

# South Hams Executive



<b>Title:</b>	<b>Agenda</b>
<b>Date:</b>	<b>Thursday, 19th March, 2020</b>
<b>Time:</b>	<b>2.00 pm</b>
<b>Venue:</b>	<b>Repton Room - Follaton House</b>
<b>Full Members:</b>	<p style="text-align: center;"><b>Chairman</b> Cllr Pearce  <b>Vice Chairman</b> Cllr Bastone</p> <p><i>Members:</i> Cllr Hopwood Cllr Hawkins  Cllr Baldry Cllr May</p>
<b>Interests – Declaration and Restriction on Participation:</b>	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.
<b>Committee administrator:</b>	Democratic.Services@swdevon.gov.uk

<b>1. Minutes</b>	<b>1 - 12</b>
to approve as a correct record and authorise the Chairman to sign the minutes of the meeting of the Executive held on 6 February 2020;	
<b>2. Urgent Business</b>	
brought forward at the discretion of the Chairman;	
<b>3. Division of Agenda</b>	
to consider whether the discussion of any item of business is likely to lead to the disclosure of exempt information;	
<b>4. Declarations of Interest</b>	
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;	
<b>5. Public Question Time</b>	<b>13 - 14</b>
a period of up to 15 minutes is available to deal with questions submitted to the Council in accordance with the Executive Procedure Rules;	
<b>6. Executive Forward Plan</b>	<b>15 - 22</b>
<b>7. Council Tax Reduction for Care Leavers and Council Tax Premium for Long Term Empty Property</b>	<b>23 - 28</b>
<b>8. Release of Section 106 funds for an Affordable Housing project at St Ann's Chapel</b>	<b>29 - 34</b>
<b>9. Re-procurement for Cashless Parking Payment System</b>	<b>35 - 40</b>
<b>10. Parking Permit Review</b>	<b>41 - 50</b>
<b>11. Statement of Community Involvement</b>	<b>51 - 98</b>
<b>12. Follaton House: Strategic Accommodation Review</b>	<b>99 - 122</b>

**13. Exclusion of Public and Press**

- to consider the following resolution to exclude the public and press:-

"That in accordance with Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting during consideration of the following items of business in order to avoid the likely disclosure to them of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Act";

**14. Implementation of New Recycling Service September 2020      123 - 136**

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**MINUTES OF A MEETING OF  
THE EXECUTIVE  
HELD AT FOLLATON HOUSE ON THURSDAY 6 FEBRUARY 2020**

<b>Members in attendance:</b>			
* Denotes attendance			
∅ Denotes apologies for absence			
*	Cllr K J Baldry	*	Cllr N A Hopwood
*	Cllr H D Bastone (Vice Chairman)	∅	Cllr D W May
*	Cllr J D Hawkins	*	Cllr J A Pearce (Chairman)

<b>Also in attendance</b>
Cllrs Abbott, Austin, Brazil, Holway, Hodgson, Long, M <sup>c</sup> Kay, Pannell, Reeve, Rose, Smerdon, and Spencer

<b>Officers in attendance and participating</b>		
All items		S151 Officer, Director of Place and Enterprise, Head of Practice – Finance, Democratic Services Manager, Specialist Democratic Services
Items 10 & 11	E.74/19 & E.75/19	Deputy Chief Executive
Item 15	E.79/19	Senior Specialist – Car Parking and toilets
Item 17	E.80/19	Head of Practice – IT

**E.67/19      MINUTES**

The minutes of the Executive meeting held on 19 December 2019 were confirmed as a true and correct record and signed off by the Chairman.

**E.68/19      DECLARATIONS OF INTEREST**

Members and officers were invited to declare any interests in the items of business to be considered during the course of this meeting but none were made.

**E.69/19      PUBLIC QUESTION TIME**

It was noted that the following public questions had been received in accordance with the Executive Procedure Rules, for consideration at this meeting. The responses are set out in bold, and were circulated at the meeting.

Question from Robert Vint:

“What discussions have taken place with Plymouth City Council and with West Devon Borough Council about jointly reviewing Sustainable Construction and Renewable Energy policies in their Joint Local Plan in order to enable effective and immediate responses by all three councils to their own Climate Emergency declarations?”

