

West Devon Hub Committee



West Devon
Borough
Council

Title:	Agenda								
Date:	Tuesday, 15th September, 2020								
Time:	2.00 pm								
Venue:	Via Skype								
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="margin-left: auto; margin-right: auto;"> <tr> <td>Cllr Edmonds</td> <td>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:	Democratic.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

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Minutes of meeting held 28 July 2020

5. Public Questions

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

6. Hub Committee Forward Plan

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7. Coronavirus (COVID-19) Recovery and Renewal Plan Development Update

To follow

8. Amended Budget 2020/21

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9. Write Off Report

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10. Council Tax Premium for Long-term Empty Property

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11. Waste Collection Frequency Trial

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12. Signing up to the Coastal Concordat

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Agenda Item 4

At a Meeting of the **HUB COMMITTEE** held via Skype on **TUESDAY** the **28th** day of **July 2020** at **2:15 pm**

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

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

In attendance: Chief Executive
Director of Place and Enterprise
Section 151 Officer
Head of Democratic Services
Head of Housing, Revenue & Benefits
Head of Environmental Health & Licensing
Head of Strategy and Projects
Senior Specialist (Housing)
Senior Specialist (Legal)
Specialist Democratic Services

Other Members in attendance:

Cllrs Ewings, Musgrave, Ratcliffe, Renders, Spettigue, and Yelland

***HC 01 DECLARATIONS OF INTEREST**

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

***HC 02 MINUTES**

The Minutes of the Hub Committee meeting held on 30 June 2020 were confirmed as a correct record.

***HC 03 PUBLIC QUESTION TIME**

There were no questions submitted by the Public

***HC 04 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.

The contents of the Forward Plan were agreed subject to the following amendment:

- Devon Districts Procurement Strategy was to be deferred until the Committee meeting on 2 February 2020 and Lead Member changed to Cllr Jory.

***HC 05 MONTH 3 REVENUE BUDGET MONITORING 2020/21 (to end of June 2020)**

The Lead Member for Performance and Resources presented the Committee with a report that enabled them to monitor income and expenditure variations against the approved budget for 2020/21, particularly in light of the impact of the Covid 19 pandemic, and provided a forecast for the year end position. The report set out an overall projected shortfall of £0.501 million for 2020/21.

It was highlighted that car parking income had been assumed at 30% reduction for onwards in the previous budget monitoring report, but based on levels of income seen in April, May and June, this has led to a readjustment of estimated losses of 40% drop in income levels for July onwards, leading to overall projection of potential 52% reduction in car park income overall for the year. Income guarantee scheme had been announced but further clarification was being sought from Central Government. In response to a specific question on the potential for further local outbreaks, it was agreed that the Environmental Health Lead Officer would follow up this point with Devon County Council colleagues before advising the membership.

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

- i) the significant forecast income and expenditure variations for the 2020/21 financial year and the overall projected shortfall of £0.501 million (6.9% of the total annual Budget of £7.212 million).
- ii) the loss of income streams already experienced by the Council in April 2020 to June 2020 of £0.474 million in total as shown in Section 6 of the presented agenda report.

***HC 06 HOMELESSNESS STRATEGY ACTION PLAN 2020/21**

Members were presented with a report that outlined the draft 2020/21 action plan for the third year of the 2017/22 Homelessness Strategy.

The Lead Member for Homes highlighted the significant achievement of 228 households that had been prevented from becoming homeless, over 80% conversion rate. Private evictions would start again at the end of August, however Members were assured that the Council had funds that could help those in financial need and were therefore reminded to refer residents in need to the Council for help.

It was then unanimously **RESOLVED** that the Hub Committee agree that the Homelessness Strategy Action Plan 2020-21 (as attached at Appendix 3 of the presented agenda report) be adopted with effect from the 1 April 2020.

HC 07 CHANGES TO PEST CONTROL SERVICE

The Lead Member for Health and Wellbeing presented the Committee with a report outlining the changes to the costs involved in providing the pest control service to residents due to the end of the last contract and following the procurement process for a new contract.

Officers confirmed that the reduction in service was expected to be 50% but they would monitor this and undertake a review if this was significantly different, with a subsequent report then being brought back to Committee for review.

It was then **RESOLVED** that the Hub Committee **RECOMMEND** the Council:

1. approve the removal of free pest control (rats and mice treatments) service for residents and replace it with a free service for benefit recipients only; and
2. accept and approve the tender from Terminix to deliver the service in West Devon Borough Council areas.

***HC 08 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 09 URGENT BUSINESS - FUSION UPDATE

The Committee considered an exempt report that outlined the proposed approach to further support of the Fusion Leisure Group.

The Lead Member for Health and Wellbeing updated on the current situation with the Fusion Leisure Group following the impacts due to the Covid-19 pandemic.

Members sought clarification about facilities available to residents, potential long term impact, what Fusion would be paying for and what these monies would cover.

There followed a full and frank discussion and it was then **RESOLVED** that the Hub Committee **RECOMMENDED** to Council:

1. To provide interim financial support of £97,000 (as set out in Appendix A) to Fusion to secure positive health and wellbeing outcomes in the Borough, which are, the re-opening of Okehampton Leisure Centre, both wet and dryside.
2. That the cost of £97,000 is funded from the Leisure Earmarked Reserve and it is noted that this interim financial support covers the months of July, August and September for leisure provision.
3. That a future decision on leisure provision for the months of October 2020 onwards is taken at the Council meeting on 22nd September 2020.

(The meeting terminated at 16:49 pm)

(NOTE: THESE DECISIONS, WITH THE EXCEPTION OF MINUTES HC 07 and HC 09 WHICH ARE RECOMMENDATIONS TO THE FULL COUNCIL MEETINGS ON 22 SEPTEMBER 2020 AND 29 JULY 2020 RESPECTIVELY, WILL BECOME EFFECTIVE FROM WEDNESDAY 5th AUGUST 2020 UNLESS CALLED IN, IN ACCORDANCE WITH SCRUTINY PROCEDURE RULE 18).

WEST DEVON BOROUGH COUNCIL: HUB COMMITTEE FORWARD PLAN

This is the provisional forward plan for the four months starting September 2020. 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)

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 Member / Officer	Documents to be considered in making decision	Date of Meeting	Consultees and means of consultation
Council	Title: Recovery Plan to the Covid-19 Crisis Purpose: to consider the recommendations of the Joint Meeting of the Overview and Scrutiny Panel and Development Management Committee on the draft Recovery Plan	Cllr Jory / Drew Powell	Report of the Director of Governance and Assurance	15 Sept 2020	To be considered at the Overview and Scrutiny Committee meeting on 1 Sept 2020
Council	Title: Amended Draft Budget 2020/21 Purpose: To consider a report that presents an amended budget for 2020/21 in light of the impact of Covid-19	Cllr Jory / Lisa Buckle	Report of the Section 151 Officer	15 Sept 2020	To be considered at the Overview and Scrutiny Committee meeting on 1 Sept 2020
Council	Title: Write Off Report for Quarter 4 2019/2020 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.	Cllr Edmonds / Lisa Buckle	Report of S151 Officer	15 September 2020	
Council	Title: Commercial Investments Update Purpose: to update the Council on any commercial investment opportunities	Cllr Jory / Chris Brook	Report of Director of Place and Enterprise	15 September 2020	
Environment	Title: 3 weekly waste update Purpose: To provide Members with an update on the 3 weekly waste trial	Cllr Mott / Jane Savage	Report of Head of Contracts and Commissioning	15 September 2020	

Portfolio Area	Report Title and Summary	Lead Member / Officer	Documents to be considered in making decision	Date of Meeting	Consultees and means of consultation
Homes	Title: Empty Homes Premium Purpose of report: To consider an increase to the Council Tax premium on properties that have been empty for over two years	Cllr Sellis / Steve Henstock	Report of the Senior Specialist of Housing, Revenues and Benefits, and Customer First	15 September 2020	Consultation with various Heads of Practice
Strategic Planning / Environment	Title: Coastal Concordat Purpose of report: To outline to Members the protocol for formal processes where these are shared across administrative boundaries / responsibilities	Cllr Mott / Rob Sekula	Report of Head of Place Making Practice	15 September 2020	
Council Page 7	Title: Capital Budget Monitoring Quarter 1 and Quarter 2 Purpose of report: The report advises Members of the progress on individual schemes within the approved capital programme for 2020/21, including an assessment of their financial position	Cllr Edmonds / Lisa Buckle	Report of S151 Officer	20 October 2020	
Council	Medium Term Financial Strategy for the five years 2021/22 to 2025/26 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.	Cllr Jory / Lisa Buckle	Report of S151 Officer	20 October 2020	
Council	Title: Revenue Budget Monitoring up to August 2020	Cllr Edmonds / Lisa Buckle	Report of S151 Officer	20 October 2020	

Portfolio Area	Report Title and Summary	Lead Member / Officer	Documents to be considered in making decision	Date of Meeting	Consultees and means of consultation
	<p>Purpose of report: A revenue budget monitoring report to monitor income and expenditure variations against the approved revenue budget for 2020/21 up to August 2020</p>				
Strategy	<p>Title: Housing Strategy 2021-2026 Purpose of report: To present the draft Housing Strategy to Members for comment and to recommend to commence the formal public consultation, prior to adoption from 1st April 2021.</p>	Cllr Sellis / Chris Brook	Report of the Director of Place and Enterprise	20 October 2020	
Homes	<p>Title: Springhill update Purpose: To provide Members with an update on Springhill</p>	Cllr Sellis / Dan Field	Report of Senior Specialist (Assets)	20 October 2020	
Council	<p>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.</p>	Cllr Edmonds / Lisa Buckle	Report of S151 Officer	1 December 2020	
Council	<p>Title: Revenue Budget Monitoring up to October 2020 Purpose of report: A revenue budget monitoring report to monitor income and</p>	Cllr Edmonds / Lisa Buckle	Report of S151 Officer	1 December 2020	

Portfolio Area	Report Title and Summary	Lead Member / Officer	Documents to be considered in making decision	Date of Meeting	Consultees and means of consultation
	expenditure variations against the approved revenue budget for 2020/21 up to October 2020				
Health and Well-being	Title: Domestic Abuse Policy Purpose: To agree and adopt the domestic abuse policy	Cllr Leech / Louisa Daley	Report of Specialist – Community Safety	1 December 2020	

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Agenda Item 8

Report to: **Hub Committee**

Date: **15th September 2020**

Title: **Amended Budget 2020/21**

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

Wards Affected: **All**

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

Date next steps can be taken: **Council 22nd September 2020**

Author: **Lisa Buckle** Role: **Corporate Director for Strategic Finance (S151 Officer)**

Contact: lisa.buckle@swdevon.gov.uk

Recommendations:

That the Hub Committee resolves to recommend to Council:-

- 1) The five options set out in 5.2 totalling £501,000, in order to produce an Amended Revenue Budget for 2020-21
- 2) To note the future capacity of reserves set out in 5.8 and 5.9 which may have to be called upon to meet any future financial challenges and/or additional requirements
- 3) To use £70,000 from the Business Rates Retention Earmarked Reserve, to fund the Town Centre support initiative set out in Section 6.
- 4) To approve Tranche 4 of the Discretionary Business Grants Policy (attached in Appendix 2), to confirm that in accordance with the Government guidance, Town and Parish Councils are able to apply to the scheme if they meet the eligibility criteria (as Section 11).

