Stonehouse Area Action Plan	/08/2007
(6) Waste Development Plan Document	/04/2008
(7) Sutton Harbour Area Action Plan	07/2008
(8) Central Park Area Action Plan	09/2008
(9) City Centre and University Area Action Plan	04/2010

South Hams

Adopted Development Plan Documents:	Adoption Date:
(1) South Hams Core Strategy	12/2006
(2) Sherford New Community Area Action Plan (AAP)	08/2007
(3) Affordable Housing Development Plan Document (DPD)	09/2008
(4) Development Policies Development Plan Document (DPD)	07/2010
(5) Site Allocations Development Plan Document (DPD) for: <input type="checkbox"/> Dartmouth <input type="checkbox"/> Ivybridge <input type="checkbox"/> Kingsbridge <input type="checkbox"/> Totnes <input type="checkbox"/> Rural Areas	02/2011
(6) There are also a number of policies saved from the 1996 Local Plan which are still in use.	07/2008

West Devon

Adopted Development Plan Documents:	Adoption Date:
(1) West Devon Local Plan Saved Policies	03/2005
(2) West Devon Core Strategy	04/2011

APPENDIX 2

SUPPLEMENTARY PLANNING DOCUMENTS TO BE REPLACED BY THE PLYMOUTH AND SOUTH WEST DEVON SUPPLEMENTARY PLANNING DOCUMENT

Plymouth

Replaced Supplementary Planning Documents:	Adoption Date:
(10) Planning Obligations and Affordable Housing SPD 2 nd Review	07/2012
(11) Design SPD	07/2009
(12) Development Guidelines SPD (First Review) including Coastal Planning	04/2013
(13) Shopping Centres SPD	07/2012

South Hams

Replaced Supplementary Planning Documents:	Adoption Date:
(7) Open Space, Sport & Recreation Supplementary Planning Document	06/2006
(8) Affordable Housing Supplementary Planning Document	09/2008
(9) Planning Obligations Supplementary Planning Document	12/2008

West Devon

Replaced Supplementary Planning Documents:	Adoption Date:
(2) East of Okehampton Masterplan SPD	01/2014
(3) South and South West of Tavistock Masterplan SPD	04/2013
(4) Assessing the Impact of New Retail Development in West Devon SPD	04/2013
(5) Affordable Housing Code of Practice	03/2012
(6) Infrastructure and Facilities to Support New Development SPD	06/2007
(7) Reuse of Rural Buildings SPD	03/2006

APPENDIX 3

GLOSSARY OF TERMS AND ABBREVIATIONS

(The terms in italics are explained elsewhere in the glossary)

Term/Abbreviation	Definition/Description
The Act	The Planning and Compulsory Purchase Act 2004, as amended by the Localism Act 2011.
Authorities Monitoring Report	The Authorities Monitoring Report will assess the implementation of the <i>Local Development Scheme</i> and the extent to which policies in the <i>Local Plan</i> are being successfully implemented.
Development Plan	The Development Plan is the statutory planning document each Local authority prepares, setting out planning policies which will be used to determine planning applications and to set out long term development goals.
Development Plan Documents	Spatial planning documents that are subject to independent examination and which form the <i>development plan</i> for a local authority area. Since the introduction of the National Planning Policy Framework, development plan documents are referred to as the Local Plan. Each authority must set out its programme for preparing its <i>Development Plan Documents</i> in the <i>Local Development Scheme</i> .
Key Diagram	Authorities may wish to use a key diagram to illustrate broad locations of future development.
Local Development Document	The term used in <i>the Act</i> for <i>Development Plan Documents</i> , <i>Supplementary Planning Documents</i> and the <i>Statement of Community Involvement</i> .
Local Development Scheme	A project plan that sets out the programme for preparing <i>Local Development Documents</i> .
Local Plan	The Localism Act 2011 and the National Planning Policy Framework re-introduced the concept of a single Local Plan setting out planning policies relating to a Local Authority area, instead of a suite of documents called a Local Development Framework.
Local Transport Plan	5–year strategy prepared by each local authority for the development of local, integrated transport, supported by a programme of transport improvements. It is used to bid to Government for funding transport improvements.
Minerals and Waste Local Plans	In two tier areas, counties will be responsible for producing Minerals and Waste Local Plans. In unitary authorities and National Parks, minerals and waste policies should be included in their local plans.
National Planning Policy Framework	National planning policy is set out in the NPPF, which was published in 2012 and gained full weight in March 2013. The NPPF has subsequently been revised in 2018, and again in 2019.
National Planning Practice Guidance	An online resource which sets out Government guidance on the application and interpretation of the NPPF.
Neighbourhood Plans	The Localism Act 2011 introduced powers to enable local communities to produce Neighbourhood Plans. These plans have the ability to set out policies dealing with the use and development of

	land, and upon formal adoption, following an examination and referendum, form part of the <i>development plan</i> .
Policies Map	The adopted policies map illustrates on a base map (reproduced from, or based upon a map base to a registered scale) all the policies contained in the Local Plan which have a spatial dimension – for example, site allocations or greenspace designations.
The Regulations	Town and Country Planning (Local Development) (England) Regulations 2012.
Site-specific allocations and policies	Allocations of sites for specific or mixed uses or development to be contained in <i>Development Plan Documents</i> . Policies will identify any specific requirements for individual proposals.
Statement of Community Involvement	Sets out the standards which authorities will achieve with regards to involving the local community in the preparation of <i>local development documents</i> and development control decisions.
Strategic Environmental Assessment	A generic term, used to describe environmental assessment as applied to policies, plans and programmes. The European “SEA Directive” (2001/42/EC) requires a formal “environmental assessment of certain plans and programmes, including those in the field of planning and land use”.
Supplementary Planning Documents	Provide supplementary information in respect of the policies in <i>Local Plans</i> .. They do not form part of the Development Plan and are not subject to independent examination.
Sustainability Appraisal	A tool for appraising policies to ensure they reflect sustainable development objectives (i.e. social, environmental and economic factors) and required to be undertaken for all local development documents.

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Report to: **HUB Committee**
Date: **10 September 2019**
Title: **Homelessness Strategy Action Plan 19/20**
Portfolio Area: **Homes / Cllr D Sellis**

Wards Affected: **all**

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

Date next steps can be taken: **Following the expiry of the Overview and Scrutiny Call-in period on Wednesday, 18 September 2019**

Author: **Sophie Cobbledick** Role: **Housing Specialist**

Contact: **01803 861441 email: Sophie.cobbledick@swdevon.gov.uk**

Recommendations: that the **Hub Committee** approves the Homelessness Strategy Action Plan 2019/20 (Appendix 3) and the South Hams and West Devon Rough Sleeper Strategy 2019-22 (Appendix 4).

1. Executive summary

- 1.1. Members will recall the adoption of the 2017-22 Homelessness Strategy. The document is attached as Appendix 1.
- 1.2. The review of the 2018/19 Action plan has been completed and summarised in appendix 2.
- 1.3. The draft 2019-20 Action plan is attached as appendix 3 and details the proposed actions for the Strategy's third year.
- 1.4. The draft South Hams and West Devon Rough Sleeper Strategy is attached as appendix 4 and will form part of the overarching Homelessness Strategy 2017-22.

2. Background

- 2.1. It is a statutory requirement of the Homeless Act 2002 for each Local Authority to have a homeless strategy, which reviews homelessness and its causes locally, and the plan to tackle and prevent homelessness in their area. It is also a requirement that the Authority will consult with the public or Local Authorities, voluntary organisations or other as they consider appropriate. Whilst it is not a requirement to consult on the annual action plans it was felt that the input of partner agencies in the formation of the annual plan would be of benefit to us.
- 2.2. Following the introduction of the Homeless Reduction Act 2017 it became a statutory requirement for all Local Authorities to produce a Rough Sleeper Strategy in addition to the Homelessness Strategy requirement. Local Authorities are required to have published their Rough Sleeper Strategy before December 2019.
- 2.3. The South Hams and West Devon Joint Homelessness Strategy was adopted in 2017 and included a requirement to produce an annual Action plan and the requirement to report to members annually on progress against the previous year's action plan.

3. Outcomes/outputs

- 3.1. Members are asked to approve the adoption of the 2019-2020 South Hams & West Devon Homeless Strategy Action Plan.
- 3.2. Members are also asked to adopt the 2019-22 South Hams & West Devon Rough Sleeper Strategy.
- 3.3. Officers will report back annually on progress against the Action Plan, which includes actions pertaining to the Rough Sleeper strategy, and to agree the actions for the following year.

4. Options available and consideration of risk

- 4.1. The introduction of the Homeless Reduction Act 2017 altered the legislative framework within which Local Authorities are required to perform. The formulation of the 2018-19 Action plan took into consideration the impact of the legislative changes. The review of our 2018-19 action plan has indicated that the approach taken by South Hams and West Devon has successfully delivered against the legislation changes. The 2019-20 action plan is designed to build upon these successes. The plans to tackle and prevent homelessness, as contained in the strategy, are designed to strengthen wherever possible the effective work of early intervention.
- 4.2. The introduction of the Homeless Reduction Act 2017 included a requirement for all local authorities to have produced a Rough Sleeper Strategy by December 2019. The South Hams and West Devon Rough Sleeper Strategy is intended to form part of the established Homelessness Strategy and has been produced in the form of an appendix to the master document. The actions relating to the Rough Sleeper Strategy are included in the 2019-20 Action plan.
- 4.3. Some of the actions may require funding. It is important to note that Local Authorities still receive a prevention of homeless grant from central Government. This is likely to remain at least until 2020. We are not making any request for additional funding to deliver this strategy.

- 4.4. Members will note that our current financial advice service is contracted to Homemaker. The service offers specialist tenancy sustainment services including high level debt resolution and income maximisation services. The contract value is £40,000 over two years split equally between South Hams and West Devon. The contract is due for re tender in 2020.
- 4.5. Members will note that the work relating to raising awareness of homelessness in schools is contracted to Young Devon. The contract value is £6,700 over two years and is split evenly between South Hams and West Devon.
- 4.6. Members will note additional support provided to local authorities by the Prison Navigator roles currently hosted by Exeter City Council. The two prison Navigator roles assist those who have been identified as at risk of homelessness or rough sleeping on release to access advice and assistance to prevent this.

5. Proposed Way Forward

- 5.1. That Members adopt the 2019-20 Action Plan and the South Hams and West Devon Rough Sleeper Strategy 2019-22

6. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance	Y	It is a legal requirement of the 2002 Homeless Act to have a Homeless Strategy
Financial	Y	No additional funding is sought at this time. It is important to note that Local Authorities still receive a prevention of homeless grant from central Government. As most of the Actions are designed around homeless prevention and early intervention, the larger costs of temporary accommodation and rehousing will wherever possible be negated. This by far not only offers the best service for the customer but is the most efficient in terms of the Local Authority.
Risk	Y	It is a legal requirement for all Local Authorities to produce both a homeless strategy and a rough sleeper strategy. To not publish one or other would be unlawful.
Comprehensive Impact Assessment Implications		
Equality and Diversity	Y	The public consultation on the Strategy was reflective of the local demographic.

Safeguarding	Y	As the Homeless Strategy Action Plan concerns work with very vulnerable people and one of the priorities is around Health and Wellbeing, the corporate safeguarding policy will underpin the work of officers who regularly work with homeless households.
Community Safety, Crime and Disorder	Y	Devon & Cornwall Police have contributed to the development of the Action Plan and will remain significant partners during the delivery of relevant actions in the action plan.
Health, Safety and Wellbeing	Y	The prime concern for the Strategy is around tackling and preventing homelessness which in turn is designed around improving the health and wellbeing of people living in the area.
Other implications		

Supporting Information

Appendices:

Appendix 1 Homeless Strategy 2017-2022

Appendix 2 Review of 2018-19 Action plan

Appendix 3 Draft South Hams & West Devon Homelessness Strategy Action Plan 2019/20

Appendix 4 Draft South Hams and West Devon Rough Sleeper Strategy 2019-22

Background Papers:

None

South Hams & West Devon Homelessness Strategy



2017 - 2022

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Working together



South Hams
District Council



West Devon
Borough
Council



Foreword

Cllr Lois Samuel

Lead Member for Health & Wellbeing, West Devon Borough Council



I am proud to introduce the first Joint Homelessness Strategy for South Hams and West Devon.

The aims and objectives we have set in this strategy build on the progress we have made in the past five years of preventing homelessness in West Devon for 1060 households.

In a predominantly rural area such as West Devon, homelessness can easily go undetected. However, it is a very real problem for many of our residents, who face the challenge of poor quality housing, lack of affordable housing or problems with their own health, which means general needs housing is not always appropriate.

We recognise the complexities and challenges that many of our most vulnerable people face when dealing with homelessness. The four priorities set out by this strategy will ensure West Devon Borough Council, together with South Hams District Council, can help people overcome these difficulties enabling them to lead lives where they have the opportunity to reach their full potential.

Cllr Hilary Bastone

Portfolio Holder for Customer First, South Hams District Council



This strategy represents a continuation of the partnership working between South Hams District Council and West Devon Borough Council and sets out our ambition to further tackle homelessness in our areas.

Since 2012, 1169 households have had their homelessness prevented in South Hams due to interventions put in place by the District Council. This strategy further cements our commitment to homeless prevention and sets some ambitious actions as to how we will do this.

Lack of social housing, high costs of the private rented sector and lack of supported accommodation make the South Hams a challenging place for anyone experiencing homelessness. Working in partnership with West Devon has allowed shared learning and opportunity for best practice, which in turn improves the service we are able to offer people.

Homelessness can happen to anyone, at any time and through this strategy we aim to ensure that people are given the access to help when they need it, where they need it and for as long as they need it.

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Introduction



The Homelessness Act 2002 places a duty on local authorities to review homelessness, and the influencing factors that cause homelessness, and to develop a strategy which addresses the findings of the review.