**Response:**

**Plymouth City Council, West Devon Borough Council and South Hams District Council collaborated on the production of the Plymouth and South West Devon Joint Local Plan, and are now working together to deliver that plan. The Councils have a joint team, the Joint Local Plan team, which oversees the monitoring, delivery and review of the Joint Local Plan. A Joint Local Plan Partnership Board comprising Members from each authority oversees work on the JLP. Discussions on the Joint Local Plan take place in these groups and have reached the following conclusions:**

**An early review and update of the JLP would not be appropriate response to the declaration of Climate Change and Biodiversity Emergency made by South Hams District Council, for the following reasons:**

- 1. The Joint Local Plan already contains a strategy for managing growth over the plan period which is firmly rooted in the principles of sustainable development, focusing development in the city and towns which have a range of facilities accessible by sustainable means of transport. The first two policies of the plan, SPT1 and SPT2 set 'golden threads' running through the entire plan, making clear that the principles of sustainable development, sustainable linked neighbourhoods and sustainable rural communities apply to all development. Reinforcing these principles are a number of development control policies which will have a direct effect on carbon emissions in the future and on the protection and enhancement of biodiversity – for example DEV26, DEV27, DEV32, DEV33 and DEV34. These policies have very recently been found sound by a Planning Inspector and comply with the NPPF and NPPG, and it is unclear in what way they should be considered to be out of date or inadequate;**
- 2. If the Joint Local Plan were to be immediately reviewed and updated, the Councils would also be immediately announcing that the strategy and policies were out of date. The announcement would mean that the policies would no longer have full weight as adopted policies of the development plan, and it would consequently be more difficult to apply them to development proposals coming forward across the plan area. The result would likely to be a period while the JLP was being updated, when the low carbon policies could not be applied with full weight, housing policies may also be deemed out of date as the strategy was revisited, leading to risks to the 5 year land supply;**

3. **A review and update of the JLP would not be a rapid process. The process of creating the JLP took three years and is noted as a very fast timescale for the production of a local plan. Updating the JLP on the scale suggested would take a similar time, and possibly longer if Councils wished to pursue ambitious policies going beyond the NPPF with no certainty that the objectives would be achieved. Such a timescale does not seem to be the best use of resources to address the Emergencies that have been declared;**
4. **Finally, in order to trigger a review and update of the Joint Local Plan, all three Councils (South Hams District Council, West Devon Borough Council, and Plymouth City Council) would need to agree to such a course of action. South Hams District Council cannot make the decision unilaterally.**

**The Councils are committed to reviewing and updating the JLP within 5 years of its adoption – ie adopting a JLP which has updated any policies deemed to be out of date by 2024. It is therefore suggested that the best way forwards is to keep to this timescale, whilst developing more immediate responses to the Climate and Biodiversity Emergencies through the Action Plans being created.**

Question from Ella Dangerfield:

“The Government is proposing to remove local authority powers to set high energy efficiency standards in new homes and to scrap the Fabric Energy Efficiency Standard (FEES). Details attached. Having declared a Climate Emergency, will this Council respond to the Government’s consultation (deadline 7th February) to oppose these proposals?”

**Response:**

**Yes, the Council will be responding to the Future Homes Standard 2019 Consultation calling for a significant uplift in building standards combined with a more robust and comprehensive assessment of the net carbon of a dwelling that considers how a building is used and not just how it is built or where the primary energy comes from. The Council considers that the ineffective binary options offered by the Future Homes Standard consultation fall a long way short of what is required.**

Question from Chris Snow:

“A global alliance of environmental organisations have recently evaluated the carbon footprints of the world’s largest financial institutions (link attached). Will this council, as part of its Climate Action Plan, act to ensure that its investments are not used to finance further expansion of fossil fuel extraction?  
[https://www.banktrack.org/download/banking\\_on\\_climate\\_change\\_2019\\_fossil\\_fuel\\_finance\\_report\\_card/banking\\_on\\_climate\\_change\\_2019.pdf](https://www.banktrack.org/download/banking_on_climate_change_2019_fossil_fuel_finance_report_card/banking_on_climate_change_2019.pdf)”