1. Executive summary

- 1.1 Covid 19 has caused financial strain for all Councils up and down the country where Councils find themselves being caught in a 'perfect storm'. Councils have to manage both the increased costs of coping with Covid19 and supporting vulnerable people in the community and the loss of key income streams such as car parking income and council tax income.

- 1.2 The factors affecting the Council's finances are issues affecting the whole Local Government sector. The Council is well-placed to meet the financial challenges arising from Covid19, due to its prudent financial management over previous years.
- 1.3 Due to the rapidly changing financial position, the Council is now undertaking monthly revenue budget monitoring reports (as opposed to quarterly). The latest revenue budget monitoring report for Month 3 (end of June) predicts a budget shortfall of £0.501 million for 2020/21. This equates to 6.9% of the overall budget set of £7.212 million. The options set out in 5.2 are being proposed, in order to produce an Amended Budget for 2020-21. The options were considered by the Overview and Scrutiny Committee on 1st September 2020 and were supported. The minute from the meeting is in Section 5.10 of this report.
- 1.4 This figure will change throughout the financial year as more information comes to light on items such as the collectability of outstanding debt and arrears and how income streams have been affected by the pandemic.
- 1.5 This position is after taking into account the £0.585 million Government grant already received for Covid-19 and the estimated £0.453 million Government funding that the Council is anticipating towards income losses on sales, fees and charges (the Government 'income guarantee scheme'). More detail on this is in section 3.10.
- 1.6 This forecast shortfall is based on a range of assumptions which have been made as to how much the income streams of the Council could be affected by Covid19. Projections could improve and it is difficult to predict as we don't know how quickly things will bounce back. We will be monitoring our finances on a monthly basis and as actual figures emerge, we will refine these figures and our assumptions.
- 1.7 Financial Stability is one of the themes within the Recovery and Renewal Plan which is a separate agenda item on this Committee agenda. The action plan, setting out the areas being progressed and the timescales within which this will take place, is set out in Appendix 1 of the Recovery Plan. Following consideration of the Renewal and Recovery Plan in the Summer, the Action Plan for the Financial Stability Theme was updated and agreed by the Financial Stability Review Group (FSRG) on 18 August 2020.
- 1.8 On 4th August, the Government issued new guidance on the Discretionary Business Grants scheme which stated that Town and Parish Councils were eligible to apply to the scheme if they met the eligibility criteria. The deadline for applications was 28th August.

- 1.9 Two applications from Tavistock Town Council and Okehampton Town Council have been received. The maximum grant allocation is £25,000 and only one grant per Town or Parish Council can be awarded. It is proposed that the Hub Committee recommend approval of Tranche 4 of the Discretionary Business Grants Policy (set out in Appendix 2) to Council on 22nd September. Tranche 4 is specifically just for Town and Parish Councils. Approval of Tranche 4 would allow payments for eligible grant applications (two applications have been received) to be made to Town and Parish Councils by the end of September.

2. Background

- 2.1 On 18 February 2020, the Council approved the Revenue Budget for 2020-21 of £7.21 million. During March 2020, the Covid 19 pandemic started to affect the finances of Councils up and down the country. Income Losses in April, May and June totalled £474,000 from areas such as car parking income, planning income, rental income and the business rates pooling gain.
- 2.2 Prudent financial management in the past has meant that the Council was in a relatively healthy position financially before the pandemic hit. Since 2010, we have had to redesign our services to balance the books. We have done this by sharing a single workforce with South Hams District Council, generating an ongoing annual saving of £2.2 million for West Devon and by reducing our staffing levels by 30% through our Transformation Programme.

3 LATEST REVENUE BUDGET MONITORING POSITION

- 3.1 The latest revenue budget monitoring report for Month 3 (end of June) predicts a budget shortfall of £0.501 million for 2020/21. This equates to 6.9% of the overall budget set of £7.212 million. In this report, assumptions have been made as to how much the income streams of the Council could be affected by Covid19. For example for car parking losses, the report assumes a 40% drop in income levels from 1st July 2020. Projections could improve and it is difficult to predict as we don't know how quickly things will bounce back. We will be monitoring our finances on a monthly basis and as actual figures emerge, we will refine these figures and our assumptions.
- 3.2 The shortfall predicted will change throughout the financial year as more information comes to light on items such as the collectability of outstanding debt and arrears and how income streams have been affected by the pandemic.
- 3.3 The unprecedented nature and scale of the Covid19 pandemic has resulted in severe financial pressure on every Local Authority. Councils are still under a legal obligation to manage their finances to ensure that they provide best value whilst not operating with an overall budget deficit.

- 3.4 Section 30(6) of the Local Government Finance Act 1992 requires precepting authorities to set a balanced budget on an annual basis. A Council's budget must be "balanced", meaning that Councils must ensure that their planned spending can be met by taxation, grants and other income raised in the year, or by the use of their reserves.
- 3.5 Section 25 of the Local Government Act 2003 requires the Council's Chief Finance Officer (known as the S151 Officer), to report to Full Council on the robustness of the Council's budget and the overall adequacy of its reserves.
- 3.6 Balancing the Council's Budget has become more challenging over the years as the demand for services and the reduction in government grant funding via the austerity programme has reduced the financial flexibility of Councils.
- 3.7 Each month, Councils complete a national return that informs the Government of how much COVID-19 is affecting the finances of Councils. The point has been made that these income losses have had a much bigger impact (in proportion to Net Budgets) on District Councils, than they have on County Councils and Unitaries.
- 3.8 A lobbying letter from South West Councils was sent to the Rt Hon Robert Jenrick MP (Secretary of State for Housing, Communities and Local Government). This letter set out that the latest Government returns to MHCLG showed a financial challenge to South West Councils of over £1 billion across the region.
- 3.9 The Society of District Council Treasurers (SDCT) has engaged Local Government Futures (who are specialists in the field of Local Government Finance), to put together evidence to show the losses experienced by District Councils. This will then be used for the purpose of lobbying the Government for further funding for District Councils. In a letter from the Chairman of the District Councils' Network to the Chancellor, the financial needs of District Councils were set out, as well as stating that no part of the public sector is better placed than District Councils to catalyse and lead the recovery and that we will rise to the challenge.
- 3.10 ***On 2nd July, the Rt Hon Robert Jenrick MP announced a new comprehensive package of support for Councils, to address spending pressures and losses in income streams. There were three central pillars of support announced:-***
- A new scheme to compensate Councils for losses of income, though not in their entirety (an 'income guarantee' scheme). Councils have to meet the first 5% of losses of all budgeted sales, fees and charges and only some categories of income are allowable under the scheme. For the categories allowed, once the 5% is deducted, the Government will reimburse 75pence in every £1.

- An extra £500million to cover extra COVID19 expenditure costs (the Borough Council's allocation of this funding has been announced at £89,686)
- To allow council tax and business rate losses in income to be repaid over the next 3 years of budget cycles, instead of just the next one year

3.11 We are very pleased that our lobbying has been successful but there is still further work to do on this. The main element of the announcement is that the Government will compensate Councils for their income losses above the first 5% of their budgeted income from sales, fees and charges. Income losses above the first 5% will be compensated by the Government paying for 75 pence in every pound of the losses thereafter. This is only the income losses from sales, fees and charges and excludes any rental income and investment income.

3.12 This has been estimated at £453,000 for the Council based on the income shortfalls to date. Detailed guidance from the Government is awaited on this. The Government announcement is below:
<https://www.gov.uk/government/news/comprehensive-new-funding-package-for-councils-to-help-address-coronavirus-pressures-and-cover-lost-income-during-the-pandemic>

3.13 On 19 March 2020, £1.6bn emergency funding was announced to help local authorities respond to the COVID-19 pandemic. On 18 April 2020, a further £1.6bn funding for local authorities was announced. On 2 July 2020, a further £500m funding for local authorities was announced as part of a new funding package for councils to address coronavirus pressures. West Devon Borough Council has received £674,444 from this £3.7bn of funding (being £585,000 from the first two tranches and £89,686 from the 3rd tranche).

3.14 It is recognised that Town and Parish Councils have also similarly had their finances adversely affected by the pandemic. The Council is lobbying alongside NALC (National Association of Local Councils) for a separate financial package of support for Town and Parish Councils.

4 Medium Term Financial Strategy (MTFS)

4.1 Whilst looking to set an Amended Budget for 2020-21, the longer term position for the medium term will be borne in mind. The last Medium Term Financial Strategy in February 2020 showed an anticipated Budget Gap for 2021/22 of £0.4million. The aggregated Budget Gap by 2024/25 was £1.6 million.

4.2 The key variables will be items such as New Homes Bonus, negative RSG, business rates and council tax collection rates and previous income assumptions around the leisure contract. In the next MTFS (being presented in October), various scenarios and modelling around these key variables will be shown and we are pressing the Government for some early announcements on things like

negative RSG and NHB (or its replacement) to inform our MTFS which we are currently modelling.

- 4.3 It should be noted that the financial landscape for Councils is ever-changing and there is still a great deal of uncertainty that Councils are working with in planning their finances for the longer term, in particular the items listed in 4.2
- 4.4 Negative RSG provides a 'cliff-edge' for many Councils and it would be an untenable position to introduce this in 2021-22, when there is a need to provide stability for Councils in the current financial climate. It is accepted that this would cost the Government over £150million but it would also benefit over 160 Councils. (In 2019-20 negative RSG totalled £152.9m and affected 168 Councils).
- 4.5 Sparsely populated rural Councils also need the certainty that Rural Services Delivery Grant will be continued for 2021-22, at least at its present value of £81 million in total.