The Homelessness Strategy is required to:

- ◆ Address the levels of homelessness now, and the factors likely to impact on future levels of homelessness, through accurate profiling of the area
- ◆ Ensure that there is sufficient accommodation available for people who are, or may become, homeless
- ◆ Provide services that help to prevent people from becoming homeless. This will include a review of their effectiveness and the identification of new opportunities to support prevention of homelessness
- ◆ Ensure that through effective partnership, working support services can be accessed for those people who are, or who may become, homeless – or who need support to prevent them from becoming homeless again
- ◆ Promote a cultural change so that homelessness is viewed in a wider context than just lack of accommodation

This Homelessness Strategy sets out the strategic aims for South Hams District Council and the Borough of West Devon. Central to this strategy is the belief that people should have settled homes, which will enable them to build settled lives. The overarching aim of this strategy is to prevent homelessness. It is hoped that this will be achieved by building on our already successful prevention focussed model, and by increasing our focus on the single homeless and housing for the under 35's.

The 2017-2022 strategy has been designed to address the changes in national policy; reductions in public spending; changing demography in the area; the impact of the government's 2013 Welfare Reform Act and the Localism Act 2012 on local people.

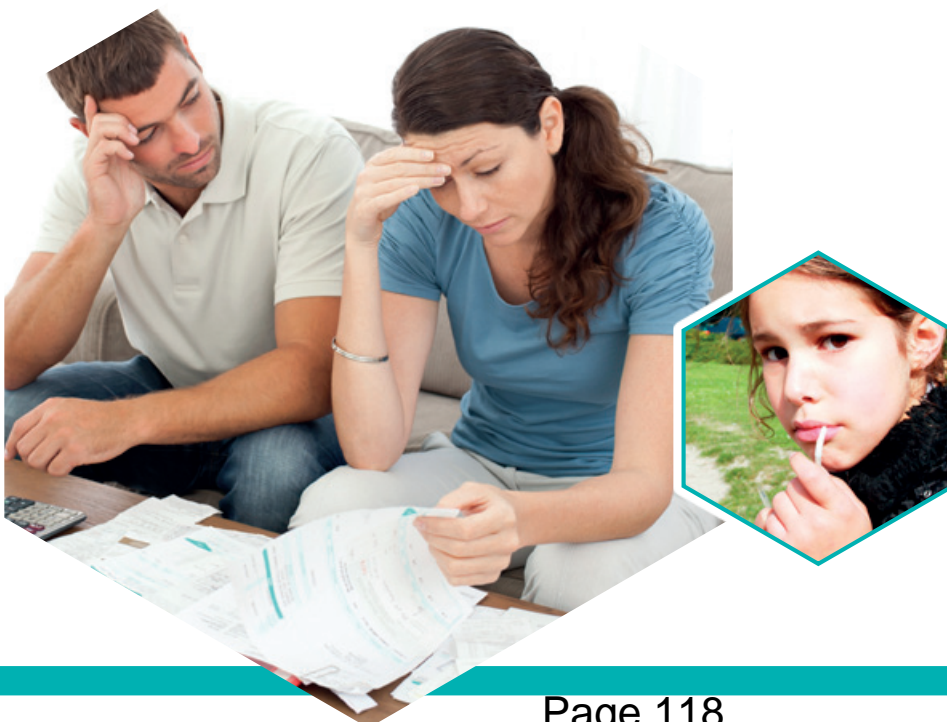
With Council spending power continuing to decline, South Hams and West Devon have radicalised their approach to service delivery across both Councils. It is central to the success of this strategy that the opportunities presented to us, as part of our new ways of working, are maximised, and that high quality processes are put in place. This will ensure that every contact made will count, in our drive to improve the quality of lives and homes within our communities.

This strategy details our commitment to provide straightforward and effective advice and assistance to those affected by homelessness. The varying factors which contribute to homelessness and to housing instability are complex and interlinked. People facing homelessness are often vulnerable; they may be experiencing, for example, poor health, loss of income and/or relationship breakdown. The importance of effective partnerships, with both statutory and voluntary sector organisations, is recognised as essential in ensuring a holistic approach toward homelessness, with the aim of achieving the best possible outcome for those affected.

The previous South Hams Homeless Strategy covered the period 2008 -2013, whilst in West Devon this was incorporated within a wider housing strategy series which ceased in 2010. Latterly objectives relating to tackling homelessness have formed part of the South Hams and West Devon joint Council-wide Connect strategy 2011-15.

We will continue to review progress around these previous strategies but, as we face the challenges of the future, we will primarily be looking ahead to the opportunities that joint working can offer. A full review of this strategy can be expected in 2022, complemented by an annual refresh of the action plan and progress made to date.

In the last five years, over a thousand households have been prevented from becoming homeless in both West Devon and South Hams. We are keen to continue this good work and believe this strategy sets out our plan to achieve this, while seeking to address the reduction in resources and the impact of welfare reforms.



Progress to Date

The last adopted document setting out the Councils' commitment to tackling homelessness formed part of the Joint Connect Strategy 2011-2015.

The priorities were to:

- ◆ Improve housing options and choices for vulnerable people
- ◆ Ensure Devon Home Choice is able to meet local housing needs within the new policy framework
- ◆ Prevent homelessness
- ◆ Raise awareness of housing options

These four priority areas were complemented each year with a delivery plan as to how these would be achieved.



Improving Housing Options and choice for vulnerable people

- ◆ Our Money Advice Project assisted 241 people in 2015 across South Hams and West Devon and brought an additional £121,743.65 in previously unclaimed benefits and other entitlements. This enabled people who had struggled to pay their rent and day-to-day bills with the means by which to do so.
- ◆ No Second Night Out has seen 75 people accommodated in South Hams and 33 in West Devon, since we launched this initiative in 2013. This has enabled us to minimise rough sleeping in our area and prevented people, new to the streets, becoming entrenched in the street lifestyle.
- ◆ We have assisted Revival Life in the provision of an emergency cold weather rest centre in Totnes. This ensures that on the coldest and most inclement nights of the winter, no-one needs to sleep on the streets.
- ◆ We have increased our in-house letting agency to 47 properties in South Hams and have been able to prevent homelessness, while increasing the supply of good quality, affordable, private rented accommodation.
- ◆ We have completed sanctuary scheme security upgrades to 20 properties in South Hams and 9 properties in West Devon, to ensure survivors of domestic violence could remain in their own home.
- ◆ Jointly with Devon County Council and other Devon Districts, we have developed a young person's homeless protocol to ensure that the needs of young people are best met. By focusing on early intervention work, this has contributed to low numbers of youth homelessness and young people being taken into care.

Ensuring Devon Home Choice is able to meet the local housing needs within the new policy framework

- ◆ In 2015/16 207 general needs properties were let through Devon Home Choice in South Hams. An additional 36 were let to people requiring sheltered accommodation. In West Devon, there were 136 general needs homes and 31 sheltered properties.
- ◆ Of this figure, 7 new tenants had been previously homeless or threatened with homelessness in South Hams and 37 in West Devon
- ◆ Both Councils further underpinned the need to address local needs, in rural areas with less than 100 units of affordable housing, by prioritising people with a local connection through our allocations policy.

Preventing Homelessness

- ◆ Since 2012/13, 1169 households have avoided homelessness in South Hams and 1060 in West Devon.
- ◆ Since 2011, no families have been placed in Bed and Breakfast accommodation for longer than 6 weeks in either West Devon or South Hams
- ◆ By working proactively with the County Council, we have been able to offer bespoke advice on options for young people. Until recently, this was delivered by a dedicated, in-house, Young Person's worker.

Raising Awareness of Housing Options

- ◆ We have established a multi-agency Health and Wellbeing Panel to discuss individual cases, and to ensure the best solution to their housing crisis.
- ◆ A successful advertising campaign, with detailed information, was targeted to people affected by welfare reform. Everyone affected by the spare room subsidy rate was offered an appointment with a Housing Advisor.
- ◆ Trained Housing Advisors have been in regular attendance at Council Connect events, to raise awareness of options and the importance of early intervention.



The Strategic Context

The Legal Framework

The Housing Act 1996

Part 7 of the 1996 Housing Act is still the overarching piece of legislation used by councils in determining the way in which they respond to homelessness. The Act has since been amended by the Homelessness Act 2002, which has included notable changes in the way Councils use temporary accommodation, with greater emphasis on the role of prevention. The 2002 Act is also where the requirement to publish a Homelessness Strategy was introduced.

The Localism Act 2011

This Act, in effect, brought an end to the automatic entitlement of a homeless household to be offered a social housing tenancy following the acceptance of a full homeless duty under the 1996 Housing Act.

The Care Act 2014

The Care Act set a strong expectation that agencies would work together to protect children, young adults and people with care and support needs, who were at risk of abuse and neglect, and who, due to those care and support needs, were unable to protect themselves from the risk or experience of abuse and neglect.

Housing and Communities Act

This new Act of Parliament makes widespread changes to housing policy.

It introduces legislation to allow:

- ◆ The building of 200,000 starter homes which will be available to first time buyers, between the ages of 23 and 40, for sale at 20% below market prices.
- ◆ The extension of the right to buy, to include housing association properties.
- ◆ The Act also includes a package of measures to help tackle rogue landlords in the private rented sector.

This includes:

- Allowing local authorities to apply for a banning order to prevent a particular landlord / letting agent from continuing to operate when they have committed certain housing offences
- Creating a national database of rogue landlords/letting agents, which will be maintained by local authorities
- Allowing tenants or local authorities to apply for a rent repayment order, where a landlord has committed certain offences (for example ignoring an improvement notice). If successful, the tenant or the authority may be repaid up to a maximum of 12 month's rent.

National Policy

In 2011 The Government produced a report 'Laying the Foundations: A Housing Strategy for England' that identified homelessness as a key priority. Two reports were produced by a Ministerial Working Group on homelessness in 2011 and 2012. Eight government departments including Health, Work and Training, as well as Housing, were brought together with local authority and voluntary sector partners, to consider ways to end rough sleeping (No Second Night Out 2011). In 2012, the second report built on the progress of the first and focused on ways in which services could jointly prevent, wherever possible, a household reaching a homelessness crisis point. (Making Every Contact Count 2012.)

No Second Night Out – A vision to end Rough Sleeping July 2011

Piloted in London, No Second Night Out was rolled out nationally to assist in helping homeless people, through the creation of a 'single service offer'. Its purpose was to ensure that everyone would have access to some form of help.

This, in some cases, involved a reconnection to a place where a person had a local connection, or working with other providers to find a solution to rough sleeping. It was designed to address the needs of deep-rooted rough sleepers, often the hardest to engage with. It was also intended to stem the flow of new rough sleepers, by offering a safety net before they themselves became rooted in a street lifestyle.

Funding was available for a short period of time and there were some local successes. However, this initiative has had little impact on our rough sleeper figures locally, although it was successful in achieving steady numbers rather than an increase.

Making Every Contact Count – A joint approach to preventing homelessness August 2012

The aim of Making Every Contact Count was to ensure, wherever possible, that any contact with any local agency, by vulnerable families and individuals, was seen as effective and meaningful.

The report posed 10 Local Challenges to Local Authorities and both South Hams and West Devon pledged their commitment to these. While acknowledging there is, already, good progress under these challenges, the Joint Homelessness Strategy will build on this and ensure that they remain key to our continuing commitment to prevent homelessness.

The 10 Local Challenges are to:

- ◆ Adopt a Corporate Commitment to prevent homelessness, which has buy-in across all local authority services
- ◆ Actively work in partnership with the voluntary sector and other local partners to address support, education, employment and training needs
- ◆ Offer a Housing Option Prevention Service, including written advice, to all clients
- ◆ Adopt a No Second Night Out model or an effective local alternative

- ◆ Have Housing Pathways agreed, or in development, with each key partner and client group that includes appropriate accommodation and support
- ◆ Develop a suitable private rented sector offer for all client groups, including advice and support to both clients and landlords
- ◆ Actively engage in preventing mortgage repossessions including through the Mortgage Rescue Scheme
- ◆ Have a homelessness strategy, which sets out a proactive approach to preventing homelessness that is reviewed annually, so that it is responsive to emerging needs
- ◆ Not place any young person aged 16 or 17 in bed and breakfast accommodation
- ◆ Not place any families in bed and breakfast accommodation, unless in an emergency, and then for no longer than 6 weeks

The Community House Building Fund

The Community House Building Fund was announced at the end of last year. This is a fund of £60 million pounds nationwide, with £20 million being directed to the South West. The South Hams was granted £1.8 million to assist with the development of community led housing schemes. The first half of this money has been paid to the local authority and the remainder will be paid once the government has approved our spending plans.

The properties delivered through this fund or any community led scheme should be affordable for people to rent or buy in perpetuity and meet the local needs. A plan is being formulated at present as to how to spend this fund. If the government approve of the ways in which we will spend this money, it is hoped that the South Hams will be eligible for future funding over the next four years.

The white paper which has just been published references this fund when working with Local Communities.

Regional Picture

Devon County Council

Devon County Council has invested £2.5 million in countywide homeless prevention contracts. These provide a total of 3,300 support hours per week, through ten independent support providers to, on average, 450 people,.

South Hams and West Devon have been placed in a locality based 'Southern Hub' together with Teignbridge District Council. The Southern Hub receives 15% of the total support hours for Devon.

Due to a lack of supported accommodation in both South Hams and West Devon, assistance is provided through 'floating support' rather than linked to where an individual is living. While this has its benefits, some high needs groups, such as those experiencing problems relating to substance misuse, mental health, offending behaviour or deep-rooted rough sleeping, remain challenging to accommodate in general needs accommodation.

Devon and Cornwall Housing Options Partnership

All ten Devon and Cornwall Authorities are committed to working together to improve the consistency and quality of housing options and advice services across the two counties. Held up nationally as an example of good partnership working, the partnership has enabled shared policy and practice development, while also yielding opportunities for Government funding in the form of grants for rough sleeping, debt advice, youth homelessness and working with the private sector.