**Response:**

**The Council is able to consider the declaration of a Climate Change and Biodiversity Emergency within the Treasury Management function, but any changes need to be very carefully assessed. Policies need to be universally applied and backed by on-going monitoring. This is already undertaken through the application and monitoring of minimum credit ratings and maximum duration limits contained within the Council's Treasury Management Strategy (i.e. addressing Security and Liquidity) and, therefore, any additional requirements need to be applied in a similarly consistent manner.**

**If the Council formally adopts some form of additional overlay over and above Security, Liquidity and Yield, then the Council will need to address how to encapsulate such a position and what the potential consequences of this would be. Importantly, it should not be something that would be deemed to run contrary to Local Authority regulatory requirements of Security, Liquidity and Yield. Just as important, it should cover all potential investment options that the Council could make, i.e. universal coverage, where possible.**

**The Council's Investments are currently mainly in UK based Banks and Building Societies and the CCLA (Churches, Charities and Local Authorities) Property Fund. It is also important to stress that the Council's investments are predominantly sterling-denominated term deposits. These are not long-term investments that are specifically used by financial institutions to "on-finance" projects, but are used as part of day to day cash flow balances.**

**The Treasury Management Strategy is reviewed annually and the implications of the declaration of a Climate Change and Biodiversity Emergency will be considered as part of this process.**

**E.70/19 EXECUTIVE FORWARD PLAN**

Members were presented with an interim Executive Forward Plan setting out items on the agenda for Executive meetings for the next four months and noted its content.

**E.71/19 REPORTS OF OTHER BODIES:**

**A) Joint Development Management Committee and Overview and Scrutiny Panel – 23<sup>rd</sup> January 2020;**

Minute OSDM.3/19 recommendations were covered in agenda Item 10 (Minute E.74/19 below refers); and

Minute OSDM.4/19 recommendations covered in agenda Item 11 (Minute E.75/19 below refers).

**B) Overview & Scrutiny Panel – 23<sup>rd</sup> January 2020**



## O&S.62/19 **PRE-APPLICATION PROCESS**

### **RESOLVED**

The Executive **RECOMMEND** to Council that the draft Pre-Application process (as outlined in Appendix 1 of the presented agenda report to the Panel) be approved, subject to inclusion of the following revisions:

1. replacement of the word 'we' with the term 'the Council';
2. move the definitions from the end to the beginning of the Policy; and
3. expand upon reference to 'disclosures' in the Policy.

## O&S.63/19 **SAFEGUARDING POLICY**

### **RESOLVED**

1. That the revised Safeguarding Policy (as outlined at Appendix A of the presented agenda report to the Panel meeting) be adopted; and
2. That officers be instructed to undertake a viability study regarding the merits of DBS checks for all Members, with the outcome of this study being reported back to a future Overview and Scrutiny Panel meeting.

## O&S.67/19 **TASK AND FINISH GROUP UPDATES**

### **(a) Leisure Review – Concluding Report**

The Executive thanked the Task and Finish Group and asked that the annual report from Fusion, to be presented to the Panel meeting on 27 February 2020, outline how the organisation would fulfil its commitment to deliver outreach leisure services to the rural areas of the District.

## E.72/19 **REVENUE BUDGET MONITORING 2019/20 Q3**

Members were presented with a report that enabled them to monitor income and expenditure variations against the approved budget for 2019/20, and provided a forecast for the year end position.

The Lead Member for Finance introduced the report and there being no questions, it was then:

### **RESOLVED**

1. That the forecast income and expenditure variations for the 2019/20 financial year and the overall projected underspend of £27,000 (0.3% of the total Budget £8.833 million) be endorsed.
2. That Council be **RECOMMENDED** to transfer £30,000 of the additional planning income into the Planning Policy & Major Developments Earmarked Reserve at the end of the 2019/20 financial year.

E.73/19

**CAPITAL PROGRAMME MONITORING 2019/20 Q3**

The Executive was presented with a report that advised Members of the progress on individual schemes within the approved Capital Programme, including an assessment of the financial position.