5 Options to address the Budget Shortfall in 2020-21

- 5.1 A Member Budget Workshop took place on 25th August, to explore all options with Members on their preferred approach to addressing the Budget Shortfall identified for 2020-21 of £0.5million. Nineteen responses were received from Members on the SurveyMonkey tool used to capture Members' views on the options.
- 5.2 Each of the below options were supported by the substantial majority of Members who expressed a view:

COVID impact on the Revenue Budget		£
<i>Budget shortfall identified for 2020-21 from the Month 3 Revenue Budget Monitoring report to the Hub Committee on 28 July 2020</i>		501,000
Options to address the budget shortfall		£
As per 5.3	Use the 3 rd tranche of COVID funding received from the Government (WDBC share £89,686)	89,000
As per 5.4	Use the New Burdens Government grant funding received for the administration of the Business Rates Grants	130,000
As per 5.5	Utilise the 2019-20 Statement of Accounts underspend	133,000
As per 5.6	Allocate the uncommitted New Homes Bonus from 2020-21 to further fund the Revenue Base Budget	69,000
As per 5.7	Reduce the capital budget for the remedial works to the Tavistock Viaduct from £100,000 to £20,000 (This capital budget was being funded by NHB which is revenue funding).	80,000
TOTAL		501,000

- 5.3 The Council has received a 3rd tranche allocation of COVID Government funding totalling **£89,686**. The funding was the Council's allocation from the £500 million of un-ring fenced grant funding from the Government, to respond to spending pressures.
- 5.4 The Council has paid out over £16 million in Business Grants and the **£130,000** is a New Burdens funding grant (un-ringfenced) from the Government to compensate Councils for the cost of administering the Business Grants on behalf of the Government.
- 5.5 The Statement of Accounts for 2019-20 were presented to the Audit Committee in July 2020 and these showed that the final outturn was an underspend against the budget for 2019-20 of **£133,000**. This underspend on last year's budget could be used to finance part of the budget shortfall in 2020-21.
- 5.6 The report to Council on 18th February 2020 setting out the Revenue Budget Proposals for 2020-21, stated that the Council's New Homes Bonus allocation for 2020-21 was £347,000 and recommended that £228,000 of this was used to fund the Revenue Base Budget for 2020-21 and £50,000 was used to fund the 2020-21 Capital Programme for affordable housing. This left an amount of **£69,000** currently unallocated. This would increase the amount of NHB used to fund the revenue base budget in 2020- 21 to £297,000.
- 5.7 Officers have reviewed the Capital Programme to identify projects that could be reduced in scope or deferred. Further professional advice was sought on the level of maintenance work required to the Tavistock Viaduct. The outcome is that the capital budget can be limited to further vegetation clearance and some drainage improvements and the budget is able to be similarly reduced to £20,000 (a reduction of **£80,000**). This capital budget was being funded by New Homes Bonus funding, which is a revenue source of funding.
- 5.8 The sixth option that was supported in the priority ranking was to use the uncommitted balance of £116,000 from the Budget Surplus Contingency Earmarked Reserve. This Earmarked Reserve has a balance of £196,000, with commitments relating to the Capital Programme (£50,000), future IT procurement (£18,000) and community housing staffing (£12,000), leaving an uncommitted balance of £116,000. This reserve was originally created in 2016/17 when the Transformation Programme (T18) yielded a surplus, which was built into the base budget in future years. Although this amount is not needed to fund the Amended Budget at this point in time, it does provide an element of 'headroom' for the future if further funding should be required. It is acknowledged that the budget shortfall will be carefully monitored and will continually change as we move through the financial year.

- 5.9 The next two options that were supported in the priority ranking were to reduce Unearmarked Reserves and/or to make use of a portion of the unallocated funding in the Business Rates Retention Earmarked Reserve. Any decision that Members subsequently take at Full Council on 22nd September in relation to additional funding for leisure, please see section 7 below, would potentially require a call on these further options. All such decisions would require difficult choices to be made.
- 5.10 On 1st September 2020, the Overview and Scrutiny Committee considered a report on the Amended Budget for 2020-21. Minute O & S 18 on the Amended Budget 2020/21 is as below:-

O&S 18 AMENDED BUDGET 2020/21

A report was considered that sought to recommend to the Hub Committee five options (as set out below) in order to produce an Amended Revenue Budget for 2020-21:

- To use the 3rd tranche of COVID-19 funding that had been received from Central Government (£89,000);
- To use the New Burdens Government Grant funding received for the administration of the Business Rates Grants (£130,000);
- To utilise the 2019/20 Statement of Accounts underspend (£133,000);
- To allocate the uncommitted New Homes Bonus from 2020/21 to further fund the Revenue Base Budget (£69,000); and
- To reduce the Capital Budget for the remedial works to the Tavistock Viaduct from £100,000 to £20,000 (£80,000).

In discussion, particular reference was made to:-

- (a) the effectiveness of the recent Member Budget Setting Workshop. A number of Members thanked officers for arranging the recent Workshop and felt that it had been an excellent session;
- (b) the remedial works to the Tavistock Viaduct. When questioned, the Section 151 Officer confirmed that, following a Condition Survey being undertaken on the Viaduct, the initially proposed extensive repair works would not now be required during 2020/21 and the capital budget can be limited to further vegetation clearance and some drainage improvements
- (c) the Town Centre support initiative. With regard to the initiative, the meeting acknowledged that there was a need to consult with all of the town councils (including Chagford) that were located within the Borough.

It was then:

RECOMMENDED

That the Committee **RECOMMEND** that the Hub Committee **RECOMMEND** to Council that:

1. the five options totalling £501,000 (as summarised in the detailed minutes above) be approved in order to produce an Amended Revenue Budget for 2020-21;
2. it be noted that the future capacity of Reserves (as set out in Sections 5.8 and 5.9 of the presented agenda report) may have to be called upon to meet any future financial challenges and/or additional requirements; and
3. £70,000 be used from the Business Rates Retention Earmarked Reserve to fund the Town Centre Support Initiative that is set out in Section 6 of the presented agenda report.

5.11 A national pay award has just been reached which equates to a 2.75% increase from 1st April 2020. The Council had budgeted for 2% within its budget and therefore the extra 0.75% would cost an extra £33,750. This will be shown within the next revenue budget monitoring report for 2020/21 and will be reflected within the Medium Term Financial Strategy and incorporated within the budget setting process for 2021/22. This will form part of the year end outturn reported in the Council's Accounts for 2020-21.

6. TOWN CENTRE SUPPORT INITIATIVE

6.1 Working in partnership with the Borough's Town Councils, Chambers of Commerce and Business Improvement District (BID), West Devon Borough Council is developing a support package for the Town Centres, with an additional £70,000 of funding.

6.2 This money is being provided on top of £20,000 of funding already made available by the Borough Council, with the aim of supporting and enabling the great work the Town Councils and BID are doing to get their town centres back on their feet.

6.3 To help boost the local economy, the Borough Councils is looking at a number of proposals to support the local economy.

6.4 These areas include:

- A Town Centre Boost Grant
- Business training, advice and support
- Marketing campaigns for the area
- Local events
- Amending some car park and toilet provision to encourage shoppers and visitors to shop on our high streets

6.5 It is recommended that the £70,000 additional funding is funded from the Business Rates Retention Earmarked Reserve. The £70,000 does not increase the £501,000 budget shortfall which has been addressed above.

7. Leisure provision

7.1 Leisure is one of the hardest hit sectors of industry from the lockdown restrictions of the pandemic. Government mandated the closure of leisure centres in March 2020 and they had to remain closed until the announcement of an opening date of 25th July 2020.

7.2 The current Government guidance now allows Leisure Centres to reopen with restrictions in place which limit the capacity of the facilities and key guidelines around operating practices to ensure social distancing, enhancing cleaning regimes and changes in ventilation of facilities.

7.3 The Covid19 pandemic and a lack of central Government support have created very challenging conditions for Fusion. At a Special Council meeting on 29 July 2020, Council agreed to provide interim financial support of £97,000 to Fusion to secure positive health and wellbeing outcomes in the Borough, which were the re-opening of the Okehampton Leisure Centre (both wet and dryside) in August and the mothballing costs for the Tavistock Leisure Centre. The cost of mothballing both centres in April, May and June has also been funded by the Council at a cost of £15.3K per month. An amount of £45,900 was approved by Council to be funded from the Leisure Services Earmarked Reserve. Therefore financial support to date for Fusion has totalled £142,900.

7.4 At the 22nd September Council meeting, the Council will be taking a strategic decision on leisure provision for the months of October 2020 onwards, alongside the decision on the Amended Budget 2020-21 Proposals set out in this report.

7.5 The costs of further interim support to Fusion for the months of October 2020 to March 2021 will be set out within the 22nd September Council report and these costs are not included within the £501,000 budget shortfall identified within the recent revenue budget monitoring report and would be in addition to this. Options as to how any further support to Fusion could be financed will be set out within this Council report.

7.6 The Council is continuing to lobby alongside South West Councils and through the Local Government Association for a specific package of Government support for the provision of leisure facilities. The Department for Culture and Media has also put a specific request for funding to the Treasury and there may be future Government support targeted at the leisure sector but we await announcements on this.

- 7.7 Members will be aware from the previous report that decisions about the operation of the Borough's leisure centres from October 2020 to March 2021 include a range of potential additional costs from £92,000 to £292,000. These decisions will be a matter for Full Council on 22nd September 2020.

8 The Collection Fund - Council Tax and Business Rates Income

- 8.1 The Collection Fund holds all payments in and out relating to Council Tax and Business Rates. As such any losses incurred will be suffered by the Collection Fund in the year and then distributed to the Council and Precepting Authorities in future years. A large part of the reductions in income will affect the Council's financial position in 2021/22 onwards, although it does affect the cashflow position of the Council in 2020/21.

- 8.2 **Council Tax: The net collectable debt for Council Tax is £43m for 2020/21.** By June 2020, WDBC collected 28.4% of the yearly total (compares against 29.06% in 2019/20) – the 0.66% drop equates to £282,000 (WDBC share £33,800). This is how much council tax income is down by in June 2020, compared against June 2019. Collection Fund losses for Council Tax could total £1.5m for the full year 2020-21 (WDBC share £180,000).
(The collection rate was 97.71% for Council Tax in 2019-20)

- 8.3 **Business Rates: The net collectable debt for Business Rates is £4.86 million for 2020/21.** (Prior to the pandemic, this was predicted to be £10.6million and the additional NNDR reliefs for the total value of the expanded retail discount and nursery discount for 2020-21 total £6.087million).

- 8.4 By June 2020, WDBC has collected over 34% of the yearly total (compared to 31% in 2019/20). The higher collection rate is due to the impacts of the reliefs being given for retail, hospitality and leisure and timing differences of some larger payments. Business rates losses could total between £0.3million to £0.5 million and the Council's share would be 40%. No pooling gain for Business Rates has been assumed for 2020/21.
(The collection rate was 97.62% for NNDR in 2019-20)

- 8.5 Council Tax and Business Rates form a large share of the funding for the Council's budget and therefore these income streams are funding the essential services being delivered.

- 8.6 In the next Spending Review the Government will also determine what support Councils will need, to help them meet the pressures of income losses from council tax and business rates. The Government has said that they are bringing in changes to allow Councils to spread their Collection Fund losses (for losses in Council Tax and Business Rates income) over the next three years instead of over the next one year. So this will allow council tax and business rate losses in income,

to be repaid over the next 3 years of budget cycles, instead of just the next one year. The Government will also agree an apportionment of irrecoverable council tax and business rate losses, between central and local Government for 2020 to 2021. More details are awaited on this from the Spending Review, to be able to understand the detail of how Councils will be supported by this.