Local Policy

Tenancy Strategy South Hams and West Devon

The Localism Act 2011 places a duty on all local authorities to produce a Tenancy Strategy that sits alongside its Housing Strategy and Allocations Policy. The strategy is required to set out what Registered Providers of Social Housing should take into consideration when making decisions about their individual tenancy policies. As the Council no longer has any housing stock, this strategy outlines how we expect Registered Providers, with affordable housing in the area, to respond to the relevant changes introduced by the Act.

In accordance with the Localism Act, this strategy sets out:

- ◆ The kind of tenancies Providers should offer
- ◆ The circumstances in which Providers should grant a tenancy of a particular kind
- ◆ Where the tenancy is for a fixed term, the recommended length of the term
- ◆ Circumstances in which the Provider should grant a further tenancy, on the ending of the existing tenancy

Our Plan

Our Plan identifies the corporate priorities of the Councils, and is reflected in the emerging spatial policies within the Plymouth and South West Devon Joint Local Plan (JLP).

The challenges of ensuring equitable access to good quality housing are well known in rural areas. The JLP will include policies that seek to deliver an appropriate mix and type of new housing, in locations that are well connected to established services and facilities, and at prices that cater for all incomes. The JLP will have strategic objectives that seek to: improve access to housing; reduce the affordability gap; reduce health inequalities related to housing; reduce fuel poverty and positively responding to identified housing needs.

South Hams and West Devon Joint Asset Strategy

The Council's adopted asset strategy identifies the delivery of a limited number of residential properties in the medium term, as determined by the following actions and data:

- ◆ Gather intelligence on housing need using; members, parishes and communities, supported by official data, in order to prioritise residential development by the Council
- ◆ To commence a limited programme of housing development on existing council land, that is appropriate to the site, (i.e. both open market and affordable) using a strategy of re-investment based on a mixture of rental and disposal.

The Review

The Local Picture

- As of 30 September 2016, there were 43,239 dwellings in South Hams and 25,403 in West Devon. Of the number in South Hams, 3,878 are second homes, 470 are empty, with an additional 54 empty for 2 years or more, and 127 are uninhabitable. In West Devon there are 534 second homes, 295 empty properties, a further 37 empty for 2 years, and 52 properties that are uninhabitable. (Source - Council Tax Base, 14th October 2016)
- In the year 2015/16, the number of affordable homes in South Hams was 4659, and in West Devon this was 2350 (this includes 50 units of extra care accommodation). In this same year, 60 affordable homes were built in South Hams and 32 in West Devon.
- The proportion of minority ethnic groups living in South Hams equates to 1.7% of the population and 1.6% in West Devon (Source 2011 Census). With regard to homeless applications, as a percentage 5.3% were made in SH by minority groups and 1.6% in WD.
- Average house price in South Hams is £331,625 – land registry and the average house price in West Devon is £239,160 (Source - Land Registry)
- Of the 204 households who had their homelessness prevented by South Hams District Council in 2015/16, 68 related to rent arrears or reasons of unaffordability. In West Devon, of the 282 cases of homelessness the Council was able to prevent, 65 of those households also approached for reasons of rent arrears or unaffordability. This has followed the same trend in South Hams since 2012/13, while in West Devon there has been less consistency, with relationship breakdown, parental/family eviction and private sector tenancies ending with notice, all being in high proportions.
- In 2015/16, 26 households approached South Hams as homeless, of which 11 had the full homeless duty accepted, while in West Devon, 58 applications were made and 17 of these were accepted.
- Of those accepted as homeless in South Hams, 82% were households with children or expectant mothers and 18% were single vulnerable adults. In West Devon, 53% of accepted households had dependent children or an expectant mother, with 47% single vulnerable adults.
- As of 31 March 2016, there were 7 households in temporary accommodation in South Hams and 11 in West Devon. This was a slight increase on the same date in 2015.
- The number of properties let through Devon Home Choice in 2015/16 was 243 in South Hams and 167 in West Devon. Of this, seven were allocated to people to prevent them becoming homeless, or where the Council had accepted a homelessness duty, to rehouse them in South Hams, while in West Devon this figure was 37.
- In South Hams the rough sleeper estimate for 2015 was nine - an increase of one on the previous year and in West Devon this figure was zero, a reduction of two on the previous year's figure.

How the Strategy was developed



Homelessness is a key issue within three of our identified corporate priorities – Homes, Communities and Wellbeing.

This strategy has been developed through a Joint Member Task and Finish Group, who have worked together to consider the progress we have made in tackling homelessness, within our areas, and the key challenges we have to come. The Group have been instrumental in setting the priorities for this Strategy and the formulation of the Year One Action Plan, informed by the evidence base.

Throughout the process of the review, we have looked carefully at the people who currently access our services. This strategy does not seek to create a specific service plan to address the needs of each vulnerable group. We have successful existing services developed in partnership that we will continue to improve. However, the Strategy and Action Plan reflects gaps in services or additional services we wish to offer which will improve how we tackle homelessness in our area.

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The original Task and Finish group was made up of the following members. A Member group focused on the delivery of this strategy will continue to meet to review progress on the Action Plan.

Member	Council
Cllr Brown	South Hams
Cllr Cuthbert	South Hams
Cllr Green	South Hams
Cllr Hawkins	South Hams
Cllr Leech	West Devon
Cllr Samuel	West Devon
Cllr Yelland	West Devon

The Strategy went out to public consultation from the 13th December 2016 to the 13th February 2017. The Consultation sought the views from both partner organisations and the public.

We used the following methods of consultation:

- ◆ Online survey
- ◆ Press releases
- ◆ Outreach events at Okehampton, Tavistock, Totnes, Dartmouth, Lee Mill & Kingsbridge at high footfall sites.
- ◆ One to one sessions with rough sleepers at Burke Road Drop-in
- ◆ Emails to Partner organisations (both voluntary and statutory), all Town & Parish Councils, other Devon Authorities and all partner landlords
- ◆ All elected members.

The Key Priorities for the Homelessness Strategy

The review of homelessness in South Hams and West Devon has identified four key priorities to reduce and prevent homelessness. These form the basis of this strategy and the annual Action Plan. These are:



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There is overlap and a proven relationship between these areas. However, in order to continue to build on the solid track record of preventing homelessness in South Hams and West Devon, it is necessary to start to tackle some of the root causes of homelessness, in order to make meaningful differences not only to a person's homeless situation, but the reasons why they arrived there in the first place. By continuing to be pro-active and work alongside our partners, we stand the best chance of reducing homelessness and improving people's chances in life.

This strategy comes at a very challenging time for all local authorities, as continuing budget pressures mean some tough choices on how best to target reduced resources in the most meaningful way. With this in mind, we have formulated an action plan which, we consider, is both realistic and achievable while recognising our changing position.



Priority 1: Understanding the true cost of homelessness

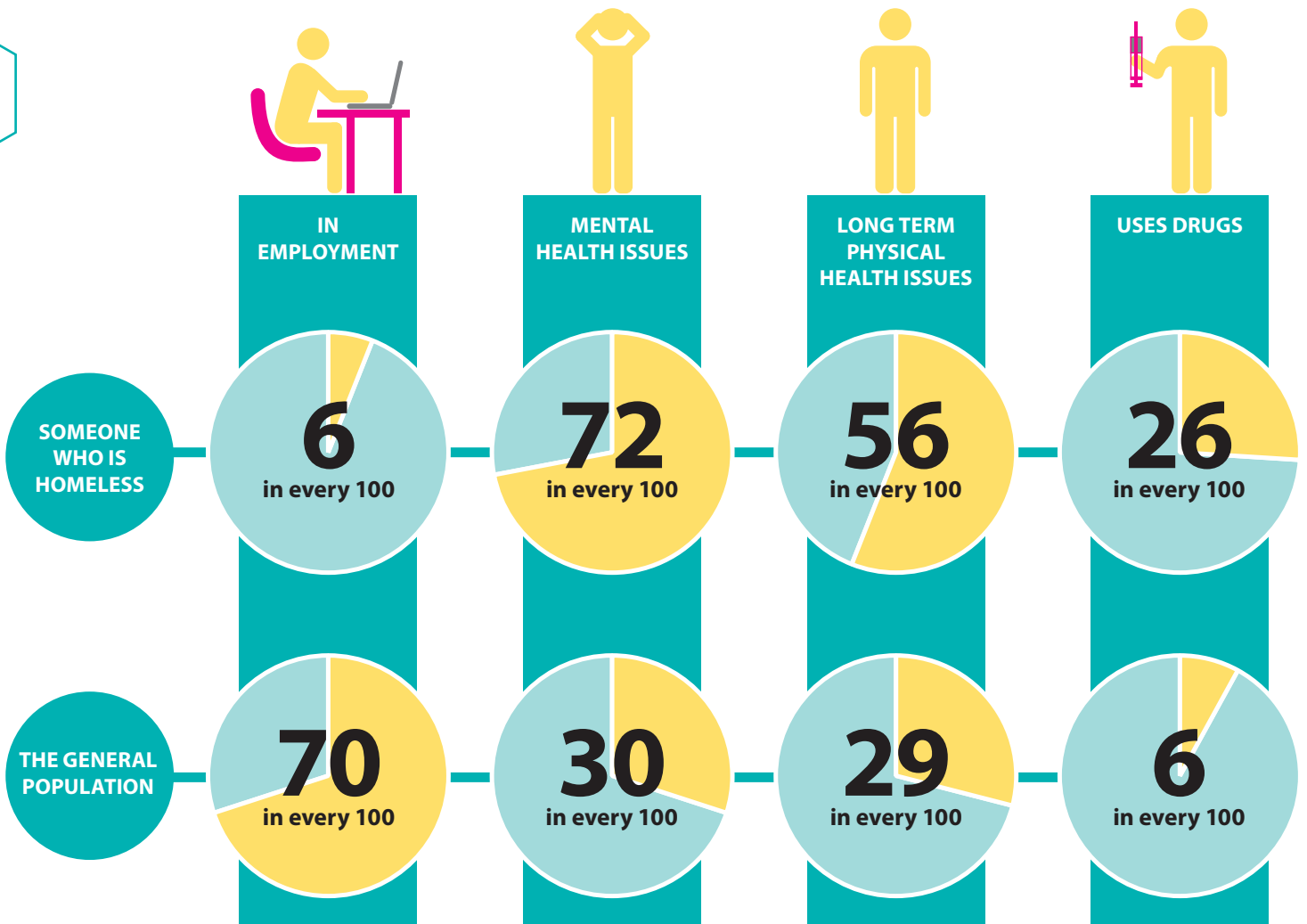
Not having a home can make it harder for individuals to find a job, stay healthy and maintain relationships. (Homeless Link)

The review highlighted a need to create a solid evidence base, about the true cost of homelessness and how its long term impact can be measured more fully. Our findings were informed by data from all statutory and voluntary agencies and localised to South Hams and West Devon.

To meet this priority we will:

- Ensure we establish a solid evidence base which informs practice across all sectors and clearly illustrates the true cost of homelessness in South Hams and West Devon.
- Monitor the impact of welfare reform, and ensure that this informs future strategic priorities
- Recognise the continuing pressures on the Councils' budgets and how best to target resources in the most meaningful way
- Ensure partnerships with other agencies demonstrate value for money
- Ensure access to good quality financial advice to help tackle poverty, poor quality housing and homelessness

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Priority 2: Access to Services

While we recognise the importance of face-to-face interaction in building rapport, trust and confidence, we also recognise that, increasingly, people who are able to resolve their own housing issues would like to access services in a different way. We would like to ensure that people who are able to resolve their own situation are given access to good quality advice, so that they have every opportunity to remedy their situation, independently.

Of course, the very nature of homelessness means a large proportion of the people requiring housing advice and homeless services will be vulnerable. Disclosures they may need to make to staff are often upsetting and traumatic and some, as a result, choose not to make contact, or do so, too late. Through improving partnership working, we have a real opportunity to make a difference to the lives of people who have struggled to engage with the Council in the past.

In addition to external partnership working, the Council has been through a significant service transformation project, which has been successful in breaking down artificial departmental barriers and restraints. It is because of this, that we are in a position to design a multi-service approach, based on the needs of the customer. This will strip out duplication and inefficiencies, while at the same time collectively offering people the services they need, at a time and place they need them most, without the need to repeat the details of, what is often, a distressing course of events.

To meet this priority we will:

- Offer advice and assistance in a range of formats, so the customer can choose how they communicate with their Council
- Ensure our most vulnerable customers are able to access advice services effectively
- Work with partners to ensure that we are able to offer services at the time and place our customers need them most
- Readily and regularly consult with our customers and stakeholders to make sure we get our services right



Priority 3: Access to Housing

The review highlighted the need to improve the supply and quality of affordable accommodation, with the largest number of people needing assistance with homelessness and housing advice, doing so for reasons of unaffordability. Changes to the benefit system, brought about by welfare reform, have had a significant effect on the lives of homeless people in South Hams and West Devon. To ensure we tackle these challenges, it is important to look at wider housing solutions in order to continue to meet needs, while also looking to the future in order to prepare for the further challenges which welfare reform will bring.

The need to 'do things differently' can be compounded in the South Hams by our rough sleeper count. Although a very small proportion of the people requiring assistance because of homelessness become rough sleepers, there is a small population in Totnes where we recognise that access to traditional housing is a step too far. There needs to be an acceptance of offering help in a new way to maximise opportunities for people who have disengaged from traditional society.

The review also highlighted how successful the South Hams in-house social letting agent had been at preventing homelessness, in an area of high demand and high costs. As of the 30 September 2016, there were 47 properties managed by the Council. This has prevented scores of families from requiring temporary accommodation and we are keen to expand the model in South Hams to take on single person's accommodation and extend the scope of the scheme into West Devon.

To meet this priority we will:

- Increase the supply, standard and options for people who face homelessness within our area
- Develop innovative options for our Rough Sleeper Community
- Continue the downward use of temporary accommodation for homeless households

Priority 4: Health and Wellbeing

South Hams and West Devon both recognise the importance of wellbeing for people living in our communities, and as a result, it is one of our key corporate priorities. Tackling homelessness takes more than just the provision of a house, if we are to maximise the opportunities for our most vulnerable residents.