The report confirmed that the monitoring of the Capital Programme at Month 9 (end of December 2019) had not highlighted any significant areas of overspend to report to Members. All of the capital projects were within the existing capital budgets approved by Members (as outlined at Appendix A of the presented agenda report). The remaining balance of the capital programme contingency budget was £73,399.

The Lead Member for Finance introduced the report. The Section 151 Officer and Director for Place and Enterprise responded to questions of clarity.

It was then **RESOLVED** that:

1. the content of the Monitoring Report be noted;
2. Council be **RECOMMENDED** that £88,000 of revenue income, predominantly in respect of a restrictive covenant, be allocated to the Capital Programme Reserve (as set out in exempt Appendix B to the presented agenda report); and
3. Council be **RECOMMENDED** to increase the budget for Whitestrand, Salcombe (as set out in exempt Appendix B to the presented agenda report).

E.74/19

**REVENUE BUDGET PROPOSALS FOR 2020/21**

A report was considered that presented the draft Revenue Budget Proposals for 2020-21. The report noted that these proposals had been considered by the Executive on 19<sup>th</sup> December 2019 (minute E.61/19 refers) and then the joint meeting of the Overview and Scrutiny Panel and the Development Management Committee (minute OSDM.3/19 refers) on 23<sup>rd</sup> January 2020. The Leader presented the report to the Executive and outlined the changes following its passage through the above meetings.

The Leader clarified recommendation 5 following the recent meeting

held with South Hams CVS. Despite further requests being made, financial information regarding use of funding was still not forthcoming from CVS and their representatives had confirmed that they did not invite local Town and Parish Councils to make any funding contributions to their organisation. It was therefore suggested that £5,000 be made as a contribution from the Council towards core costs in 2020/21. The Council had approved a commissioning model for voluntary funding with possible crowd funding opportunities being available for the following year.

The Leader and S151 Officer responded to questions of clarity, including that Recommendation 7 was proposed to be a one-off amount of money with the Climate Change and Biodiversity Working Group having a key role in deciding how this was spent. There was an additional recommendation (Recommendation 14) proposed to ensure that tenants were paying an open market rent specifically in relation to Citizens Advice South Hams' offices at Follaton House. This approach would ensure tenants were paying an Open Market Rent, with the budget reflecting market rent prices. As a result, there would be a Net Nil impact on the 2020-21 Budget as the two corresponding entries would equate to Nil.

It was then **RESOLVED** that the Executive **RECOMMEND** to Council:

1. To increase Council Tax for 2020/21 by £5 (Band D of £170.42 for 2020/21 – an increase of 10 pence per week or £5 per year – equates to a 3.02% increase)
2. The financial pressures shown in Appendix A of £1,603,640 (amended to £1,600,640 to reflect Recommendation 5 being for £5,000)
3. The net contributions to/(from) Earmarked Reserves of (£117,843) as shown in Appendix D
4. The savings of £904,877 as shown in Appendix A
5. Partnership funding levels set out in 2.38 of the presented report, with the addition of £5,000 to the CVS for 2020/21 only
6. The use of £564,143 of New Homes Bonus funding to fund the 2020/21 Revenue Budget as set out in 2.25 of the report
7. The use of £400,000 of New Homes Bonus funding to set up an emergency climate change projects Earmarked Reserve (2.20)
8. To transfer the unallocated balance (currently £235,016) of New Homes Bonus into the New Homes Bonus Earmarked Reserve, with its future use to be decided when more details are known about the Spending Review for 2021/22 and following a Government consultation document on a replacement scheme for NHB which will be published in the Spring of 2020
9. The inclusion of an Economy post (shared with West Devon Borough Council within the staffing establishment for two years, as 2.37)
10. To delegate to the S151 Officer, in consultation with the Leader and Executive Member for Finance to agree the final amount of New Homes Bonus funding for the Dartmoor National Park Sustainable Community Fund for 2020/21

11. That the Council should set its total net expenditure for 2020/21 as shown in Appendix B as £9,413,672 (amended to £9,410,672 to reflect Recommendation 5 being for £5,000)
12. That the minimum level of the Unearmarked Revenue Reserve is maintained at £1.5 million.
13. That the level of reserves as set out within this report and the assessment of their adequacy and the robustness of budget estimates are noted. This is a requirement of Part 2 of the Local Government Act 2003.
14. To delegate authority to the S151 Officer, in consultation with the Leader of the Council, to carry out a virement within the 2020-21 Budget, to increase both the partnership expenditure budget by £9,000 and the estates management income budget by £9,000, to reflect a commercial rate of rent for the Citizens Advice Bureau but also to ensure no loss of service provision to local residents.