9. Review of Earmarked Reserves and General Fund Reserves

- 9.1 As part of the Budget Workshop on 25th August, the Council also undertook a review of its Earmarked Reserves through reviewing the commitments against the Earmarked Reserves, its unallocated balance and the contributions to/from Earmarked Reserves for 2020/21 also.
- 9.2 A schedule of Earmarked Reserves is attached at Appendix 1, which shows Earmarked Reserves have a balance of £4.984 million at 31.3.2020. Reserve levels will be kept under constant review.
- 9.3 The Council's level of Unearmarked Reserves currently stands at £1.1 million. As part of the Medium Term Financial Strategy, Members have set a minimum balance for Unearmarked Reserves of £900,000, based on a risk assessment basis.
- 9.4 Legislation does not prescribe how much the minimum level of reserves should be. The Section 151 officer is tasked with recommending the minimum level of reserves required as part of the budget setting process having regard to elements of risk in the Council's finances. Section 25 of the Local Government Act 2003 requires the S151 officer to report on the adequacy of the Council's financial resources on an annual basis.
- 9.5 As part of the Members' Budget Workshop, an option was discussed regarding whether Members would support using up to £200,000 of Unearmarked Reserves to contribute to the 2020/21 budget shortfall and then consider a plan to replenish these funds in future years. This was supported to an extent, in that some Members said if Unearmarked Reserves are reduced, they would support reducing them at a much lower level such as £50,000 to £100,000.

10. Spending Review and Business Rates Retention

- 10.1 The Government has also confirmed that the Review of Relative Needs and Resource and 75% business rates retention will no longer be implemented in 2021-22. This was to enable Councils to focus on meeting the immediate public health challenge posed by the pandemic.
- 10.2 The Chancellor has confirmed that the 2020 Spending Review will be finalised this Autumn and will cover the years 2021/22 to 2023/24.

- 10.3 Auditing regulations for the Council's accounts has also been changed. There have been amendments to the statutory audit deadlines for 2019/20 for all Local Authorities, meaning that the deadline for final, audited accounts has been extended to 30 November 2020.

11. Discretionary Business Grants Policy

- 11.1 On 4th August, the Government issued new guidance on the Discretionary Business Grants scheme which stated that Town and Parish Councils were eligible to apply to the scheme if they met the eligibility criteria. The deadline for applications was 28th August. Two applications from Tavistock Town Council and Okehampton Town Council have been received.
- 11.2 It is proposed that the Hub Committee recommend approval of Tranche 4 of the Discretionary Business Grants Policy (set out in Appendix 2) to Council on 22nd September. Tranche 4 is specifically just for Town and Parish Councils. Approval of Tranche 4 would allow payments for eligible grant applications (two applications have been received) to be made to Town and Parish Councils by the end of September.
- 11.3 The maximum grant allocation is £25,000 and only one grant per Town or Parish Council can be awarded. The eligibility criteria are set out in Tranche 4 of the Discretionary Business Grants Policy (Appendix 2).
- 11.4 So far the Council has paid £635,500 to 160 businesses under the Discretionary Business Grants Policy (Tranches 1 to 3). The Council's Government grant allocation (budget) is £870,500. Final payments will be made by the end of September, in accordance with the Government guidance.
- 11.5 The Discretionary Business Grants Policy was developed in response to an announcement made by the Secretary of State for Business, Energy & Industrial Strategy on 1st May 2020 which set out the circumstances whereby a grant payment may be made by the Council to a business who has not previously qualified for a direct business grant and is suffering a significant fall in income due to the COVID19 crisis.

12. Options available and consideration of risk

- 12.1 The financial forecasts are based on a number of assumptions including the level of income losses and support from the Government. In addition there are a number of uncertainties that could affect the financial position either now or in the future. These include whether there is a second wave and additional restrictions imposed.

13. Proposed Way Forward

13.1 Members are recommended to recommend to the Council in September to approve the options outlined in Section 5.2 for balancing the Council's Amended Budget for 2020-21.

14. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance	Y	The Local Government Finance Act 1992 places a legal requirement on Council to approve not only the budget but also any changes to the budget proposed during the year. Council has a legal duty to ensure that the budget is balanced and that any changes to the budget are fully funded.
Financial implications to include reference to value for money	Y	<p>The budget monitoring report identifies an overall predicted shortfall of £0.501 million which is 6.9% of the overall budget set for 2020/21 of £7.212 million, due to the current pressures on the Council's income targets due to the Covid 19 situation and extra expenditure incurred.</p> <p>Following a Members' Budget Workshop on options for setting an Amended Budget for 2020-21, it is proposed to Council in September to approve the options set out in 5.2 totalling £501,000, in order to produce an Amended Revenue Budget for 2020-21,</p> <p>It is also proposed as part of this report, to use £70,000 from the Business Rates Retention Earmarked Reserve, to fund the Town Centre support initiative set out in Section 6.</p> <p>It is also proposed to approve Tranche 4 of the Discretionary Business Grants Policy (attached in Appendix 2), to confirm that in accordance with the Government guidance, Town and Parish Councils are able to apply to the scheme if they meet the eligibility criteria. The maximum grant allocation is £25,000 and only one grant per Town or Parish Council can be awarded. The deadline for applications was 28th August. Further information is set out in Section 11.</p>
Risk	Y	See 12.1

Supporting Corporate Strategy		The budget monitoring process supports all six of the Corporate Strategy Themes of Council, Homes, Enterprise, Communities, Environment and Wellbeing.
Climate Change – Carbon / Biodiversity Impact		None directly arising from this report.
<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

Appendix 1 – Schedule of Earmarked Reserves

Appendix 2 – Discretionary Business Grant Scheme (Tranche 4)

Background Papers:

Overview and Scrutiny Committee – 1st September 2020 – Amended Budget for 2020/21

Hub Committee – 28th July 2020 - Month 3 Revenue Budget Monitoring 2020/2021

Special Council – 29th July 2020 – Fusion Interim Support

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
If exempt information, public (part 1) report also drafted. (Committee/Scrutiny)	N/A

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West Devon Earmarked Reserve Balances (totalling £4,984,000)

APPENDIX 1

	31.3.2018	31.3.2019	31.3.2020	Annual Reserve Contribution originally budgeted for 20/21	Notes
	£000	£000	£000	£000	
16/17 Budget Surplus Contingency	434	375	196		This is the Budget Surplus from 2016/17 which was put into an Earmarked Reserve. Commitments in 2020/21 totalling £80k relate to the Capital Programme £50k, Future IT Procurement £18k and Community Housing Staffing £12k
Business Rates Retention Scheme	509	492	904		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	13	11	8		This reserve contains a commuted sum to be written down to revenue annually over 10 years (£2.7k per annum)
Car Parking Maintenance	386	417	464		The commitments relate to Brook Street Car Park, Council Owned Asset Investment & Development £20k (minute ref HC4) and Grounds Maintenance £30k (Hub 10/9/19)
CLG - Assets Community Value	8	0	0		Balance reallocated to ICT Development Reserve as part of the review of earmarked reserves by the Financial Stability Review Group in October 2018
Community Housing Fund	243	152	0		This reserve was fully utilised in 2019/20
Elections	24	24	0	20	This reserve was fully utilised in 2019/20 to fund the cost of District Elections. £20K a year is contributed to this reserve.
Environmental Health Initiatives	20	20	20		£2,000 has been committed in 2020/21
Financial Stability	0	267	454		This reserve was created in 2018/19 from the Business Rates Pilot funding. This funding was set aside to assist to smooth out future years' funding variations or reductions, in particular any changes from the Fair Funding Review.
Flood Works	15	15	15		Nil commitments

Grounds Maintenance	49	0	0		Balance reallocated to ICT Development Reserve as part of the review of earmarked reserves by the Financial Stability Review Group in October 2018
Habitats	10	8	3		An annual commitment of £2,500 relates to the Devon Biodiversity Records Centre.
Homelessness	95	115	115		This reserve has been created following underspends on Homelessness Prevention Costs in previous years.
ICT Development	30	76	66	25	The commitments in 2020/21 totalling £75k mainly relate to the New IT Procurement, Hub Cttee Jan 20 Min Ref HC73 (£65k). £25K a year is contributed to this reserve.
Innovation Fund (Invest to Earn)	724	453	432		Commitments totalling £187k mainly relate to the upgrading of Hayedown Depot
Invest to Save	27	12	12		£7.5k is committed in 2020/21 for Council Owned Asset Investment and Development
Joint Local Plan	0	30	20		This is a new reserve for Joint Local Plan Funding, there are commitments to fund staffing costs.
JSG Future Options	11	5	5		Nil commitments
Landscape Maintenance	5	0	18		Balance reallocated to ICT Development Reserve as part of the review of earmarked reserves by the Financial Stability Review Group in October 2018
Leisure Services	231	231	204		The reserve is all fully committed. Commitments include Capital Programme Funding and Fusion leisure monthly support (for April, May and June) of £45,900 and Fusion leisure monthly support (for July, August and September) of £97,000.
Localism Support	5	5	14		This reserve includes an underspend of £9.4k from the Members Sustainable Communities Locality Fund in 2019/20. No commitments have been identified to date
Maintenance Fund	223	196	170		Maintenance Fund for all assets.
Maintenance, Management & Risk Mitigation	0	88	190		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, this is anticipated to be a further £119k in 2020/21.