The health inequalities of homeless people can be evidenced in a national health audit undertaken in 2014 by Homeless Link and The Department of Health. This showed that 41% of homeless people reported a long-term physical health problem (compared to just 28% of the general population) and 45% had been diagnosed with a mental health problem (compared with 25% of the general population) (Source – The Unhealthy State of Homelessness: Health Audit Results 2014)

Often, poor health, addictions and unhealthy lifestyles mean that people are unable to secure, and maintain, accommodation for themselves or their families. We recognise our supporting role as a protector of public health and the importance of working, in partnership, to effectively meet and support the needs of vulnerable people in South Hams and West Devon.

To meet this priority we will:

- Work in partnership with our voluntary and statutory sectors to holistically address people's needs as fully as possible.
- Ensure we adequately protect and safeguard the most vulnerable members of our community
- Enable early help, to avoid crisis and tackle homelessness at its root cause.

How the Homeless strategy and Delivery Plan will be monitored

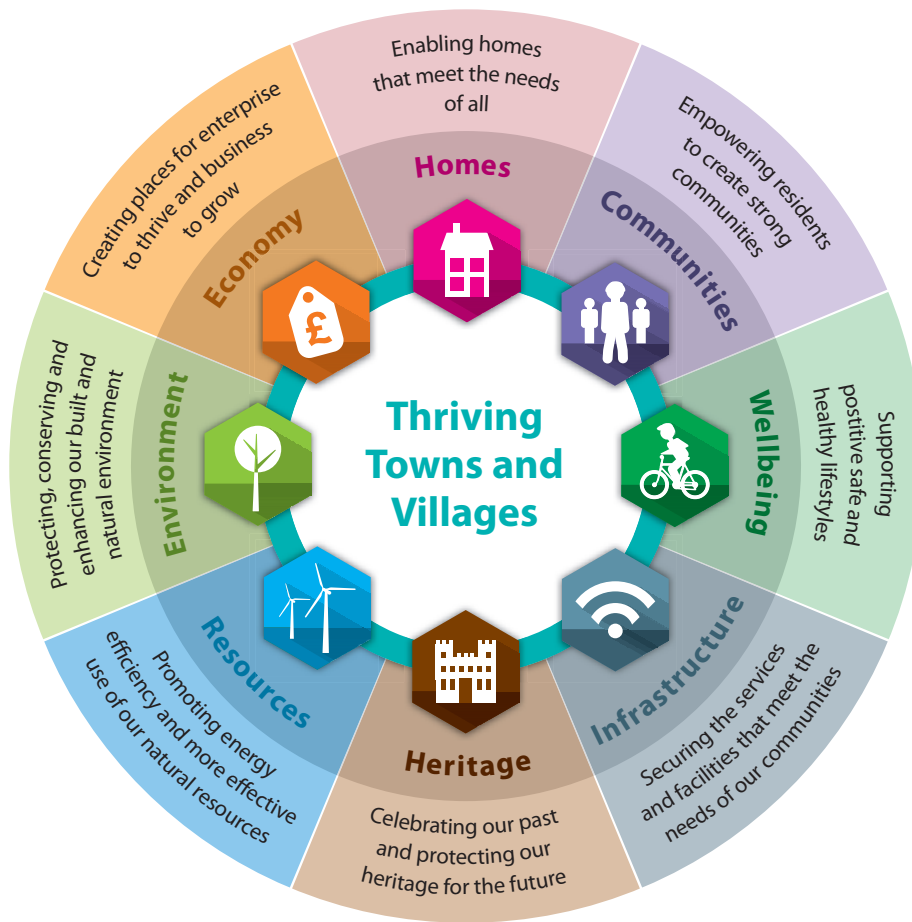
The life of this homeless strategy is intended to be five years.

Annually we will publish our progress to date and a refreshed Action Plan.

The delivery of the Action Plan will rely on the resources of both Councils and their partners, working together to achieve positive outcomes, for people in South Hams and West Devon.

It is proposed that the established Task and Finish Group, will continue as a Homelessness Steering Group to monitor progress against the priorities and the formulation of Years 2-5 of the Action Plan for this strategy. This will ensure an ongoing conversation, to keep the strategy relevant and ensuring that local people continue to have a voice through their elected representative.





Working together



South Hams
District Council



West Devon
Borough
Council

Appendix 2

Background

The Homelessness Act 2002 places a duty on local authorities to review homelessness, and the influencing factors that cause homelessness, and to develop a strategy which addresses the findings of the review.

Our 2017-2022 Homelessness Strategy for South Hams and West Devon has been designed to address changes in national policy, reductions in government spending, changes in demography in the area and the impact of the 2013 Welfare reform Bill, 2012 localism Bill and 2017 Homeless Reduction Act.

The Key Priorities for the Homelessness Strategy

The review of homelessness in South Hams and West Devon identified four key priorities to reduce and prevent homelessness. These are:

- Understanding the True Cost of Homelessness
- Access to Housing
- Access to Services
- Health and Wellbeing

These four key priorities form the basis of the strategy and the annual Action Plan. Our 2019-20 Action plan has been developed following a review of the progress made to date on our existing 2018-19 Action plan.

Progress to date

Following the review of the 2018/19 Action Plan we are pleased to be able to confirm that good progress has been made on the actions for the year.

Review of 18/19 Action Plan

Understanding the True Cost of Homelessness

- In the year 2018-19 520 Households were prevented from becoming homeless in South Hams and 410 in West Devon.
- Our Money Advice Contract assisted 78 households across South Hams and West Devon in the financial year 2018/19 and brought in excess of £89,000 in previously unclaimed benefits and other entitlements.
- Our tenancy support service has worked with 115 South Hams households and 60 West Devon households. 30 Households were supported to maintain their existing accommodation as a result of this support.

- The introduction of the Homeless Reduction Act 2017 included a Legal Duty for certain partner agencies to refer those threatened with homelessness into the service. Training delivered to multiple partner agencies to ensure these new duties are understood and that the duty to refer process is embedded in partner agency service delivery.
- Training delivered to partner agencies in using an online referral service as part of the referral process. 259 online referrals received by partner agencies using this option.
- Housing specialist co-location in Children's services enabled effective training delivery to staff in the Multi Agency Safeguarding Hub and facilitated improved joint working.
- Online self-referral and communication portal established to enable customers to access housing related support online.
 - Portal established in September 2018 with regular referrals now being received in this manner. A reporting process is being developed by the software provider to ensure the numbers of online self-referrals can be being captured.
- All localities staff trained to support customers with claims for Housing Benefit and Devon Home Choice applications.
- Supported Children's Services in the design of a new role; Housing Specialist Early Help Officer and supported the effective recruitment of four new members of staff to further facilitate effective joint working between housing and Early Help services.
- 15 cases co worked with Early Help
- Co location opportunities with support service providers currently being explored.

Access to Housing

- Seamoor lettings scheme launched in West Devon
- 2 properties taken on in 2018/19 to the scheme in WD and 3 in SH's
- Working under the Vulnerable Customer Charter ethos we have created a shared accommodation property for young people threatened with homelessness in partnership with Young Devon.
- Research undertaken on best practice options for Landlord engagement which may be more effective than the traditional landlord forum approach. A biannual landlord information bulletin is due for launch in 2019.
- Rough sleeper count remained static in South Hams and West Devon
- 12 rough sleepers supported into long term housing.

Health and Wellbeing

- Homelessness prevention sessions successfully delivered in Dartmouth, Kingsbridge and Okehampton colleges. Ongoing efforts are being made to book dates in for the next academic year with other schools across the area.
- South Hams & West Devon established a partner agency working group alongside Teignbridge District Council which successfully applied for and recently received funding to enable to development of a bespoke multi agency hub and recruitment of specialist staff to address the needs of rough sleepers across all three districts.
- Online safeguarding reporting process designed and accessed through our intranet. Process launched council wide and training provided to all staff.
- 38 grants issued in West Devon and 20 in South Hams to meet the cost of home energy efficiently improvements through the EcoFlex scheme; resulting in homes which are warmer and healthier.
- Vulnerable customer charter written and embedded in our internal working practices. Successful projects in progress and further opportunities to identify multi agency projects to address local needs are being discussed.

Actions to be rolled over as incomplete: None

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Understanding the True cost of homelessness

- Ensure there is a solid evidence base which informs, across all sectors, the true cost of homelessness in South Hams & West Devon.
- Monitor the impact of welfare reform, to inform future strategic priorities
- Recognise the continuing pressures on Council’s budgets and how best to target resources in the most meaningful way, ensuring partnerships with other agencies demonstrate value for money.
- Ensure access to good quality money advice, to help tackle poverty, poor quality housing and homelessness

HSU1	Continue to monitor the current service delivery of Money advice contract – identify trends to ensure resources are targets appropriately.	Effective targeting of support	<u>ongoing</u>
HSU2	Improve communication and information sharing with landlords both in the private rented and social housing sector on support available to tenants impacted on by welfare reform. To enable early identification and intervention.	Reduction in the number of households evicted from private rented accommodation Reduction in repeat service users	<u>Ongoing throughout the life of this strategy</u>
HSU3	Evaluate and quantify the current cost of RIA provision to those accessing social housing to ensure best use of LA funding for homeless prevention.	Effective targeting of support and reduction of cost to LA	
HSU4	Continue downward trend in use of nightly paid emergency housing and over all temp length of stays - 15% reduction in cost to the LA	Effective targeting of support and reduction of cost to LA	
HSU5	Maintain the current low levels of rent arrears for tenants of the SeaMoor lettings scheme through the appropriate targeting of support.		

Access to services

- Offer advice and assistance in a range of formats, so the customer can choose how they communicate with their Council
- Ensure our most vulnerable customers are able to access advice services effectively
- Work with partners to ensure that we are able to offer services at the time and place our customers need them most
- Ensure we are readily and regularly consulting with our customers and stakeholders to make sure we get our services right.

HSS1	Improve awareness of services on offer to other professionals to maximise the number of appropriate referrals into the service and opportunities for joint working.	Increased early intervention and homeless prevention work	
HSS2	Creation of a dedicated landlord inquiry email contact to offer rapid solution focussed advice to landlords experiencing issues with their tenancies.	Increased early intervention and homeless prevention	Sept 2019
HSS3	Continue delivery of our Homelessness Forum to ensure ongoing dialogue with partner agencies and to ensure Housing Options Services reflect a holistic approach to customers with complex needs.	Increased early intervention and homeless prevention work	ongoing throughout the life of this strategy
HSS4	Produce a bi annual landlord bulletin enabling landlords to sign up to receive legislative updates which may impact on their lettings, reflect any FAQ's raised through the inquiry line and offer guidance on legal matters.	Reduction in the number of households evicted from private rented accommodation	Sept 2019
HSS5	Build on the delivery of services in schools to increase early intervention opportunities with young people and partnership working with Early help services	Increased early intervention reduction in Youth Homelessness	

Access to Housing

- Increase the supply, standard and options for people who face homelessness within our area
- Develop innovative options for our Rough Sleeper Community
- Continue the downward use of temporary accommodation for homeless households.

<u>HS1</u>	Evaluate current temporary accommodation provision and available assets to ensure best use of housing stock to improve quality, cost and availability of emergency housing.	Reduction in cost of temporary accommodation	<u>April 19</u>
<u>HS2</u>	Work with Housing Associations to encourage sign up to the 'Home's For Cathy' commitments	Improve HA's commitment to working in partnership to reduce homelessness.	<u>Sept 19</u>
<u>HS3</u>	Develop appropriate monitoring methods to accurately identify barriers to accessing housing for those in high housing need and to predict future trends and needs.	Reduction of those in high housing need on housing register	
<u>HS4</u>	Work with HA's to develop a light touch housing first model providing high level support to facilitate tenancy sustainment.	Reduction in Rough Sleeper estimated count	
<u>HS5</u>	Continue to build the SeaMoor property portfolio to increase access to the private rented sector for those on mid to low incomes.	Increase in new properties under the a management of SeaMoor Lettings	
<u>HS6</u>	Appropriately target support to those in temporary accommodation to enable faster identification of suitable private rented and social housing options.	Reduction in the cost of temporary accommodation	

Health & Wellbeing

- Work in partnership with our voluntary & statutory sectors to holistically address people's needs, as fully as possible.
- Ensure that we adequately protect & safeguard the most vulnerable members of our community

- Enable early access to help, to avoid crisis and tackle homelessness, at its root cause.

<u>HSW1</u>	Improve joint working opportunities through identifying and promoting projects under the Vulnerable Customer Charter approach where a multi-agency approach results in effective housing solutions.	Provision of more holistic service to customers with complex needs resulting in more suitable and sustainable prevention opportunities.	<u>April 19</u>
<u>HSW2</u>	Monitor the delivery of housing options achieved as a result of the Health and Wellbeing panel to identify trends and better enable future planning.		<u>Ongoing</u>
<u>HSW3</u>	Work with Devon County Council to develop robust methods of identifying future needs and mapping appropriate service delivery.	Improved future planning for service delivery and reduction in housing needs due to H&W.	<u>Ongoing</u>
<u>HSW4</u>	Interrogate existing housing register application with High housing need due to H&W to identify barriers to sourcing suitable accommodation and inform future housing needs and delivery	Increased wellbeing of customer as a result of the most appropriate Intervention.	<u>Oct 19</u>

The South Hams District Council and West Devon Borough Council Rough Sleeper Strategy

The purpose of the strategy

This Rough Sleeper Strategy will be delivered and monitored alongside the Homelessness Strategy.

South Hams and West Devon will build on the current work that has minimised the incidences of rough sleeping within the area. We will adopt a robust approach to all forms of rough sleeping in the two Local Authority areas and aim to reduce the number of people sleeping rough by 50% by the end of 2022 and ensure that no one has to sleep rough by 2027.

It is common for the council to be perceived by people sleeping rough as enforcers and historically the level of engagement that we are able to achieve with rough sleepers has been low. There has always been an open offer of accommodation for rough sleepers through our No Second Night Out principles and the Severe Weather Emergency Protocol. In recent years these schemes have been increasingly successful at providing longer term accommodation for rough sleepers. However, for some rough sleepers with complex support needs it has proved difficult for them to maintain this accommodation and ultimately some of these accommodations fail.