E.75/19

### **CAPITAL BUDGET PROPOSALS 2020/21**

Members were presented with a report that sets out the Capital Bids to the 2020/21 Capital Programme totalling £3,730,000 and a suggested way that these Bids could be funded. All items in this proposed Capital Programme were based on budget estimates and would be subject to the normal project appraisal procedures.

It was then:

#### **RESOLVED**

That the Executive **RECOMMEND** to Council:

1. The Capital Programme for 2020/21, which totals £2,480,000 (Appendix A of the presented agenda report refers);
2. The Capital Programme for 2020/21, which totals £1,250,000 (Exempt Appendix B of the presented agenda report refers); and
3. The financing of the 2020/21 Capital Programme of £3,730,000 from the funding sources set out in Section 4 of the presented agenda report.

E.76/19

### **WRITE-OFF REPORT**

The Executive considered a report that informed Members of the debt written off during the period 1 October to 31 December 2019. The report advised that Debts up to the value of £5,000 could be written off, under delegated authority, by the Section 151 Officer. The report stated that permission needed to be sought from the Executive to write off individual debts with a value of more than £5,000.

Following a number of detailed Member questions related to Bad Debt provision, the Executive concluded that it would be appropriate for either a future Informal Council session or Overview and Scrutiny Panel agenda item to be scheduled on this matter.

It was then **RESOLVED** that:

1. In accordance with Financial Regulations, it be noted that the S151 Officer has authorised the write-off of individual South Hams District Council debts totalling £90,751.81 as detailed in Tables 1 and 2 of the presented agenda report; and
2. Approval be given to the write-off of individual debts in excess of £5,000 (totalling £18,689.45) as detailed in Table 3 of the presented agenda report.

#### E.77/19 **PURCHASE OF A COMMERCIAL INVESTMENT PROPERTY**

Members were presented with a report that outlined the recent purchase of a commercial investment property in Dartmouth.

The request was made that, when deliberating any such purchases in the future, officers and Executive Members consider the feasibility of measures (e.g. installation of solar panels on roofs) that would recognise that the Council had declared a Climate Change and Biodiversity Emergency.

It was then **RESOLVED**:

That the purchase of a commercial investment property under the delegated authority granted to the Chief Executive and the Section 151 Officer in consultation with the Executive (Minute 26/19 refers) be noted.

#### E.78/19 **HOUSING COMPANY**

Members were presented with a report that set out the options for the formation of a Wholly Owned Company to support the Council in owning and managing rented housing stock.

The Lead Member for Homes, with input from the S151 Officer, clarified issues around the constitution of the Housing Company Board and possible conflict of interests for Officers. Executive welcomed the ability for the Council to be able to provide affordable homes within the District.

It was then **RESOLVED**:

- 1) That the setting up of a Housing Company in the form of a Community Benefit Society (CBS) be endorsed;
- 2) a spend of up to £40,000 funded from the Affordable Housing Earmarked Reserve, to set up the CBS, be approved; and
- 3) That the Executive **recommends** to Council to:

- a) form a Community Benefit Society (CBS); and
- b) delegate all authority needed to undertake full due diligence and establish the CBS in the form set out in the presented agenda report, to the Director of Place and Enterprise, S151 Officer and Monitoring Officer, in consultation with the Leader of the Council.

#### E.79/19 **ELECTRIC CHARGING POINTS**

Members were presented with a report that informed them of the proposal to provide electric charging points in some of the Council's car parks. Whilst supporting the proposed way forward, some Members were disappointed at the proposed project timescales.