Millwood Homes Reserve	15	0	0		Balance reallocated to ICT Development Reserve as part of the review of earmarked reserves by the Financial Stability Review Group in October 2018
Neighbourhood Planning Grants	47	42	16		This reserve funds Neighbourhood Planning Specialists
New Burdens CLG	3	0	0		Balance reallocated to ICT Development Reserve as part of the review of earmarked reserves by the Financial Stability Review Group in October 2018
New Homes Bonus	225	291	401		£347k will be received in NHB grant in 2020/21. Commitments include a £228k contribution to the base revenue budget and funding of the Capital Programme
Outdoor Sports & Recreation	18	18	18		Nil commitments
Planning Enforcement	5	5	5		Nil commitments
Planning Policy & Major Developments	44	104	122	25	This reserve is for all planning matters and is also to meet appeal costs. £25K a year is contributed to this reserve.
Public Health	6	6	6		This reserve balance is committed to fund the cost of an Environmental Health Student (12 month post)
Revenue Grants	220	422	508	-32.5	This reserve comprises of government grants received for specific initiatives or new burdens and are held in the reserve for accounting purposes. The annual contribution of £32,500 from this reserve relates to the funding of three housing posts which were made permanent in the 2020/21 budget process and are funded from the Flexible Homelessness Support Grant.
S106 Monitoring	19	8	0		This reserve funds the cost of an officer to oversee the administration of S106 deposits and how they are spent. It was fully utilised in 2019/20.
Strategic Change	287	234	67		Commitments totalling £60,000 relate to £50,000 for the capital requirement of the Public Toilets pay on entry review (HC.19) and £10,000 for Kilworthy Park marketing.
Support Services Trading	8	8	8		Nil commitments
Town Teams & Economic Grant Initiatives	23	23	23		A commitment of £14k in 2020/21 mainly relates to the Reopening High Street Grants - COVID 19 (£10k)

Vehicles Replacement	0	0	396	50	This is a new reserve set up in 2019/20 to fund the Council's vehicle replacement programme for the waste fleet. This reserve is fully committed. £50K a year is contributed to this reserve.
Waste & Cleansing Options Review	28	163	104		A commitment of £14k in 2020/21 relates to three weekly collection trial costs (Hub 4 June 2019)
World Heritage Key Site	5	0	0		Balance reallocated to ICT Development Reserve as part of the review of earmarked reserves by the Financial Stability Review Group in October 2018
	4,015	4,316	4,984	87.5	TOTAL



West Devon
Borough
Council

West Devon Borough Council

Discretionary Business Grant Scheme

Tranche 4

2020/21

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1.0 Purpose of the scheme

- 1.1 The purpose of this document is to determine eligibility for a payment under the Council's Discretionary Business Grants Scheme.
- 1.2 The new Discretionary Business Grant Scheme has been developed in response to an announcement made by the Secretary of State for Business, Energy & Industrial Strategy made on 1st May 2020 which sets out circumstances whereby a grant payment **may** be made by the Council to a business who has not previously qualified for a direct business grant and is suffering a significant fall in income due to the COVID-19 crisis.
- 1.3 This document sets out the criteria for the final tranche (Tranche 4) of the scheme. This final tranche has been developed in response to a Government announcement on 4th August from the Department of Business, Energy and Industrial Strategy (BEIS) which stated that Town and Parish councils are also eligible for Discretionary Grant Funds if they meet all the scheme criteria.
- 1.4 This scheme is in addition to the previous policy which covered tranches 1, 2 and 3 and which applied more widely to both national and locally set priority businesses.

2.0 Funding

- 2.1 Central Government has provided the Council with a sum of £870,500 which represented 5% of the projected allocation for the Direct Business Grants. The funding level is finite and therefore the Council, although keen to ensure that grants are given to the maximum number of businesses, is conscious that its expenditure cannot exceed that amount.
- 2.2 The Council will limit the total awards to the level of funding available from Central Government.

3.0 Eligibility criteria for Tranche 4 only.

- 3.1 Paragraph 3.2 outlines the criteria that will need to be met in respect of **all** Tranche 4 applications. Any business failing to meet the criteria or failing to provide the Council with sufficient information to determine whether they meet the criteria, will not be awarded a Discretionary Business Grant.
- 3.2 Assistance *may* be given to businesses that meet the following criteria:
 - Businesses that have been provided by Town Council and Parish Councils (as defined by the Local Government Finance Act 1988);
 - Businesses with relatively high ongoing fixed property-related costs;
 - Businesses which can demonstrate that they have suffered a fall in income due to the COVID-19 crisis; and
 - Businesses must have been trading on 11th March 2020.

3.3 In addition, businesses which are **eligible** for any of the following are **ineligible for any Discretionary Business Grant**:

- Small Business Grant Fund;
- Retail, Hospitality and Leisure Grant;
- The Fisheries Response Fund;
- Domestic Seafood Supply Scheme (DSSS);
- The Zoos Support Fund;
- The Dairy Hardship Fund;

4.0 Definitions - Eligibility Criteria (Tranche 4 only)

4.1 For the sake of clarity the following definitions are provided in respect of the criteria set out in paragraphs 3.2 and 3.3:

- **Businesses that have been provided by Town Councils as defined by the Local Government Act 1972**
 - This current tranche, (Tranche 4) has been designed for all businesses which are the responsibility and run by either a Town or Parish Council as defined within Part 1 of the Local Government Act 1972;
 - Grants will only be paid in respect of premises which are occupied **not** unoccupied.
- **Businesses must have relatively high ongoing fixed premises related costs** – for the purpose of this scheme, the Council determines fixed premises-related costs to be;
 - Payments of mortgage, lease, rent or licence for business premises or mooring charges and fees;
 - The payments must represent a high proportion of expenses in relation to the overall income of the business; and
 - The payments are unavoidable and are ongoing.
- **Businesses must demonstrate that they have suffered a fall in income due to the COVID-19 crisis** – the Council has determined that applicants certify that there has been a fall in income due to the COVID-19 crisis and not a general failure of business;
- **Businesses must be trading on 11th March 2020** – the Council will require the business to certify that the it was trading on 11th March 2020 and was not dormant, subject to a winding up order, in administration or subject to striking off;

- **Eligible to a grant under the Small Business Grant Scheme or the Retail Hospitality or Leisure Scheme¹** – where the business is either eligible to receive or has received a grant under either of the two schemes administered by the Council, no Discretionary Business Grant shall be awarded;
- **Eligible to assistance under the Fisheries Response Fund** – as administered by the Marine Management Organisation (MMO) and funded by HM Treasury and the Department for Environment, Food and Rural Affairs. Where the business or person is eligible to assistance under this fund, no Discretionary Business Grant shall be awarded;
- **Eligible to assistance under the Domestic Seafood Supply Scheme (DSSS)** as administered by the Marine Management Organisation (MMO) and funded by HM Treasury and the Maritime and Fisheries Fund. Where the business or person is eligible to assistance under this fund, no Discretionary Business Grant shall be awarded;
- **Eligible to assistance under the Zoos Support Fund** as administered by the Department for Environment, Food and Rural Affairs. Where the business or person is eligible to assistance under this fund, no Discretionary Business Grant shall be awarded;
- **Eligible to assistance under the Dairy Hardship Fund** as administered by the Department for Environment, Food and Rural Affairs. Where the business or person is eligible to assistance under this fund, no Discretionary Business Grant shall be awarded;

5.0 How will grants be provided to businesses?

- 5.1 The Council is fully aware of the importance of grants to assist businesses and support the local community and economy.
- 5.2 In all cases, a simple application form **is** required, and this can be completed on-line at the Council's website:
<https://westdevon.gov.uk/discretionarygrants>
 Supplementary information may be required.
- 5.3 An application for a Discretionary Business Grant is deemed to have been made when a duly completed application form is received via the Council's online procedure.

¹ **Eligibility Criteria for either the Small Business Grant or Retail Hospitality and Leisure Grant** as determined by the Department for Business, Energy & Industrial Strategy and administered by the Council;

6.0 How much grant will be payable

- 6.1 Central Government has determined that there shall be a 'cap' on grants of £25,000 per business and that the next level of grant shall be £10,000. However, the Council under Central Government guidance, has the following discretion:
- (a) Whether to award grants at the £25,000 or £10,000 level; and
 - (b) To determine whether grants of less than £10,000 should be awarded.
- 6.2 Only **one** Discretionary Business Grant will be awarded per Town Council or Parish Council and the Council will determine the amount of the grant awarded for each on a case by case basis taking into account the following factors:
- the fall in business income due to the COVID-19 crisis;
 - the amount of fixed on-going premises costs; and
 - the number of employees.
- 6.3 In deciding the level of grant, the Council will look at all the businesses affected which are run by individual Town or Parish Councils and will consider the cumulative effect of the crisis.

7.0 Limitation of funds and applications

- 7.1 All monies paid through the Discretionary Business Grant scheme will be funded by Central Government and paid to the Council under S31 of the Local Government Act 2003. However, as mentioned in paragraph 2, the funds are limited and, as such, the Council is not able to award a grant where funds are no longer available.
- 7.2 All applications must be made online by midnight 28th August 2020 in line with Central Government guidelines. No applications will be accepted after this date.
- 7.3 Claims are available on the Council's website as shown in paragraph 5.2. All claims will be made online and this will also include the provision of such evidence as required by the Council.
- 7.4 As there is potentially insufficient funds available for all grant applicants, not all applicants will be successful, and some businesses will be left disappointed.

8.0 EU State Aid requirements

- 8.1 Any Discretionary Business Grant is given as aid under the Temporary Framework for State aid measures to support the economy in the current COVID-19 outbreak published on 19 March 2020. This means that businesses receiving support under these provisions can receive up to €800,000 in aid over three years (being the current and the previous two years).

- 8.2 Any grant awarded is required to comply with the EU law on State Aid.² This will involve the applicant declaring to the Council if they have received any other de minimis State aid or aid provided under the EU Commission Covid-19 Temporary Framework.
- 8.3 If the applicant has not received any other de minimis State aid, they are not required to make that declaration to the Council or to complete any declaration statement.

9.0 Scheme of delegation

- 9.1 The policy has been approved under Part 3(a) of the Council Constitution: Scheme of Delegation. The Head of Paid Service used delegated authority in consultation with the Leader and Deputy Leader of the Council.
- 9.2 Officers of the Council will administer the scheme and the Corporate Director for Strategic Finance and the Director – Place and Enterprise are authorised to make technical scheme amendments to ensure it meets the criteria set by the Council and, in line with Central Government guidance.

10.0 Notification of decisions

- 10.1 The policy has been approved under Part 3(a) of the Council Constitution: Scheme of Delegation. The Head of Paid Service used delegated authority in consultation with the Leader and Deputy Leader of the Council.
- 10.2 Officers of the Council will administer the scheme and the Corporate Director for Strategic Finance and the Director – Place and Enterprise are authorised to make technical scheme amendments to ensure it meets the criteria set by the Council and, in line with Central Government guidance.

11.0 Reviews of decisions

- 11.1 All grants will be approved by the S151 Officer, Director of Place and Enterprise and Head of Customer Improvement. This decision will be final and there will be no appeal process.

12.0 Complaints

- 12.1 The Council's 'Complaints Procedure' (available on the Councils website) will be applied in the event of any complaint received about this scheme.

13.0 Other scheme conditions

- 13.1 The Council has been informed by Treasury that all grants are taxable. Applicants should make their own enquiries to establish any tax position or liability.

14.0 Managing the risk of fraud

- 14.1 Neither the Council, nor the Government will accept deliberate manipulation of the scheme and fraud. Any applicant caught falsifying information to gain grant money or failing to declare entitlement to any of the specified grants will face prosecution and any funding issued will be recovered from them.
- 14.2 Applicants should note that, where a grant is paid by the Council, details of each individual grant may be passed to Government.
- 14.3 The Council reserves the right to reclaim any grant paid in error.

15.0 Data Protection

- 15.1 All information and data provided by businesses shall be dealt with in accordance with the Council's Data Protection policy and Privacy Notices which are available on the Council's website.
- 15.2 The Council will not make available lists of businesses that have applied or that have been successful for grant payment.