South Hams and West Devon are committed to providing a service to rough sleepers that responds quickly to their changing needs, promotes independence and self-worth and is delivered in a client centred way.

To achieve more sustainable positive outcomes for people sleeping rough we will focus on the key targets of the South Hams and West Devon Homelessness Strategy:

Understanding the true cost of Homelessness

To fully understand the true cost of homelessness we need to ensure that we working from a solid evidence base.

To meet this priority we will:

- Increase our knowledge of the number of people sleeping rough by building on the annually required rough sleepers estimate by introducing a quarterly rough sleeper estimate. This will ensure that the service delivery can respond more quickly to need.
- Continue to work with partnership agencies to ensure that we are taking account of information from a wide sphere of organisations who have contact with or knowledge of rough sleepers to maximise our knowledge base. We will monitor these working arrangements to ensure that they continue to offer good value for money.

Access to services

The very nature of homelessness means a large proportion of the people requiring housing advice and homeless services will be vulnerable and may need additional support to enable them to access services.

To meet this priority we will:

- Introduce an intensive outreach service to enable the council to talk to rough sleepers in their own environment, build rapport and a working relationship to enable them to navigate the services that are available. This service will reflect an holistic approach focusing on addressing barriers to accessing and maintaining accommodation including; access to health care, benefits, support and meaningful occupation.
- Link this provision in with our continued work with partners to identify true rough sleepers, and those at risk of rough sleepers. Enabling us to provide appropriate support to assist them to become ready to access accommodation, increasing our focus on early intervention where possible.
- Work with the Prison Navigator to ensure that we work to prevent homelessness for people being released from prison and intervene early to identify any support needs and help them access the support they need.
- Continue to work with StreetLink to ensure that a clear reporting mechanism remains in place for members of the public to let us know about people sleeping rough.
- Remain committed to the Shared Young Persons Protocol that was developed in partnership with Devon County Council to ensure early intervention and a homeless prevention approach to engaging with young people.
- Continue to provide a Housing Options service that offers tailored advice to everyone who is homeless or threatened with homelessness. The focus of the team's work will continue to be on early intervention and homelessness prevention wherever possible.

Access to Housing

Housing options for those with a history of rough sleeping need to be innovative and reflect the needs of the individual. The Local Authority seeks to achieve this through the provision of multiple housing options which will be tailored to meet the needs of the individual.

To meet this priority we will:

- Ensure that the focus of the outreach support is to encourage rough sleepers to access accommodation and to ensure that they are equipped with the support and resources to maximise their chances of success.
- Introduce a supported housing scheme rooted in the Housing First Principles specifically targeted at entrenched rough sleepers.
- Continue to work with our partners to refer into supported accommodation and rehabilitation accommodation to as part of the recovery process where appropriate.
- Continue to provide accommodation to people sleeping rough under the Severe Weather Emergency Protocol wherever possible and to build on this contact with people sleeping rough to encourage them to consider longer term housing options.
- Continue to adhere to the principles of No Second Night out by offering emergency accommodation to people who are verified as rough sleeping.

- Remain committed to working with rough sleepers to access the most suitable accommodation for their needs including assisting rough sleepers to access private rented and social housing where appropriate.

Health and Wellbeing

Tackling homelessness takes more than just the provision of a house, if we are to maximise the opportunities for our most vulnerable people. Often, poor health, addictions and unhealthy lifestyles mean that people are unable to secure, and maintain, accommodation for themselves or their families.

To meet this priority we will:

- Introduce a Tenancy Ready training scheme which will help prepare people sleeping rough for the significant changes and responsibilities involved in sustaining accommodation and maintaining good standards of health.
- Utilise the services engaged with the Multi Agency Hub to support delivery of an holistic service offer to those rough sleeping focused on recovery to enable the individual to thrive. To include; Mental Health Services, Drug and Alcohol Support Services and Adult Social Care
- Promote the long term benefits and cost avoidance of developing a high quality outreach program with partner agencies and statutory services including Mental Health Team, Drug and Alcohol Support agencies and GP's to enable rough sleepers the opportunity to access the health care they need.

Monitoring Our Progress

The strategy actions will be monitored in conjunction with the Homelessness strategy, reviewed on an annual basis and the strategy will undergo a full evaluation in the 2022 at the end of the life of the Homelessness Strategy.

In addition to this we will increase the annual estimate to a quarterly estimate to ensure that we have up to date information available to assess the success of the strategic aims.

We will record detailed information regarding the rough sleepers that we interact with including detailed information about their support needs and their journey to enable to better shape the services that we offer.

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Report to: **HUB Committee**

Date: **10 September 2019**

Title: **Write Off Report**

Portfolio Area: **Performance & Resources – Cllr Edmonds**

Wards Affected: **All**

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

Date next steps can be taken: **N / A**

Author: **Lisa Buckle** Role: **Section 151 Officer**

Contact: **Ext. 1413 lisa.buckle@swdevon.gov.uk**

Recommendations:

The Committee notes that, in accordance with Financial Regulations, the s151 Officer has authorised the write-off of individual West Devon Borough Council debts totalling £40,704.62 as detailed in Tables 1 and 2.

The Committee approves the write off of individual debts in excess of £5,000 totalling £24,689.39 as detailed in Table 3.

1. Executive summary

The Council is responsible for the collection of: Sundry Debts including Housing Benefit Overpayments, Council Tax and National Non-Domestic Rates.

The report informs members of the debt written off for these revenue streams. Debts up to the value of £5,000 can be written off by the s151 Officer, under delegated authority. Permission needs to be sought from the Committee to write off individual debts with a value of more than £5,000.

This report covers the period 1st April 2019 to 30th June 2019.

2. Background

The Council's sound financial management arrangements underpin delivery of all the Council's priorities, including the commitment to providing value for money services.

This report forms part of the formal debt write-off procedures included in these financial arrangements.

West Devon Borough Council's collection rates for 2018/19 were; Council Tax 97.7% & Business Rates 97.6%.

In the first quarter of 2019/20 the Council has collected £12.1 million in Council Tax and £3.6 million in Business Rates. The total collectable debt for 2019/20 (as at 30th June) for Council Tax is £41.3 million and for Business Rates is £10.8 million.

Debts are recovered in accordance with the Council's Recovery Policy which is published on our website.

3. Outcomes/outputs

In accordance with good financial management principles the Council has, for the revenue streams detailed in this report, made a total bad debt provision of £2,781,044.16 as shown in Table 7. This provision recognises that a proportion of the Authority's debts will prove irrecoverable and ensures that the value of debtors within the Authority's accounts is a fair reflection of the amount that will eventually be recovered.

All debts, taxes and rates within the Service's control are actively pursued, and in most instances are collected with little difficulty. In cases where payment is not received on time, a reminder will be issued promptly to the debtor. If this fails to secure payment, a final reminder and/or a summons will also be issued and if necessary the debt passed to an appropriate collection agent such as the Civil Enforcement Agents or the Council's Legal Department in order to secure payment.

Sometimes, however, if the debtor is having difficulty making the payment, special arrangements are used to effect recovery, and this may mean extending the period of time to collect the debt.

In some cases pursuit of an outstanding debt is not possible for a variety of reasons, such as bankruptcy or liquidation and such cases with arrears under £5,000 can be written off by the Section 151 Officer under delegated authority. Cases where the debt exceeds £5,000 must, however, be approved by the Committee prior to the debt being written off.

A record is kept of debts written off, together with the reason for doing so, so that if there is a realistic chance of recovery in the future a debt may be resurrected and pursued again.

The Service has access to Experian’s Citizenview database which is currently the most reliable means of tracing absconded debtors. Each case is checked against this system before a decision is taken to write off the debt. A periodic review of write offs against this system may also be carried out to resurrect debts where appropriate.

4. Options available and consideration of risk

The Committee can either approve to the debt being written off or not. Should the write off of an individual debt not be approved, it will remain on the appropriate system as an outstanding balance. In cases of insolvency there is no option available to the Council but to stop any action to collect the debt. With any case where the debt remains on the appropriate Council system, it may result in additional time and cost spent to pursue the debts when there is no realistic prospect of recovery.

5. Proposed Way Forward

The Committee approves the write off of individual debts in excess of £5,000 as detailed in Table 3.

6. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance		<p>The relevant powers for this report are contained within the following legislation;</p> <p>Section 151 Local Government Act 1972 Section 44 Local Government Finance Act 1988 (Non Domestic Rate) Section 14 Local Government Finance Act 1992 (Council Tax)</p>
Financial implications to include reference to value for money		<p>West Devon Borough Council debts totalling £65,394.01 to be written-off</p>
Risk		<p>Any risk to reputation is managed carefully by prompt recovery of amounts due wherever possible.</p> <p>This risk is also mitigated by taking a balanced view and ensuring that resources are not expended on debts which are not cost effective to pursue</p> <p>The obvious risk of debtors subsequently being able to pay a debt which has been written off is mitigated by the activity outlined in Part 3.</p>

Supporting Corporate Strategy		Delivering efficient and effective services
Comprehensive Impact Assessment Implications		
Equality and Diversity		All enforcement action that is taken prior to this point is undertaken in accordance with legislation and accepted procedures to ensure no discrimination takes place.
Safeguarding		None
Community Safety, Crime and Disorder		None
Health, Safety and Wellbeing		None
Other implications		A bad debt provision is built into the financial management of the Authority

Supporting Information

Appendices:

Table 1 – Council debt under £5,000 written off by the Section 151 Officer

Table 2 – Non-Domestic Rate debt under £5,000 written off by the Section 151 Officer

Table 3 – Summary of items over £5,000 where permission to write off is requested

Table 4 – National & Local Collection Statistics re 2018/19 Collection Rates

Table 5 – Quarterly income in 2018/19 relating to all years

Table 6 – Previous Year Write Off Totals

Table 7 – Bad debt provision breakdown

Background Papers:

Section 151 Local Government Act 1972

Section 44 Local Government Finance Act 1988 (Non Domestic Rate)

Section 14 Local Government Finance Act 1992 (Council Tax)

Recovery Policy

Approval and clearance of report

Process checklist	Completed
Portfolio Holder briefed	Yes
SLT Rep briefed	Yes
Relevant Heads of Practice sign off (draft)	Yes
Data protection issues considered	Yes
Accessibility checked	Yes

TABLE 1 SUMMARY OF WEST DEVON BOROUGH COUNCIL DEBT UNDER £5,000 WRITTEN OFF BY S151 OFFICER

TYPE OF DEBT	NUMBER OF CASES	REASON FOR W/OFF	Financial Year 2019/20			Totals for Comparison purposes			
			Quarter 1	Cumulative Total		Equivalent Quarter 2018/19		Grand Total 2018/19	
			Amount (£)	Cases	Amount	Cases	Amount	Cases	Amount
HOUSING BENEFIT	25	Overpaid Entitlement	8,251.32	25	8,251.32	29	12,731.54	76	28,187.80
	2	Insolvency / Bankruptcy	4,714.67	2	4,714.67	-	-	12	16,072.89
	4	Deceased	2,475.52	4	2,475.52	2	647.25	13	4,094.34
	1	Other	85.89	1	85.89	1	105.50	4	433.09
	-	Absconded	-	-	-	-	-	3	2,606.02
	5	Not Cost Effective to Pursue	43.92	5	43.92	10	1,087.53	46	8,005.61
	6	Uncollectable Old Debt	880.14	6	880.14	-	-	33	16,561.27
Total	43		16,451.46	43	16,451.46	42	14,571.82	187	75,961.02
COUNCIL TAX	-	Absconded	-	-	-	-	-	-	-
	7	Insolvency / Bankruptcy	5,868.57	7	5,868.57	5	7,489.26	31	46,034.41
	1	Deceased	637.84	1	637.84	-	-	4	2,905.84
	-	Other (inc. CTR overpayment)	-	-	-	2	728.40	7	3,214.41
	3	Small Balance	40.30	3	40.30	1	2.65	47	672.38
	59	Uncollectable Old Debt	14,092.45	59	14,092.45	-	-	-	-
Total	70		20,639.16	70	20,639.16	8	8,220.31	89	52,827.04
SUNDRY DEBTS	-	Small Balance	-	-	-	-	-	2	14.33
	-	Insolvency / Bankruptcy	-	-	-	-	-	-	-
	-	Unable to pursue	-	-	-	-	-	4	1,065.00
	2	Uncollectable Old Debt	140.00	2	140.00	-	-	-	-
	-	Absconded	-	-	-	-	-	36	14,526.37
	-	Other	-	-	-	1	540.00	1	540.00
Total	2		140.00	2	140.00	1	540.00	43	16,145.70
Grand Total	115		37,230.62	115	37,230.62	51	23,332.13	319	144,933.76

**Breakdown of Absconded Council Tax Debt
(Some cases may have debts over more than one year)**

Year	2019/20	2018/19	2017/18	2016/17	2015/16	2014/15	2013/14	2012/13	2011/12	2010/11	Pre 2010/11	Total
Value	-	-	-	-	-	-	-	-	-	-	-	-
Number	-	-	-	-	-	-	-	-	-	-	-	-

TABLE 2 SUMMARY OF NON DOMESTIC RATE DEBT UNDER £5,000 WRITTEN OFF BY THE S151 OFFICER

TYPE OF DEBT	NUMBER OF CASES	REASON FOR W/OFF	Financial Year 2019/20			Totals for Comparison purposes			
			Quarter 1		Cumulative Total	Equivalent Quarter 2018/19		Grand Total 2018/19	
			Amount (£)	Cases	Amount	Cases	Amount	Cases	Amount
NON-DOMESTIC RATE	2	Insolvency / Bankruptcy	502.35	2	502.35	2	4,618.83	6	9,704.04
	-	Absconded	-	-	-	-	-	-	-
	-	Deceased	-	-	-	-	-	-	-
	-	Other	-	-	-	-	-	-	-
	2	Small Balance	126.70	2	126.70	-	-	-	-
	1	Uncollectable Old Debt	2,844.95	1	2,844.95	-	-	-	-
Total	5		3,474.00	5	3,474.00	2	4,618.83	6	9,704.04