Report to: **HUB Committee**

Date: **15th September 2020**

Title: **Write Off Report**

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

Wards Affected: **All**

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

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 £71,500.75 as detailed in Tables 1 and 2.

The Committee approves the write off of individual debts in excess of £5,000 totalling £149,949.80 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 January 2020 to 31st March 2020.

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 final quarter of 2019/20 the Council has collected £5.8 million in Council Tax and £1.4 million in Business Rates. The total collectable debt for 2019/20 (as at 31st March) for Council Tax is £41.2 million and for Business Rates is £10.7 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. 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 £221,450.55 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
Climate Change - Carbon / Biodiversity Impact		No direct carbon/biodiversity impact arising from the recommendations
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 4	Cumulative Total		Equivalent Quarter 2018/19		Grand Total 2018/19	
			Amount (£)	Cases	Amount	Cases	Amount	Cases	Amount
HOUSING BENEFIT	18	Overpaid Entitlement	27,803.25	99	65,460.97	26	8,734.46	76	28,187.80
	3	Insolvency / Bankruptcy	4,106.37	13	16,001.57	3	5,910.49	12	16,072.89
	-	Deceased	-	12	6,361.37	1	630.99	13	4,094.34
	-	Other	-	1	85.89	-	-	4	433.09
	-	Absconded	-	-	-	-	-	3	2,606.02
	-	Not Cost Effective to Pursue	-	16	543.91	4	16.69	46	8,005.61
	7	Uncollectable Old Debt	8,587.56	34	15,816.53	17	8,258.49	33	16,561.27
Total	28		40,497.18	175	104,270.24	51	23,551.12	187	75,961.02
COUNCIL TAX	2	Absconded	806.64	3	985.64	-	-	-	-
	16	Insolvency / Bankruptcy	16,843.26	54	61,751.86	10	19,081.35	31	46,034.41
	1	Deceased	226.96	4	1,922.77	-	-	4	2,905.84
	4	Other (inc. CTR overpayment)	328.07	5	403.08	1	2,316.69	7	3,214.41
	61	Small Balance	142.51	69	226.55	5	142.99	47	672.38
	-	Uncollectable Old Debt	-	90	17,833.53	-	-	-	-
Total	84		18,347.44	225	83,123.43	16	21,541.03	89	52,827.04
SUNDRY DEBTS	-	Small Balance	-	2	36.28	-	-	2	14.33
	-	Insolvency / Bankruptcy	-	2	2,239.68	-	-	-	-
	-	Unable to pursue	-	1	95.50	-	-	4	1,065.00
	-	Uncollectable Old Debt	-	2	140.00	-	-	-	-
	-	Absconded	-	4	1,495.00	36	14,526.37	36	14,526.37
	-	Other	-	-	-	-	-	1	540.00
Total	-		-	11	4,006.46	36	14,526.37	43	16,145.70
Grand Total	112		58,844.62	411	191,400.13	103	59,618.52	319	144,933.76

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**Breakdown of Absconded Council Tax Debt
(Some cases 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	-	-	-	-	-	-	60.00	-	-	334.90	411.74	806.64
Number	-	-	-	-	-	-	1	-	-	1	1	

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 4		Cumulative Total	Equivalent Quarter 2018/19		Grand Total 2018/19	
			Amount (£)	Cases		Amount	Cases	Amount	Cases
NON-DOMESTIC RATE	9	Insolvency / Bankruptcy	12,619.52	11	13,121.87	1	3,014.39	6	9,704.04
	-	Absconded	-	-	-	-	-	-	-
	-	Deceased	-	-	-	-	-	-	-
	-	Other	-	-	-	-	-	-	-
	6	Small Balance	36.61	8	163.31	-	-	-	-
	-	Uncollectable Old Debt	-	1	2,844.95	-	-	-	-
Total	15		12,656.13	20	16,130.13	1	3,014.39	6	9,704.04

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

Page 44 TYPE OF DEBT	NUMBER OF CASES	REASON FOR W/OFF	Financial Year 2019/20			Totals for Comparison purposes			
			Quarter 4		Cumulative Total	Equivalent Quarter 2018/19		Grand Total 2018/19	
			Amount (£)	Cases		Amount	Cases	Amount	Cases
NON-DOMESTIC RATE	2	Insolvency / Bankruptcy	105,574.76	3	123,504.56	1	11,686.80	2	38,251.60
	-	Absconded	-	-	-	-	-	-	-
	-	Deceased	-	-	-	-	-	-	-
	-	Other	-	-	-	-	-	-	-
Total	2		105,574.76	3	123,504.56	1	11,686.80	2	38,251.60
HOUSING BENEFIT	-	Insolvency / Bankruptcy	-	-	-	-	-	-	-
	-	Absconded	-	-	-	-	-	-	-
	-	Other	-	-	-	-	-	-	-
	-	Deceased	-	-	-	-	-	-	-
	3	Overpaid entitlement	44,375.04	3	44,375.04	2	12,721.09	2	12,721.09
Total	3		44,375.04	3	44,375.04	2	12,721.09	2	12,721.09
COUNCIL TAX	-	Insolvency / Bankruptcy	-	1	5,242.92	-	-	-	-
	-	Absconded	-	-	-	-	-	-	-
	-	Other (inc. CTR overpayment)	-	-	-	-	-	-	-
Total	-		-	1	5,242.92	-	-	-	-
SUNDRY DEBTORS	-	Insolvency / Bankruptcy	-	1	6,759.59	-	-	-	-
	-	Absconded	-	-	-	-	-	-	-
	-	Other	-	-	-	-	-	-	-
Total	-		-	1	6,759.59	-	-	-	-
Grand Total	5		149,949.80	8	179,882.11	3	24,407.89	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: **15th September 2020**

Title: **Council Tax Premium for Long-term Empty Property**

Portfolio Area: **Homes – Cllr Sellis**

Wards Affected: **All**

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

Date next steps can be taken: **Council 22 September 2020**

Author: **Steve Henstock** Role: **Revenue Specialist**

Contact: **Ext. 1292 steve.henstock@swdevon.gov.uk**

Recommendations:

That the HUB Committee RECOMMENDS to Council:

- (a) an increase in the Council Tax long-term empty property Premium from the current 50% to the relevant maximums set out in the Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018
- (b) that, from 1st April 2021 onwards, to increase the Council Tax long-term empty property Premium to 100% for properties that have been empty for 2 years or more*
- (c) that, from 1st April 2021 onwards, to increase the Council Tax long-term empty property Premium to 200% for properties that have been empty for 5 years or more*
- (d) that, from 1st April 2021 onwards to increase the Council Tax long-term empty property Premium to 300% for properties that have been empty for 10 years or more*

(* Any period not exceeding six weeks, where the property is not empty, shall be disregarded for the purposes of calculating the two, five or ten year empty period).

1. Executive summary

1.1 The report informs Members of an increase to the Council Tax long-term empty property Premium that can be levied. This increase is to encourage owners of long-term empty property to take action to bring them back in to use and increase the availability of housing stock within the West Devon Borough Council area.

2. Background

2.1 The Council has, since 1st April 2013, charged an additional Premium of 50% on the full Council Tax charge for a long-term empty property. A long-term empty property is a property that is unoccupied (i.e. not the sole or main residence of any person aged 18 or over) and has been substantially unfurnished for a period of at least two years. A property that is entitled to an Exemption under the existing legislation, such as a property where the owner is a resident in a Nursing Home, are not subject to the Premium after the two year period. The legislation, also, will not allow a Premium to be applied where the property is an annexe, or where the Council Tax payer is residing in armed forces accommodation.

2.2 As at August 2020 the Council had 47 properties subject to the long-term empty property Premium out of a total of 26,051 properties banded for Council Tax.

2.3 On 1st April 2021, of these 47 properties, 4 will have been 'long-term empty' for longer than 5 years, with a further 8 reaching 5 years during the 2021 financial year.

2.4 On 1st April 2021, of these 47 properties, 4 will have been 'long-term empty' for longer than 10 years, with 3 of the 4 property mentioned in 2.3 reaching 10 years during the 2021 financial year.

Table 1 (Appendix 1) at the end of the report shows the bandings and length of time property currently subject to the Premium will have been empty for on 1st April 2021.

3. Outcomes/outputs

3.1 The increase in the Council Tax Premium for long-term empty property is not about increased income, but a means to encourage empty properties to be brought back in to use. The increased Council Tax Premium due for 2021/22, would be in the region of £7,786 (WDBC share of Council Tax income), but significantly less if the properties that have been empty the longest are brought back in to use. There would also be additional Council Tax Premium costs to the Council of £4,532, which would reduce any increased income that would be received. There would also be additional Council costs incurred in implementing and collecting any Council Tax long-term empty property Premium increase.

3.2 Should the Premium increase be approved, the Council will write to all affected Council Tax payers and at the same time provide them with information and advice regarding bringing the property back in to use and how the Council might be able to assist them, such as:

- Assistance in financing of works to empty homes to bring them back in to use
- Enforcement action that the Council can take against problematic empty homes
- Signposting to SeaMoor lettings and other agencies

3.3 Should the Council Tax payer have a genuine reason why the long-term empty property Premium cannot be avoided or suffer financial hardship due to the Premium, the Council does have the discretion to consider reducing/removing it. This will be done by way of a written application to the Rate Relief Panel. The application should give full reasons as to why the property has not been brought back in to use, and what actions are being taken to do so. The Rate Relief Panel will then decide whether, in those circumstances, they agree to part or all of the Premium being waived and for what period of time. The cost of any reduction would fall upon the Collection Fund in the same proportion as the Council Tax bills.

4. Options available and consideration of risk

4.1 The decision to increase the Council Tax Premium on long-term empty property for the 2021/22 financial year must be approved during the 2020/21 financial year. (i.e. the decision to increase the Premium must be made prior to the financial year the Premium is to begin).

4.2 Once approved, the Premium on long-term empty property would start from 1st April 2021, irrespective of the COVID-19 pandemic situation at that time.

4.3 There is a risk of non-payment of any increased Premium amount, however recovery action against any unpaid monies would take place in accordance with The Council Tax (Administration and Enforcement) Regulations 1992.

4.4 The risk of hardship to a Council Tax payer is mitigated by the option for the Rate Relief Panel to decide to not collect a part or all of the Premium amount.

5. Proposed Way Forward

5.1 The Committee recommends approval of the increase in the Council Tax long-term empty property Premium to the maximum Premium allowed from the 2021/22 financial year and onwards (as set out in the recommendations above).