TABLE 3 SUMMARY OF ITEMS OVER £5000 WHERE PERMISSION TO WRITE OFF IS REQUESTED

TYPE OF DEBT	NUMBER OF CASES	REASON FOR W/OFF	Financial Year 2019/20			Totals for Comparison purposes			
			Quarter 1		Cumulative Total	Equivalent Quarter 2018/19		Grand Total 2018/19	
			Amount (£)	Cases	Amount	Cases	Amount	Cases	Amount
NON-DOMESTIC RATE	1	Insolvency / Bankruptcy	17,929.80	1	17,929.80	1	26,564.80	2	38,251.60
	-	Absconded	-	-	-	-	-	-	-
	-	Deceased	-	-	-	-	-	-	-
	-	Other	-	-	-	-	-	-	-
Total	1		17,929.80	1	17,929.80	1	26,564.80	2	38,251.60
HOUSING BENEFIT	-	Insolvency / Bankruptcy	-	-	-	-	-	-	-
	-	Absconded	-	-	-	-	-	-	-
	-	Other	-	-	-	-	-	-	-
	-	Deceased	-	-	-	-	-	-	-
	-	Overpaid entitlement	-	-	-	-	-	2	12,721.09
Total	-		-	-	-	-	-	2	12,721.09
COUNCIL TAX	-	Insolvency / Bankruptcy	-	-	-	-	-	-	-
	-	Absconded	-	-	-	-	-	-	-
	-	Other (inc. CTR overpayment)	-	-	-	-	-	-	-
Total	-		-	-	-	-	-	-	-
SUNDRY DEBTORS	1	Insolvency / Bankruptcy	6,759.59	1	6,759.59	-	-	-	-
	-	Absconded	-	-	-	-	-	-	-
	-	Other	-	-	-	-	-	-	-
Total	1		6,759.59	1	6,759.59	-	-	-	-
Grand Total	2		24,689.39	2	24,689.39	1	26,564.80	4	50,972.69

TABLE 4 NATIONAL & LOCAL COLLECTION STATISTICS RE 2018-19 COLLECTION RATES

Total amount collected in 2018-19 relating to 2018-19 financial year only (net of refunds relating to 2018-19)

	Council Tax			Non Domestic Rates		
	Collectable Debit i.r.o. 18/19 - £000s	Net Cash Collected* i.r.o. 18/19 - £000s	Amount Collected i.r.o. 18/19 - %age	Collectable Debit i.r.o. 18/19 - £000s	Net Cash Collected* i.r.o. 18/19 - £000s	Amount Collected i.r.o. 18/19 - %age
All England	30,185,467	29,293,449	97.0	26,188,145	25,748,183	98.3
Shire Districts	13,794,829	13,508,228	97.9	8,179,526	8,052,219	98.4
East Devon	107,176	105,902	98.8	36,363	36,147	99.4
Exeter	65,947	64,026	97.1	83,047	81,705	98.4
Mid Devon	53,342	52,162	97.8	15,313	15,203	99.3
North Devon	62,409	60,578	97.1	32,660	31,693	97.0
Plymouth	126,927	122,831	96.8	91,186	90,289	99.0
South Hams	70,455	69,214	98.2	31,194	30,696	98.4
Teignbridge	90,164	88,856	98.5	30,967	90,722	99.2
Torbay	81,414	78,434	96.3	35,256	34,069	96.6
Torridge	43,360	42,500	98.0	11,651	11,480	98.5
West Devon	39,119	38,206	97.7	10,729	10,473	97.6

* Net Cash Collected is total 2018-19 receipts net of refunds paid, in respect of 2018-19 only

TABLE 5 QUARTERLY INCOME IN 2018-19 RELATING TO ALL YEARS

Total amount collected in 2018-19 relating to any financial year (net of all refunds made in 2018-19)

	Council Tax Net Cash Collected* £000s	Non Domestic Rates Net Cash Collected* £000s
Quarter 1 - Receipts collected between 1 st April – 30 th June	11,899	3,137
Quarter 2 - Receipts collected between 1 st July – 30 th September	10,259	3,063
Quarter 3 - Receipts collected between 1 st October – 31 st December	10,970	2,742
Quarter 4 - Receipts collected between 1 st January – 31 st March	5,475	1,426

* Net Cash Collected is total receipts in 2018-19 net of refunds paid, irrespective of the financial year (previous, current or future years) to which they relate

TABLE 6 PREVIOUS YEAR WRITE OFF TOTALS

		2018 - 19	2017 - 18	2016 - 17	2015 - 16	2014 - 15	2013- 14
HOUSING BENEFIT	Under £5,000 cases	75,961.02	117,461.11	28,341.72	37,800.00	77,477.87	48,315.96
HOUSING BENEFIT	£5,000 or over cases	12,721.09	17,126.57	15,685.10	15,685.10	25,488.58	0.00
Total		88,682.11	134,587.68	44,026.82	53,485.10	102,966.45	48,315.96
COUNCIL TAX	Under £5,000 cases	52,827.04	85,818.34	85,498.82	60,159.32	67,271.83	33,385.96
COUNCIL TAX	£5,000 or over cases	-	27,458.04	-	0.00	5,265.60	15,940.10
Total		52,827.04	113,276.38	85,498.82	60,159.32	72,537.43	49,326.06
SUNDRY DEBTS	Under £5,000 cases	16,145.70	85,064.24	15,895.01	3,020.15	887.47	818.09
SUNDRY DEBTS	£5,000 or over cases	-	-	-	-	0.00	0.00
Total		16,145.70	85,064.24	15,895.01	3,020.15	887.47	818.09
NON DOMESTIC RATES	Under £5,000 cases	9,704.04	8,876.14	10,517.74	6,650.00	17,699.12	35,095.48
NON DOMESTIC RATES	£5,000 or over cases	38,251.60	7,561.62	29,217.16	29,217.16	89,506.07	38,882.41
Total		47,955.64	16,437.76	39,734.90	35,867.16	107,205.19	73,977.89
GRAND TOTAL		205,610.49	349,366.06	185,155.55	152,531.73	283,596.54	172,438.00

TABLE 7 BAD DEBT PROVISION RELATING TO ALL YEARS

Total amount of bad debt provision for debts outstanding as at 31st March 2019

	West Devon element (£)	Gross Collection Fund amount* (£)
Council Tax	305,340.82	1,997,824.78
Business Rates	141,244.40	353,110.80
General Fund	134,149.68	134,149.68
Housing Benefit	293,000.00	293,000.00
Standard Charges	2,958.90	2,958.90
Total	876,693.80	2,781,044.16

* Gross Collection Fund amount includes elements of Council Tax and Business Rates bad debts that relate to Central Government or other precepting bodies share of the provision.

Report to: **Hub Committee**

Date: **10 September 2019**

Title: **Corporate Strategy**

Portfolio Area: **Leader of the Council**

Wards Affected: **All Wards**

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

Date next steps can be taken:
(e.g. referral on of recommendation or implementation of substantive decision) **After call in period 18 September 2019 or Council**

Author: **Nadine Trout** Role: **Commissioning Manager**

Contact: **Nadine.Trout@swdevon.gov.uk 01822 813624**

RECOMMENDATION

That the Hub Committee recommends to Council to adopt the Corporate Strategy desired outcomes (targets) up until 2023 as outlined in section 5 of this report.

1. Executive summary

- 1.1 This report is presented by the Leader of the Council and details the findings from recent Member led, consultation with local communities.
- 1.2 The purpose of the consultation was for Members to engage with their local residents to find out what matters most to them under each of the Council's six strategic themes, namely: Homes, Communities, Environment, Enterprise, Wellbeing and Efficient and Effective Council.
- 1.3 The consultation results have been used to devise a set of desired outcomes (targets) for each of the Council's strategic themes which can be found in section 5 of this report. It is proposed these targets are presented to Council on 17 September 2019 and form the focus of Council delivery for the rest of this administration i.e. up until 2023.

2. Background

- 2.1 In May 2018 Council adopted a new Corporate Strategy including a core purpose, guiding principles and five high level themes to guide Council delivery over the next 5 years, see Appendix A.
- 2.2 Throughout the summer of 2018 the Corporate Strategy themes were promoted by officers to local residents via roadshows and an online engagement portal where residents were encouraged to share their views and highlight the things most important to them under each theme. Responses although only few in number were varied but common responses focused on the need for truly affordable local housing, the need for car parking in new developments and the importance of keeping the Borough clean and tidy. It is important to note, that the roadshows and online promotion only prompted feedback from 68 residents.
- 2.3 In October 2018 Overview and Scrutiny Committee appointed a Corporate Strategy Key Performance Indicators (KPIs) Task and Finish Group, comprising Members and supported by senior officers. The Task and Finish Group presented their recommendations to Overview and Scrutiny Committee in January 2019. It was recognised by the Committee that the KPIs supplied were a good starting point. However, based on newly received feedback from the Local Government Association Peer Review team both Overview and Scrutiny Committee and Hub Committee resolved more work was needed by both Members and officers, to set a powerful vision for the next 5-10 years, and develop clearer strategies aligned to each corporate theme and that articulate desired outcomes for local residents.
- 2.4 As a result Hub Committee in January 2019 instructed officers to pull together relevant evidence, policies, service offering, projects, partners and outcomes per corporate theme which led to a Member workshop on 5 February 2019 and coverage of the Corporate Strategy in the Member induction process in May 2019.
- 2.5 At Hub Committee on 4 June 2019 it was agreed all Members would be tasked with engaging with their communities throughout the summer, both online and in person, to garner the views of local residents on the Council's strategic themes.
- 2.6 It was further agreed at Hub Committee on 4 June 2019 that findings from the Member led consultation would be presented to today's Committee, coupled with a set of desired outcomes (targets) per strategic theme. These targets would then be presented to Council for consideration on 17 September 2019.

3 Outcomes/outputs

- 3.1 An all Member briefing session was held on 16 July 2019 to provide Members with materials to embark on consultation with their communities on the corporate strategy. Members were supplied with:

- Printed copies of the Council's Corporate Strategy, Annual Report and Council Tax leaflets
 - Digital versions of the above as well as imagery for social media and a link to an online survey
 - Members were further advised that display material and paper copies of the survey were readily available on request
- 3.2 A number of residents participated in dedicated consultation events and many more circulated the survey link to parish councils and local contacts. As a result there have been 140 responses from the consultation with a good mix of responses from communities across the Borough. It is heartening to see that this Member led consultation gleaned a greater response than that of the previous year and therefore highlights the importance of Member engagement with local communities.
- 3.3 Full consultation responses will be published on the Council's engagement portal www.engagement.westdevon.gov.uk. Detailed below is a summary of some of the most common responses:

Homes

Over 60 respondents highlighted affordable homes as being important. 10 cited homelessness prevention as key. Other comments made were with regard to the high cost and poor build quality of new homes, the need to build environmentally sound homes and that too many homes were being built in some areas, especially Tavistock.

Community

Over 30 respondents highlighted car parking as a key issue some calling for free car parking, others for park and rides and more enforcement on congested streets. Approximately 40 respondents cited public conveniences/toilets as a key issue some suggesting the introduction of charges for their use and others stating they must not be closed. Over 20 responses stated the need for grant funding to support community initiatives some citing specific need for support for use of green spaces and tackling social isolation for young and old.

Enterprise

Over 30 respondents made reference to business rates and rents and the need for them to be affordable. Over 20 respondents stated the need for business support and advice.

Environment

Over 50 respondents wanted the ability to recycle more. Many cited charges at recycling centres being the cause of fly tipping. Approximately 20 respondents cited trees protection of importance and the need for more tree planting. 10 or more commented on the need to keep the area clean. Approximately 20 respondents made reference to the need for good planning policy and enforcement.

Wellbeing

Nearly 20 respondents stated importance of access to affordable and well maintained leisure centres. Over 10 references stated the need to support mental health. More than 15 respondents cited the need to support groups, clubs and activities.

Efficient and Effective Council

Nearly 20 respondents stated the need to deliver value for money, over 10 responses cited customer service as important and half of these stated communication was crucial.

4 Options available and consideration of risk

4.1 Do nothing further

It is recognised that significant progress has been made in the last couple of months to engage with local communities about the things they would like the Council to achieve under each of its strategic themes. It would be considered high risk and irresponsible to ignore this feedback and not to act upon it.

4.2 Take action option

By setting steps as detailed in section 5 the Council is proactively responding to community and Peer Review feedback and providing a plan of action to articulate desired outcomes for local residents. It is therefore deemed appropriate to pursue this option.

5. Proposed Way Forward

5.1 Below is a set of desired outcomes (targets) for each of the Council's strategic themes. It is proposed these targets are presented to Council on 17 September 2019 and form the focus of Council delivery for the rest of this administration i.e. until 2023:

Homes

- *Enable the delivery of at least 150 affordable homes*

Communities

- *Actively support communities to develop and introduce their neighbourhood plans*
- *Fund grass roots initiatives that unite communities*

Environment

- *Increase the percentage of waste that we recycle*
- *Meet our climate change pledge and help to reduce carbon emissions*
- *Work with partners to encourage high quality, environmentally sound new homes*

Enterprise

- *Provide professional and impartial business advice*
- *Lobby strategic partners to provide affordable premises, improve broadband, develop road and rail links*

Wellbeing

- *Working with the NHS and local charities to enhance access to health and wellbeing services*
- *Provide affordable and well maintained leisure centres offering a range of activities for all*

Efficient and Effective Council

- *Ensure value for money without compromising customer service*
- *Improve our customer satisfaction ratings*

6. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance	Y	Hub Committee has a responsibility to provide Leadership to the overall activities of the Council. The Hub Committee is responsible for an overview of the Corporate Strategy and underlying Themes and for making recommendations to Council for the adoption of a Strategy and Themes.
Financial implications to include reference to value for money	N	There are no financial implications as a result of this report that have not already been budgeted for.
Risk	Y	A failure to review and act upon Peer Review feedback could lead to: Lack of coherent delivery Reputational harm Ineffective use of resources Poor quality service These risks are mitigated by: The recommendations outlined in this report
Supporting Corporate Strategy	Y	The entire Corporate Strategy is supported as a result of this report as it identifies a target for each corporate theme.
Comprehensive Impact Assessment Implications		
Equality and Diversity		None – no policy or service change is proposed in this report.
Safeguarding		None – no policy or service change is proposed in this report.