6. Implications

Implications	Relevant to proposals Y/N	The approval for an increase in a Premium needs to be made during a financial year prior to which the Premium will become due.
Legal/Governance		The relevant powers for this report are contained within the following legislation; Section 11B Local Government Finance Act 1992 Section 67(2) Local Government Finance Act 1992 Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018 The decision is one reserved to the Council

Financial implications to include reference to value for money		<p>Should all property remain empty, and the Premium amounts paid, the additional income to the Council would be around £7,786 as shown in Table 2 in 2021/22 for a full year (WDBC share of the Council Tax bill equates to 11% of the overall bill). This would be in part offset by the Council's additional Premium costs which would be £4,532.</p> <p>Table 2 below shows the increased Council Tax from an increase to the Premium. However, should this measure successfully reduce the number of long-term property, there may be a decrease in the income from the premium.</p>
Risk		<p>Any risk to reputation will be mitigated by taking proactive action with Council Tax payers to bring their property back in to use and not be subject to the Premium.</p> <p>The risk of hardship to Council Tax payers who genuinely cannot avoid the Premium on their long-term empty property will be addressed through applications to the Rate Relief Panel.</p>
Supporting Corporate Strategy		<p>Delivering efficient and effective services Enabling homes that meet the needs of all</p>
Climate Change - Carbon / Biodiversity Impact		No direct carbon/biodiversity impact arising from the recommendations
Comprehensive Impact Assessment Implications		
Equality and Diversity		None
Safeguarding		None
Community Safety, Crime and Disorder		Property brought back in to use may reduce the likelihood of vandalism
Health, Safety and Wellbeing		None
Other implications		None

Supporting Information

Appendices:

Table 1: Number of property currently subject to the Premium, by band and age on 1st April 2021

Table 2: Additional Council Tax received from an increased Council Tax Premium on long-term empty property for 2021/22 and onwards

Background Papers:

Section 11B Local Government Finance Act 1992
 Section 67(2) Local Government Finance Act 1992
 Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018

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: Number of property currently subject to the Premium, by band and age on 1st April 2021

Council Tax Band	2-5 years	5-10 years	10 years +	<i>Total</i>
A	17	2	3	22
B	9			9
C	2	1	1	4
D	3	1		4
E	4			4
F	2			2
G	2			2
H				
<i>Total</i>	39	4	4	47

Table 2: Additional Council Tax received from an increased Council Tax Premium on long-term empty property for 2021/22 and onwards

Year	Additional Council Tax	West Devon share (at 11%)
2021/22	£70,782	£7,786

Above figures are based on 2020/21 Council Tax charges for property shown in Table 1

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Report to: **Hub Committee**
Date: **15 September 2020**
Title: **Waste Collection Frequency Trial**
Portfolio Area: **Caroline Mott**
Lead Member for Environment

Wards Affected: **All**

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

Date next steps can be taken: After call-in

Authors: **Jane Savage & Natalie Johnson** Role: **Head of Contracts & Commissioning Senior Specialist (Waste)**

Contact: **01822 813657**
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Recommendations: that the Hub Committee

1. Approves the continuation of the trial of three weekly refuse collections to around 1000 households in the Borough until March 2021 to allow a full year of data to be analysed.
2. Receives an outcome report in March 2021 that will include an officer appraisal over whether or not the Committee should recommend to Council that a three weekly refuse collection should be implemented for all households in the Borough with a potential start date of Autumn 2021.
3. Notes the success of the enhanced recycling service.

1. Executive summary

1.1 In 2019, the Hub Committee approved the establishment of a trial of reduced frequency (3 weekly) residual collections to 1000 households and the introduction of an enhanced recycling service to all households, with an update report to be brought back to the committee in September 2020.

1.2 The 3 weekly trial began in February 2020 to provide the information necessary to estimate the potential environmental and financial implications if the service was to be introduced Borough-wide.

1.3 The findings at this stage are inconclusive due to skewing of the data caused by the effects of lockdown and it is recommended that the trial continues until March 2021 with no additional risks or financial implications.

1.4 The enhanced recycling service was introduced across the Borough in November 2019 and has proved successful with a 2.4% increase in the amount of domestic waste being recycled in 2019-20 compared with the previous year.

2. Background

2.1 Three weekly residual (black sack) collections have proved successful in other local authority areas in both improving recycling rates and reducing costs. Council Minute CM42 (8) of the Council Report of 4 December 2018, resolved that the Council:

“instruct officers to work with the successful bidder on the implementation of a three-weekly residual waste collection trial as soon as is practicable, subject to a report detailing potential savings and timescales being approved by the Hub Committee.”

2.2 On 4 June 2019 the Hub Committee approved the establishment of a trial of three weekly refuse collections to around 1000 households and agreed for a report to be brought back to Hub including an officer appraisal regarding whether the Committee should recommend to Council that a three weekly refuse collection should be implemented for all households in the Borough.

2.3 At the same time, the Hub Committee approved an enhanced recycling service with the addition of plastic pots, tubs, trays and printer cartridges, card drinks containers and foil to the kerbside recycling service.

2.4 On 10 September 2019, the Hub Committee approved a set of desired outcomes for the Council's strategic theme of Environment including to: *'Increase the amount of waste we recycle'*.

2.5 The Council continues to face considerable financial challenges as a result of uncertainty in the wider economy and constraints on public sector spending. COVID-19 has put additional strain on Council's budget and this is reported in the monthly Revenue Budget Monitoring Reports. The Month 3 Budget Monitoring report to the Hub Committee on 28 July 2020 forecasts a budget shortfall for 2020-21 of £501,000. During September 2020, the Council will set an Amended Budget for 2020/21 taking into account the impact the pandemic has had on the Council's finances.

2.6 Annual savings are expected from reducing the collection frequency of residual waste. These may come from 4 sources:

- i. lower collection costs (may not materialise as recycling collection costs increase)
- ii. income from sales of materials if more are recycled (this is dependent on markets and may result in a debit position)
- iii. income from recycling credits if more materials are recycled (payable by the waste disposal authority Devon County Council)
- iv. a share of the overall disposal savings with the disposal authority under the Shared Savings Scheme.

The latter has been set up to encourage districts to make significant changes to services in line with the Devon waste strategy which result in disposal savings for Devon County Council. These savings are shared equally with the district.

2.7 The annual savings expected from a three weekly scheme has been estimated at between £100,000 and £150,000 per year. However, this is an indicative figure only as payments are based on actual tonnages of residual waste and recycling collected. These tonnages can only be determined by trialling the service to gather the data needed to assess the environmental and financial benefits if the scheme were to be introduced across the whole Borough.

2.8 The trial started on 25 February 2020 and involved around 1,000 households in the wards of Bridestowe, Lewdown, Okehampton, and Tavistock. Households were selected to form a representative sample of the Borough as a whole and included rural and urban areas with different demographics.

2.9 Data and information incorporating a broad range of measures is being collated including:

- a) Residents' surveys
- b) Call numbers
- c) Complaints
- d) Flytips
- e) Tonnages of dry recycling, food and residual waste

2.10 This fits with the Council themes of:

3. Outcomes

3.1 Residents' surveys

3.1.1 Households on the trial are being surveyed to monitor any change in attitudes as they become accustomed and adjust to the service change. The first survey took place around February 2020 and this was followed by a second survey in August 2020.

3.1.2 The first survey had less than 5% take up from those participating in the trial. The results show that most respondents were concerned about storing their waste for three weeks and the risk of this attracting animals. The limited number of respondents should be taken into account, however it is more usual for high responses to contentious issues so it may be concluded that the majority of residents on the trial are not inconvenienced by the reduction in collections.

3.1.3 The second survey received a higher participation rate of 20%. The results show that most respondents still have concerns about storing waste for three weeks though most have found that it has not attracted animals. Often these concerns are linked to the number of people living in the property. The majority of respondents are content with the trial and understand why it is being carried out. The majority also agree that they had put out more recycling and waste for collection during lockdown but that the trial has made them think about the amount of waste they produce and encouraged them to make changes at home to reduce this. A number of respondents questioned why the Council didn't provide bins for residual waste. Negative comments reflected the misconception that trial addresses were chosen on the basis of receiving positive results.

3.2 Call numbers

3.2.1 The number of calls received via the phone line set up specifically for the enhanced service and 3 weekly trial, was very low considering the type and scale of changes happening across the whole Borough. At the beginning of the enhanced service in November 2019, the number of calls peaked with approximately 13 additional calls received daily. For the 2 months immediately after the introduction of the trial, an additional 1.5 calls per day were received.

3.2.2. According to our external validator, this is an 'astonishingly low level of calls' suggesting that the quality of the communication strategy and promotional materials was very high as residents had fully understood what they were required to do and the reasons for it.

3.3 Complaints

3.3.1 There have been 3 formal complaints relating to the trial since it began. Two of these were received at the beginning of the trial and related to lack of storage space and the other was about a vermin issue

attributed to 'not all residents recycling' at a communal collection point. This compares with around 50 complaints in total regarding domestic waste collections over the same time period.

3.4 Fly tips

3.4.1 Fly tipping events were observed in response to concerns that there would be a corresponding increase once residual collection frequencies were reduced. Monitoring over the 4 month period between March and June shows that the number of fly tips has in fact gone down during the trial from 88 in 2019 to 79 in 2020 which suggests that these fears were unfounded.

3.5 Tonnages

3.5.1 Before residents were aware that their household was part of the trial, weights were obtained for the residual, dry recycling and food waste collected from trial households to provide clean baseline data. It should be noted that these baseline tonnages are likely to have been slightly inflated due to the usual behaviour of more waste being put out during and after Christmas though this can be cross checked and accounted for against tonnages for the same week in January 2021.

3.5.2 The same data was collected again after five months so that a comparison could be made with the baseline. The table below shows the differences in tonnage collected from the trial households for residual (black sack), dry recycling (all recycling with the exception of garden and food waste) and food waste.

Table 1 Changes in tonnages between the baseline data and those collected after 4 months on the trial

Residual	+4%
Dry Recycling	+57%
Food Waste	+25%

3.5.3 It is clear that the results are not consistent with expectations nor are they similar across areas.

3.5.4 This inconsistency is most likely to be attributed to the coronavirus lockdown from March. Since lockdown we have seen a rise in domestic waste due to the combination of people being confined mainly to the home and a change in shopping habits. More meals were prepared at home with more time available to clear out lofts and garages and tidy gardens. With all but essential shops closed, there was a significant increase in online purchases and a corresponding increase in packaging waste.

3.5.5 There is no doubt that the results have been affected by the issues outlined above and as such are inconclusive, and that further information is required from a longer timeframe. It should also be noted that it is difficult to predict whether the change in shopping habits may become

permanent and/or whether any further periods of lockdown will further skew the data.

3.6 Enhanced recycling service

3.6.1 The enhanced recycling service which allowed for the additional materials listed in 2.3 was introduced to all households in December 2019. Since then, the amount of dry recycling collected has increased by 223t (11%) compared with the same period the previous year. The recycling rate in 2019-20 for the Borough, has risen by 2.4% to 53.7% (at time of writing awaiting verification from DEFRA).