Community Safety, Crime and Disorder		None – no policy or service change is proposed in this report.
Health, Safety and Wellbeing		None – no policy or service change is proposed in this report.
Other implications		-

Supporting Information

Appendix A - Corporate Strategy

5 year Corporate Strategy 2018 - 2023



West Devon
Borough
Council

Our Core Purpose

To make a positive impact on the lives of local people by providing valued and easy to use services.

Our Guiding Principles

- ▶ Provide value for money and good customer service
- ▶ Be open, honest, listening and responsive
- ▶ Work with partners and communities for mutual benefit
- ▶ Be open minded and embrace change

Our Challenges

- ▶ Withdrawal of core central government funding
- ▶ Setting a balanced budget without cutting statutory services
- ▶ It costs more to deliver services in a rural area
- ▶ High house prices and a dwindling working age population
- ▶ Managing development without compromising our high quality natural and built environment

How we will measure success

- ▶ Provide key performance indicators for each corporate strategy theme
- ▶ Benchmark performance against national standards
- ▶ Monitor progress quarterly through our Overview & Scrutiny process
- ▶ Refine service standards through targeted annual delivery plans
- ▶ Report annually through our Annual Report process

Corporate Strategy Themes

COUNCIL

Delivering efficient and effective services



HOMES

Enabling homes that meet the needs of all



ENTERPRISE

Creating places for enterprise to thrive and business to grow



COMMUNITIES

Council and residents working together to create strong and empowered communities



ENVIRONMENT

Protecting, conserving and enhancing our built and natural environment



WELLBEING

Supporting positive, safe and healthy lifestyles and helping those most in need



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Report to: **Hub Committee**

Date: **10 September 2019**

Title: **Partnership Funding**

Portfolio Area: **Communities – Cllr Terry Pearce**
Wellbeing – Cllr Tony Leech

Wards Affected: **All**

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

Date next steps can be taken: **After call in period 18 September 2019**

Author: **Nadine Trout** Role: **Commissioning Manager**

Contact: Nadine.Trout@swdevon.gov.uk or **01822 813624**

RECOMMENDATION: that the Hub Committee

1. adopts a commissioning model to award partnership funding from 2020-23, based on one or all of the following:

- i. local need**
- ii. alignment to the Council’s Corporate Strategy**
- iii. statutory duty**

1. Executive summary

- 1.1 Historically the Council has awarded grants to local organisations otherwise known as “Partnership Funding”.
- 1.2 Whilst the Council has the power to make grants it is felt prudent that in these straightened times the Council adopts a commissioning model. Thus allowing the Council to clearly articulate the services it requires and draw up legally binding agreements to make sure services are delivered efficiently and effectively.
- 1.3 It is proposed that partners are asked by mid-September to outline their current service offering and explain how they spend the Council funds they receive. Feedback from partners would then be presented to Hub Committee on 5 November 2019 and Hub Committee Members could decide whether partner’s services are still required and if so enter into a formal three year service level agreement with each partner.

2. Background

- 2.1 The awarding of partnership funding has been hotly debated by Members in recent years. Unfortunately there has been no overall consensus on how to award funds despite the formation of numerous Member Task and Finish Groups and review at Overview and Scrutiny and full Council.
- 2.2 In a bid to support grass roots initiatives the Council within the last 2 years has increased the number of ways in which local communities and organisations can obtain grant funding, namely through the creation of the SeaMoor Lotto, Crowdfunding and a Member Locality Fund.
- 2.3 The Hub committee has the power to award partnership funding provided there is budget to do so.
- 2.4 All partnership funding to date has been discretionary and has been awarded to partners in good faith, with no service standards attached.
- 2.5 A key corporate theme for the Council is to “deliver efficient and effective services” it is therefore imperative that the Council ensures value for money and delivers services in line with local need and its statutory obligations as a local authority.
- 2.6 Members have recently conducted a consultation with local communities on what matters most to them under each of the Council’s six corporate themes. Thus providing a data source to identify local need.
- 2.7 The current budget for discretionary partnership funding is £58,339 there are no plans to increase this over the coming years. If Members were minded to increase the budget it would have to be agreed by full Council as a cost pressure and funding identified by the Council’s S151 Officer to bridge the gap.
- 2.8 A breakdown of current partnership funding can be found in the table below:

Partnership	2019/20 £
Citizens Advice	32,900
CVS	5,100
SW Rotary Youth Games	2,000
Junior Life Skills	1,440
OCRA	1,333
Okehampton Community Transport	6,533
Tavistock Ring & Ride	6,533
Young Devon	2,500
Total	58,339

- 2.9 At Hub Committee on 17 July 2018 the Deputy Leader presented a report which stated “there is a distinction to be made between discretionary grant funding to organisations and funding to ‘key’

constituted partnerships where the Council has seats on the Board and/or is included in the governance arrangements. As a consequence, those partnerships identified as being 'key' and/or statutory should not receive any funding reductions up to 2023/24". Detailed in the table below is a list of 'key' constituted partnerships:

Key Partnership	£
Heart of the South West LEP	5,000
Tamar Estuaries Consultative Forum	4,500
Tamar Valley AONB	8,835
World Heritage Site	4,000
Total	22,335

2.10 There is no current budget provision over and above the £22,335 detailed above. Should Members wish to award additional funding to key partnerships, it would need to be agreed by full Council as a cost pressure and funding identified by the Council's S151 Officer to bridge the gap.

3. Outcomes/outputs

3.1 This report seeks to establish a commissioning model to obtain services from all partnership organisations – both discretionary and key. Whereby each partner clearly articulates:

- The services they provide
- How Council funding would be spent
- How their services meets local need
- How their service aligns to the Council's Corporate Strategy
- How their service meets statutory duty
- What other funding they receive and how they spend it

3.2 Information would be sought from each partner in mid-September with feedback returned to the Commissioning Manager within 5 weeks.

3.3 Feedback from partners would be presented in a report to Members at Hub Committee on 5 November 2019. At which time Hub Committee Members would decide which partners they would like to enter into service level agreements with. Any service level agreements entered into would be proportionate i.e. not overly onerous especially where relatively small sums of money are awarded. See Appendix A for draft SLA content.

4. Options available and consideration of risk

4.1 Status Quo - Award partnership grants annually

The risk of this is a lack of medium term financial planning and increased uncertainty for local partnerships.

4.2 Move to a commissioning model

This is considered low risk as it provides certainty of funding for 3 years and ensures delivery of services aligned to: local need, statutory duties and the Council's Corporate Strategy.

4.3 Withdraw partnership funding without notice

This is considered high risk due to reputational harm.

5. Proposed Way Forward

- 5.1 It is recommended Members follow option 4.2 above and introduce a commissioning model to secure services provided by local partners as detailed in section 3 above.

6. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance	Y	Subject to budget the Hub Committee has the power to decide whether it wants to enter into partnerships.
Financial implications to include reference to value for money	Y	Hub committee has the power to award partnership funding provided there is budget provision to do so. The current partnership funding budget is £80,674. Should the Hub Committee wish to award more than this figure it would have to seek approval from full Council and monies be identified by the Council's Section 151 Officer to meet the cost pressure that additional spend would cause.
Risk	Y	See section 4 of the report which sets out the risks associated with the awarding of partnership funding. Option 4.2 is recommended as it is considered low risk.
Supporting Corporate Strategy	Y	Council Theme – <i>Efficient and effective</i>
Comprehensive Impact Assessment Implications		
Equality and Diversity	Y	N/A
Safeguarding	Y	N/A
Community Safety, Crime and Disorder	Y	N/A
Health, Safety and Wellbeing	Y	N/A
Other implications	N	None

SUPPORTING INFORMATION

Appendix A – DRAFT Service Level Agreement Content



**West Devon
Borough
Council**

PARTNERSHIP SERVICE LEVEL AGREEMENT CONTENT

1. Commencement and duration
2. Service provider's responsibilities
3. Charges and Payment
4. Quality of services
5. Indemnity and insurances
6. Data protection
7. Discrimination
8. Termination
9. Dispute Resolution
10. Signatories

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Report to: **West Devon Hub Committee**

Date: **10 September 2019**

Title: **Environmental Protection Enforcement Policy**

Portfolio Area: **Environment (Cllr Caroline Mott)**

Wards Affected: **All**

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

Date next steps can be taken: **18 September 2019**

Author: **Cathy Aubertin** Role: **Head of Environment Services Practice**

Contact: Cathy.Aubertin@swdevon.gov.uk

Recommendations: That the Hub Committee approves the adoption of the Environmental Protection Policy attached at Appendix A with immediate effect.

1. Executive summary

- 1.1 The report asks Members to approve the Environmental Protection Policy attached at Appendix A in order to support the enforcement work carried out by officers.
- 1.2 The recommendations will enable the Council to continue to manage environmental protection enforcement in an efficient and effective manner, in line with the Council's Environment Theme and priorities.
- 1.3 The attached Environmental Protection Enforcement Policy supports the Council's corporate Enforcement Policy which is available on the Council's website:
<https://www.westdevon.gov.uk/article/4162/Enforcement-Policies>

2. Background

- 2.1 The Council does not currently have a specific Environmental Protection Enforcement Policy, but operates under the general Council Enforcement Policy (see link at 1.3 above).

- 2.2 The implementation of the attached Environmental Protection Policy (the Policy) will give guidance to officers in respect of the actions that they are able to take and will give additional consistency in dealing with issues, particularly in respect of fly-tipping and waste.
- 2.3 Although enforcement action is currently undertaken in respect of dog control and against fly-tippers, the Policy will give officers the confidence to undertake enforcement consistently in other areas of environmental crime, such as littering.

3. Outcomes/outputs

- 3.1 Although there is legislation in place that gives the Council powers to deal with environmental crime and issues, the Policy will provide both officers and residents with clarity and consistency on how this will be tackled.

4. Options available and consideration of risk

- 4.1 If the Policy is not introduced, officers will not have the consistency and guidance to address dog-related crime and fly-tipping, and there will be a continued lack of clarity in respect of other environmental areas, leading to a lack of education and enforcement action.

5. Proposed Way Forward

- 5.1 That the proposed Environmental Protection Enforcement Policy be adopted, to support and guide future enforcement actions.

6. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance	Y	The Policy sets out the various statutory powers available to the Council in relation to compliance and enforcement. The Council's wider Enforcement Policy provides the overarching principles of enforcement and education and this proposed Policy further supports that Policy.
Financial implications to include reference to value for money		None. Income from Fixed Penalty Notices may increase but that is not the driver behind the proposed policy.

Risk		<p>Some customers may object to the Council taking a firmer stance in respect of Environmental Protection.</p> <p>Not having an enforcement policy may hamper the Council in tackling environmental crime, as the policy will support and guide actions taken by officers.</p> <p>Having this policy in place will provide clarity for the officers who undertake environmental protection enforcement and ensure that a consistent approach is taken across the borough.</p>
Supporting Corporate Strategy		Council - delivering efficient and effective services. Environment – protecting, conserving and enhancing our built and natural environment.
Comprehensive Impact Assessment Implications		
Equality and Diversity		No implications.
Safeguarding		No implications.
Community Safety, Crime and Disorder		Potential to reduce environmental crime.
Health, Safety and Wellbeing		No implications.
Other implications		None.

Supporting Information

Appendices:

Appendix A – Environmental Protection Enforcement Policy.

Background Papers:

None.

Approval and clearance of report

Process checklist	Completed
Portfolio Holder briefed/sign off	Yes/No
SLT Rep briefed/sign off	Yes/No
Relevant Heads of Practice sign off (draft)	Yes/No
Data protection issues considered	Yes/No
Accessibility checked	Yes/No

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**South Hams District Council
West Devon Borough Council**

Environmental Crime Enforcement Policy

Contents

Section 1	Introduction
Section 2	Priority areas
Section 3	How do we intend to enforce?
Section 4	Enforcement options
Section 5	Applying enforcement options
Section 6	Litter
Section 7	Waste
Section 8	Fly-tipping
Section 9	Dog fouling
Section 10	Abandoned vehicles
Section 11	Graffiti
Section 12	Fly-posting
Section 13	Working with partners

1. Introduction

This Policy supports the Council's Corporate Enforcement Policy and is intended to give guidance and support to officers who deal with Environmental Protection Enforcement. It follows the principles and good practice set out in the Corporate Enforcement Policy and the aim is to enable the Council to exercise its enforcement powers in a way that is proportionate and reasonable.

Environmental issues, such as litter, fly-tipping, dog fouling and abandoned vehicles, can be a serious problem. South Hams District and West Devon Borough Councils are committed to ensuring that we maintain the local environment to a high standard by keeping the streets and green spaces clean and free of such issues.

The Clean Neighbourhood and Environment Act (CNEA) 2005 extended and amended the powers available to the Councils to deal more effectively with environmental crime and other local environment quality issues. It places an emphasis on the role of proper enforcement as an important tool in our armoury when dealing with environmental protection. In addition, the Anti-Social Behaviour Crime and Policing Act 2014 allows the Council to tackle anti-social behaviour by the introduction of Public Space Protection Orders.

South Hams District and West Devon Borough Councils' aim is to persuade people to change their behaviour through information, education and advice, but will not hesitate to take enforcement action against those who wilfully spoil the environment.

This strategy supports best practice and lays out how we propose to use the range of enforcement options available to help achieve our aims, which are:

- Improved quality of the natural and built environment.
- A more pleasant place to live, visit and work.
- Reduced fear of crime.
- Greater awareness of local environmental quality issues across the District and Borough.
- Improved understanding by residents, businesses and visitors of their responsibilities in relation to the waste that they produce, and the offences they might commit.
- The establishment of well-considered and appropriate officer actions to achieve the above objectives.

2. Priority areas

Certain aspects of environmental protection should take priority, taking into account:

- Severity and scale of problem.
- Risk to public health.
- Trends and patterns of offences.
- The needs of the public, businesses, visitors and other organisations.
- The needs of statutory partners and stakeholders.
- Government legislation/ directives.

The main issues include:

- Fly-tipping and other unauthorised means of disposal.
- Litter.

- Household waste collection issues, such as putting waste out too early for collection.
- Abuse of household waste collection and disposal facilities.
- Unlicensed waste carriers.
- Abandoned vehicles.
- Dog fouling.
- Abuse of litter bins.
- Fly-posting.

3. Our approach – how to we intend to enforce?

The Councils' approach is based on Government guidance and legislation. We aim to provide a balanced and consistent approach of education (information, advice, and guidance), encouragement and enforcement measures to help achieve our aims.

We will:

- Treat people in a courteous and respectful manner.
- Treat all people fairly and equitably.
- Ensure that responses are proportionate to the seriousness of the issue.
- Focus on education and awareness raising, with a view to reducing the requirement for enforcement action.
- Respond to reported incidents promptly.
- Be open and transparent in our approach.
- Work with communities and other stakeholder organisations.
- Deter offences through provision of a visible presence, warning signs and publicising successful enforcement actions where considered appropriate to do so.
- Where it is proportionate and reasonable to do so, use covert surveillance equipment in respect of the most serious offences and in accordance with the Government guidelines, requirements of the Regulation of Investigatory Powers Act (RIPA), and the Council's RIPA policy.
- Take formal action against those who wilfully disregard the law.

4. Enforcement options

The Councils have a range of powers and enforcement options to help them deal with environmental crime. The following are the main options that will be used and the Council will use the most appropriate and proportionate in the particular circumstances:

- **No action**
There will be circumstances where a contravention may not warrant action, or it may be inappropriate, or not in the wider public interest. Many minor contraventions can most appropriately be dealt with via advice and guidance.
- **Compliance advice, guidance and support**
For minor breaches of the law we will give advice on how to put matters right, including a deadline by which this must be done. The time allowed to put things right will be reasonable, and take into account the seriousness of the breach, and the implications of the non-compliance.

- **Verbal warning**
Used for minor contraventions that are rectified at the time by the person(s) responsible. A record will be made of the warning.
- **Written warning**
Used for minor offences where the person responsible has not complied with a request to rectify the issue, or where the Council requires to have documented evidence of the warning. This approach is also used when considering utilising powers under the Anti-social Behaviour, Crime and Policing Act 2014.
- **Fixed penalty notice**
Fixed Penalty Notices (FPNs) for varying amounts are available in relation to a number of offences. By accepting a FPN the offender accepts responsibility for an offence and discharges their responsibility to attend court. The Council will set FPN fines at national default levels. Failure to pay a FPN may result in prosecution for the original offence.
- **Prosecution**
Prosecution action is normally taken for more serious and repeated offences and where other enforcement actions have not been effective. It requires the preparation of a case that is presented at court.
- **Criminal Behaviour Orders**
Anti-social behaviour will be dealt with in accordance with the statutory guidance issued by the Home Office 'Anti-social Behaviour, Crime and Policing Act 2014: reform of anti-social behaviour powers – statutory guidance for professionals'. We will liaise with our statutory partners to ensure that anti-social behaviour is effectively dealt with, and that our actions are proportionate.
- **Legal notices**
Legal notices can be served in a variety of circumstances. They take the form of a written instruction to behave in a certain way, or provide information. Examples are an instruction to a resident to present their waste for collection at a certain time and in a certain way, or the requirement of a registered owner of a vehicle to state who was driving it at the time of an offence.
- **Stop and search**
Any person collecting waste as part of their business must be registered as a waste carrier with the Environment Agency. The Councils can inspect associated documentation and issue FPNs where not produced.
- **Power to enter and require details**
In pursuance of evidence to prosecute an offence, the Councils have various statutory powers to enter land, seize evidence, and require the name and address details of offenders. Failure to provide, or provision of false details, is an offence and the Council's powers depend on the particular office.

5. Applying enforcement options

When deciding which enforcement option to apply, a number of factors will be considered, including the seriousness of the offence, previous conduct of the offender, likelihood to re-offend, and the impact of the offence on others.

In certain circumstances, outlined below, further consideration will be given to the appropriate action that should be taken in relation to dealing with an offence.

- **Dealing with vulnerable people**

It is recognised that usual enforcement procedures are not appropriate in all circumstances, and that individual circumstances, such as mental health issues, must be considered when deciding on appropriate action.

- **Approach to juveniles**

In line with Government guidance, the Council will not take formal enforcement action against juveniles below the age of 16 years, except in exceptional circumstances.

6. Litter

Litter includes a variety of small items that are often dropped without consideration of the mess that it causes and the resources required to clean it up. Common litter items include take-away wrappings, empty drink cans and bottles, cigarette butts, chewing gum and flyers. It is estimated that 2.25 million pieces of litter are dropped in the UK every day.

Principal litter controls are included in the Environmental Protection Act 1990 (EPA), as amended by the Clean Neighbourhoods and Environment Act 2005. The legislation places duties on local authorities and others to maintain high levels of environmental quality (through street cleaning etc). It also provides local authorities with a range of enforcement powers to deal with litter.

Litter offences include:

- A simple litter offence.
- Dropping litter from vehicles.
- Distribution of printed materials.
- Litter which has a detrimental effect on the quality of life in the locality.

The offence of dropping litter is contained in Section 87 of the EPA and may be dealt with by issuing a FPN or by prosecution.

7. Waste

The two main issues with waste are:

- Traders and businesses presenting commercial waste as domestic waste to avoid paying for a trade waste/ controlled waste collection.
- Households not following the Councils' instructions about the proper use of waste collection services, eg putting waste out too early for collection.

Taking enforcement action will help to reduce the litter problems caused by the two issues above.

Where the Councils consider that commercial waste is likely to cause a statutory nuisance or to be detrimental to the amenities of the locality the officers may service a notice under section 47 of the EPA. Customers will be given 21 days to comply with the notice. If the notice is not observed within the timescale the Council will either pursue a prosecution for non-compliance or issue a FPN.

If householders breach their duty of care requirements, section 46 of the EPA allows the Councils to service a notice on an occupier requiring them to follow the Council's instructions in respect of the proper use of waste collection services, including the sorting, separating and presentation of waste. If the notice is not complied with the Council may issue a FPN which, if unpaid, may result in prosecution for the original offence.

Should a householder require other waste to be removed they must ensure that the person taking the waste is a Registered Waste Carrier and householders found to be in breach of this may receive a FPN or be prosecuted. In addition, section 34B of the EPA allows the Councils to seize and impound any vehicle they suspect is being used for the illegal movement of waste and waste duty of care breaches.

The Councils provide a link on their websites to the Environment Agency register of approved contractors, so that members of the public can easily check this before employing a contractor.

8. Fly-tipping

Fly-tipping can seriously degrade any area and cause health issues. The problem varies in scale from one or two rubbish bags left in the street to several tonnes of commercial waste tipped in a quiet lane. The Councils deal with a substantial number of fly-tips each year. In addition to spoiling the appearance of an area and creating a risk to people and wildlife, fly-tipping is costly for both Councils to deal with. Furthermore, once an area has been blighted with tipped material it is often perceived to be a legitimate area for further tipping and anti-social behaviour.

Responsibility for investigation and action in relation to fly-tipping offences is split between local authorities and the Environment Agency (EA) and there is an agreed memorandum of understanding between the Local Government Association and the EA that sets out responsibilities. Local authorities are responsible for clearing illegally dumped waste and may investigate fly-tipping on relevant land including:

- Small-scale deposits (less than 20 cubic metres).
- Waste operations without planning permission (Devon County Council are the lead authority for offences of this nature).
- Fly-tipping by waste producers/ householders.
- Drums or containers of hazardous waste totalling less than 75 litres.

There are a number of offences to be considered when dealing with a fly-tipping incident. The main offence, however, is contained within section 33 of the EPA which makes it an offence to 'deposit controlled waste or extractive waste, or knowingly cause or knowingly permit controlled waste or extractive waste to be deposited in or on any land unless an environmental permit authorising the deposit is in force and the deposit is in accordance with the licence.'

Section 33(5) adds that ‘where waste is deposited from a motor vehicle, the person who controls or is in a position to control the use of the vehicle, shall be treated as knowingly causing the waste to be deposited whether or not he gave any instructions for this to be done.’

Where an investigation into a fly-tip leads to the offender, a FPN will be issued for the maximum amount in line with statutory levels. Should the FPN be paid within 10 days, a discounted amount will apply in line with statutory levels. respectively.

For the most serious fly-tipping offences, the Councils will pursue prosecution action.

9. Dog control

Most dog-related offences are contained within the Public Space Protection Orders (PSPO) and include:

- Not removing dog faeces.
- Not keeping a dog on a lead.
- Prohibiting dogs from certain areas (eg children’s play areas).
- Taking/ walking more than a specified number of dogs onto land.

In addition, Councils now have the ability to undertake enforcement in respect of microchipping, where an officer is authorised to serve a notice on the keeper requiring them to have their dog microchipped within 21 days. If the keeper fails to microchip the dog within the timescale, the Council may:

- Take possession of the dog to check if it has been microchipped.
- Arrange for the dog to be microchipped.
- Recover the cost of microchipping the dog from the keeper.

For offences covered by the PSPO, the initial steps taken will include education and enhancing awareness. However, where this is having no effect on behaviour, authorised officers will issue FPNs where offences occur.

10. Abandoned vehicles

Abandoned vehicles not only make an area appear run down, but can also pose a danger to people, especially children, who may be tempted to play in or around the vehicle.

A vehicle may be considered as abandoned where one or more of the following apply:

- Is untaxed.
- No current keeper registered with the DVLA.
- Has been stationary for a substantial period.
- Has litter or detritus in, under or around it.
- Is damaged, run down, un-roadworthy, burnt out etc.
- Is missing one or more number plates.
- Is being used for any criminal or anti-social behaviour activities, or to dump/ contain waste.

Caravans, trailers, motorbikes and any large part of a vehicle, such as an engine block, fall within the definition of an abandoned vehicle.

If contact cannot be made with the vehicle owner, a notice will be placed on the vehicle advising that it is considered to be abandoned and will be removed and disposed of, unless moved to an alternative location by the owner.

Section 2 of the Refuse Disposal Amenity Act 1978 makes it an offence to abandon a vehicle on any land. Section 3 of the same act places a duty of care on the Councils to remove any vehicle it suspects of being abandoned, hold it for seven days, and then destroy or sell it.

Costs will be recovered from the owner where they can be traced. In addition a FPN will be issued for the maximum amount permissible. If the FPN is not paid, the Councils will prosecute for the original offence.

We will remove abandoned vehicle from private land where required, but will recharge the land-owner for costs incurred.

11. Graffiti

There are two specific situations where a graffiti offence is committed:

- Any person who, without authority or reasonable excuse, permits or otherwise inscribes or affixes any picture, letter, sign or other mark upon the surface of the highway or upon any tree, structure or works on the highway is guilty of an offence under section 132(1) of the Highways Act 1980.
- Any person who damages property by the painting or writing on, or the soiling, marking or other defacing of any property by whatever means is guilty of an offence under section 1(1) of the Criminal Damage Act 1971.

Offences will be dealt with by way of a FPN. Failure to pay the FPN amount may mean that the Councils will prosecute the offender.

The Councils also have the power to require a building owner to remove graffiti. As the owner may be viewed as the victim of a crime, we will only use these powers in exceptional circumstances, such as where an item of graffiti is likely to cause offence due to its content, eg vulgar language, abusive marks, such as swastikas, or pictures of a graphic or obscene nature. Where action is deemed necessary, it will be taken under the Anti-social Behaviour, Crime and Policing Act 2014, and a warning letter served on the owner prior to a community protection notice being served. This will allow works in default to be undertaken and recharged to the owner.

12. Fly-posting

Fly-posters are unlicensed advertisements for events and businesses, and can give the impression that an area is run down or neglected. If commercial fly-posting is tolerated, the number of posters will quickly increase.

Fly-posting can vary hugely but generally falls into one of three categories:

- Posters for large local or national events which are professionally produced and often put up by professional poster companies. These often target vacant and/ or boarded up properties and larger street furniture, and large numbers are often put up in high density.
- Adverts and posters for smaller local events such as car boot sales, fetes, firework displays and local gigs. The posters are generally smaller than those mentioned above but can still be fairly numerous. They are often attached to street furniture and railings, but may also be pasted onto buildings.
- Political or pressure group posters that advertise political parties or candidates, or relates to a topical local issue. These are far more sporadic and will often link to individuals/ properties that support or opposed a particular topic or party.

Fly-posting does not apply to the use of A-boards.

There are three pieces of legislation that can be used to control fly-posting:

- The Town and Country Planning Act 1990 deals with the display of advertisements which are contrary to the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.
- Section 132(1) of the Highways Act 1980 makes it an offence for any person to inscribe or affix any picture, letter, sign or other mark upon the surface of the highway or any tree, structure or works on the highway (without authority or reasonable excuse).
- The Anti-social Behaviour, Crime and Policing Act 2014 allows the service of a community protection notice where an issue is unreasonable, persistent or continuing and has a detrimental impact on the quality of life in the locality.

Initially, the Councils will deal with offenders by way of education and enhancing awareness. However, where this is not successful, officers will gather evidence to prepare a prosecution case to take to court.

13. Working with partners

Working with partners and other stakeholders is a vital part of any enforcement strategy. We have worked successfully to undertake prosecutions with partner organisations and will continue to do so. We will exchange information and best practice with partners, who may include:

- Town and Parish Councils.
- Neighbouring authorities.
- Devon County Council.
- Environment Agency.
- Dartmoor National Park Authority.
- Housing associations.
- National Trust.
- DVLA.
- Police.
- FCC (our waste contractor).

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