4. Options available and consideration of risk

4.1 The information gathered to date shows overall positive feedback in terms of public acceptance of reducing the frequency of residual collections. However, in order to fully assess the true potential diversion of waste from residual to recycling, the study needs to continue beyond the short term as there is no doubt that lockdown has affected the data. Whilst the change in the waste stream is likely to continue over the period of the proposed extension, it is not expected to be so pronounced as schools return and businesses return further towards the 'normal'. Continuing with the trial will allow for a more robust set of tonnage data to be examined and taken into account for a final report to be presented to the Hub Committee in March 2021.

5. Proposed Way Forward

5.1 It is proposed that the recommendations are approved to more fully assess the feasibility of the introduction of three weekly collections across the whole Borough in autumn 2021.

6. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance	Y	The Authority has a duty to arrange for collection and disposal of household waste. The legislative framework is to be found in the Environmental Protection Act 1990, Waste Framework Directive 2008, and Controlled Waste Regulations 2012.
Financial	Y	There are no financial implications for continuing with the trial until March 2021. The annual savings expected from a three weekly scheme across the whole Borough is estimated at between £100,000 and £150,000 per year. These are based on indicative figures on shared savings from Devon County Council and our calculations on the potential effect on recycling credits based on the domestic waste audit of 2017. However, these

		<p>figures cannot be quantify accurately as there is not enough evidence available from other Authorities with similar demographics and starting points. For the same reason, it is difficult to accurately predict the additional recycling resource that may be required for collections.</p> <p>The net cost of the trial of £17,000 in 2019-20 and £7,500 in 2020-21 has been approved by Council to be funded from the Strategic Waste Earmarked Reserve. Additional income from recycling credits will be paid back into the reserve.</p>
Risk	Y	The risks are set out in section 4 of this report.
Comprehensive Impact Assessment Implications		
Equality and Diversity		N/A
Safeguarding		N/A
Community Safety, Crime and Disorder		N/A
Health, Safety and Wellbeing		N/A
Other implications		N/A

Supporting Information

Appendices:

Background Papers:

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

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Report to: **Hub Committee**

Date: **15th September 2020**

Title: **Signing up to the Coastal Concordat**

Portfolio Area: **Cllr Mott**
Lead Member for Environment

Wards Affected: **Bere Ferrers**

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

Date next steps can be taken: **After call in**

Author: **Rob Sekula** Role: **Senior Specialist – Natural Resources and Green Infrastructure**

Contact: **01822 813701/email: rob.sekula@swdevon.gov.uk**

Recommendation: that the Hub Committee

1. Agrees to sign up to the Coastal Concordat with immediate effect

1. Executive summary

- 1.1 The Coastal Concordat is an agreement between the main regulatory bodies and coastal Local Planning Authorities, providing a framework within which the separate processes for the consenting of coastal developments in England can be better coordinated. The Concordat offers benefits to applicants, regulators and advisors alike by reducing unnecessary regulatory duplication, providing better sign-posting, streamlining assessments and increasing transparency and consistency of advice.
- 1.2 The Department for Environment, Food and Rural Affairs (Defra) contacted the Borough Council inviting it to sign up to the Concordat, and to assist them with meeting the commitment in the Government's 25 Year Environment Plan for all Local Authorities with a coastal interest in England to be signed up by 2021.

2. Background

- 2.1 The original Coastal Concordat for England dated 11 November 2013 was an agreement between the Department for Environment, Food and Rural Affairs, the Department for Communities and Local Government (now the Ministry of Housing, Communities and Local Government (MHCLG)), the Department for Transport, the Marine Management Organisation, the Environment Agency, Natural England and the Local Government Association Coastal Special Interest Group. Whilst signed by these Government Departments and advisory bodies, there was limited sign up from Local Planning Authorities.
- 2.2 Following periodic reviews in 2018 and 2019 by representatives of the above departments and bodies of the effectiveness of the Concordat with a view to updating the agreement, the principles of the Concordat were clarified.
- 2.3 The Government's 25 Year Environment Plan ([A Green Future: Our 25 Year Plan to Improve the Environment](#)) states (p107): *"We will continue to implement a marine licensing regulatory regime that supports sustainable development while protecting the natural capital and wellbeing of the marine environment and all local authorities with a coastal interest will be signed up to the Coastal Concordat by 2021"*.
- 2.4 Following completion of the 2019 review and to meet the timescale committed to in the 25 Year Environment Plan, in 2020 Defra contacted Local Authorities with a coastal interest to encourage them to sign up to the new Concordat. Within the South West, Plymouth City, Cornwall and Dorset Councils are known to have signed up to the Concordat, and North Devon have resolved to do so.
- 2.5 The Concordat applies to the consenting of coastal developments in England where several bodies have a regulatory function, and is designed to form the basis of agreements between the main regulatory bodies and coastal Local Planning Authorities. It provides a framework within which the separate processes for the consenting of coastal developments in England can be better coordinated.
- 2.6 The Concordat is based on five high level principles, as set out below:
 - Applicants seeking regulatory approval should be provided with a **first point of entry** into the regulatory system for consenting coastal development, guiding them to the organisations responsible for the range of consents, permissions and licences which may be required for their development
 - Regulators should agree a single lead authority for coordinating the requirements of Environmental Impact Assessments or Habitats Regulations Assessments
 - Where opportunities for dispensing or deferring regulatory responsibilities are legally possible and appropriate, they should be taken.

- Where possible, at the pre-application stage, competent authorities and statutory advisors should agree the likely environmental and habitats assessment evidence requirements of all authorities at all stages of the consenting process.
- Where possible, regulators and statutory advisors should each provide coordinated advice to applicants from across their respective organisations.

3. Outcomes/outputs

- 3.1 The benefits of working under the principles of the Concordat for applicants and regulators include:
- Upfront signposting for the applicant
 - Reduced duplication of evidence requirements
 - Streamlined regulatory processes (one body may take a lead on Environmental Impact Assessment, Habitats Regulations Assessment, and/or Marine Conservation Zone Assessments).
 - Transparency and consistency of advice
 - Time and cost savings for regulators, authorities and applicants
 - Meets the commitment in the 25 Year Environment Plan
- 3.2 In practice, if a planning application was screened in as a Concordat project (if it was terrestrial with elements on or below the Mean High Water Mark (MHW), and requiring multiple consents), the Council would have an advisory role as the 'first point of entry,' with an officer signposting the applicant to other Concordat bodies and highlighting at this early stage that they may need to secure a consent, licence or permission from them.
- 3.3 The applicant would then contact the other regulatory bodies to find out about the regulatory regime for which they are responsible and it would remain the responsibility of the applicant to obtain all necessary consents.
- 3.4 The most appropriate body would initiate a discussion between relevant Concordat adopters covering (where required):
- a. Timescales, roles, contact details
 - b. Potential lead authorities for EIA/HRA/MCZ if applicable
 - c. Opportunities to dispense with/defer regulatory responsibilities
 - d. Common evidence requirements
 - e. Arrangements for communication of the outcome of the discussion with the application

4. Options available and consideration of risk

- 4.1 Signing the Concordat does not remove any of the statutory responsibilities or duties of the Council or relinquish any powers, but it does set up a mechanism by which the production of evidence supporting decision-making can be streamlined, and in some cases it will be appropriate to appoint a lead authority to coordinate relevant assessment processes and parallel tracking of assessments is recommended. This will lead to some limited efficiencies for the Council.

- 4.2 There will be a small number of planning applications which will trigger use of the Coastal Concordat and accordingly the efficiency savings will be minimal to the Council. There is no apparent disadvantage or detriment to the Council, and the principles of the Concordat are sensible and would assist with a better passage through the regulatory system for applicants.
- 4.3 There is no financial cost to signing the Concordat, or additional resource implication. Some basic training will be given to officers validating planning applications as well as a document signposting other regulatory bodies.
- 4.4 It is anticipated that when the Local Validation List is next revised, a requirement for a Coastal Development Statement will be introduced (consistent with the approach of Plymouth City Council) whereby developments around or below the MHWM will need to submit basic information about the proposal, location (with respect to the MHWM), and which (if any) other regulatory bodies they have contacted. This will assist the Council's validating officers with their initial assessment in relation to the Coastal Concordat at validation.

5. Proposed Way Forward

- 5.1 It is proposed that the Council should sign up to the Coastal Concordat. If Hub agrees then an officer will write to Defra to confirm that the Borough Council has adopted the Coastal Concordat and will be working under its principles.
- 5.2 In advance of signing up the Concordat, Council officers will provide basic training about the principles and requirements of working under the Concordat (and the regulatory functions of other bodies) to planning application validating officers. Officers will prepare signposting information that can be sent by validating officers to applicants/developers. Officers will also ensure that the requirement for a Coastal Development Statement is included in the Council's forthcoming updated Local Validation List.

6. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance	Y	<p>The Concordat does not remove any of the statutory responsibilities or duties of the Council or relinquish any of its powers.</p> <p>The Concordat relates to the functions below which are undertaken by the Council:</p> <ul style="list-style-type: none"> - Planning applications (Town and Country Planning Act 1990) - Habitats Regulations Assessment (Habitats Regulations, 2017) - Environmental Impact Assessment (EIA Regulations, 2017)

		<p>- Marine Coastal Zone Assessment (Marine and Coastal Access Act, 2009)</p> <p>The Council has a duty to monitor and review its use of resources in order to ensure value for money, deliver efficiencies and ensure transparency in its operations.</p>
Financial implications to include reference to value for money		There is no financial cost to signing the Concordat, or additional resource implication.
Risk		<p>The Government has committed within the 25 Year Environment Plan to all coastal Local Authorities signing up to the Coastal Concordat by 2021. The implications of not signing up are not known.</p> <p>The main apparent implication of not signing up to the Concordat is that planning applicants/developers would not benefit from the efficiencies and streamlining when dealing with the Council (and other regulatory bodies).</p> <p>The Council may receive some negative press or contact if it does not sign up. It would also not be in the spirit of partnership working with other regulatory bodies (e.g. Natural England, the Environment Agency, and the Marine Management Organisation).</p>
Supporting Corporate Strategy		Signing the Concordat is consistent with the Corporate Priorities for the Environment (protecting, conserving and enhancing our natural environment) and the Council (delivering efficient and effective services).
Climate Change - Carbon / Biodiversity Impact		<p>There are no direct impacts, however it is noted that the Concordat will make evidence gathering related to the natural environment (and impacts upon it) consistent across the regulatory functions.</p> <p>This may be beneficial in enabling timely and robust assessments (with respect to EIA, HRA and the MCZ).</p>
Comprehensive Impact Assessment Implications		
Equality and Diversity		None directly arising from this report
Safeguarding		None directly arising from this report

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

Supporting Information

Appendices:

None

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
Accessibility checked	Yes