It was then **RESOLVED** that:

The Executive **RECOMMEND** to Council that:

- 1) the Council signs up to the collaboration agreement with Devon County Council for the installation of Electric Vehicle Charging Points;
- 2) the potential sites where the Electric Vehicle Charging Point should be installed are as listed in paragraph 1.3 of the report;
- 3) the Council enters into a lease with the appointed supplier for a 10 year period; and
- 4) funding for the charging points is obtained from the Revenue Grants Reserve.

#### E.80/19 **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.

#### E.81/19 **FUTURE IT PROCUREMENT REPORT**

Members were presented with an exempt report by the Lead Member for Performance that outlined the process of procurement undertaken to look at a future IT system for the Council.

It was then **RESOLVED** that:

- 1) the contract for the future Case Management technology be awarded to the selected supplier as outlined in the exempt agenda report;

- 2) Council be **RECOMMENDED** to approve the use of £83,000 from the IT Development earmarked reserve in 2020/21 for the project budget; and
- 3) Delegated authority be granted for the contract award of a Document Management system, to the Strategic Director of Customer Service Delivery in consultation with the Executive Member for ICT and the Leader of the Council.

***(NOTE: THESE DECISIONS, WITH THE EXCEPTION OF E.71/19 (B), E.72 (2), E.73/19 (2-3), E.74/19, E.75/19 (1-3), E.78/19 (3), E.79/19, E.81/19 (2), WHICH WERE RECOMMENDATIONS TO THE COUNCIL MEETING TO BE HELD ON 13 FEBRUARY 2020, WILL BECOME EFFECTIVE FROM 5.00PM ON MONDAY 17 FEBRUARY 2020 UNLESS CALLED IN, IN ACCORDANCE WITH SCRUTINY PROCEDURE RULE 18).***

(Meeting commenced at 9:30 am and concluded at 11:25 am)

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Chairman

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## **PUBLIC QUESTIONS AT EXECUTIVE MEETINGS**

The Council at its meeting on 21 June 2001 agreed that 15 minutes should be set aside at the beginning of the Council's monthly Executive meetings to allow members of the public to ask questions.

Any member of the public who wants to raise a question at a meeting should:-

- (a) submit the question in writing to the Democratic Services Manager by 5.00 pm on the Monday prior to the Executive meeting. This will allow a detailed answer to the question to be given at the meeting. If advance notice of the question cannot be given, the Chairman of the meeting has the discretion to allow questions on matters which are felt to be urgent;
- (b) ensure that normally questions are no longer than 50 words in length;
- (c) ensure that the question does not relate to a specific planning matter (this is specifically excluded from the public question time);
- (d) ensure that the question relates to something over which the Council has some control and is suitable to be considered, ie, that it is not derogatory to the Council or relates to matters which the Council could consider confidential.

For any further advice on questions for Executive meetings, please contact Kathryn Trant (Member Services Manager).

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## **SOUTH HAMS DISTRICT COUNCIL: EXECUTIVE LEADER'S FORWARD PLAN**

This is the Leader of Council's provisional forward plan for the four months starting March 2020. It provides an indicative date for matters to be considered by the Executive. Where possible, the Executive 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 Executive and all councillors, the public and other stakeholders. It will also assist the Council's Overview and Scrutiny Panel in planning their contribution to policy development and holding the Executive to account.

Local authorities are required to publish updated forward plans on a regular basis. The Plan is published in hard copy and on the Council's website ([www.southhams.gov.uk](http://www.southhams.gov.uk))

**Members of the public are welcome to attend all meetings of the Executive, which are normally held at Follaton House, Totnes, and normally start at 10.00 am. If advance notice has been given, questions can be put to the Executive at the beginning of the meeting.**

*The Executive consists of six Councillors. Each has responsibility for a particular area of the Council's work.*

*Leader of the Council – Cllr Judy Pearce*

*Deputy Leader – Cllr Hilary Bastone*

*lead Executive Member for Health and Wellbeing – Cllr Jonathan Hawkins*

*lead Executive Member for Communities and Enterprise – Cllr David May*

*lead Executive Member for Environment – Cllr Keith Baldry*

*lead Executive Member for Customer Service Delivery – Cllr Nicky Hopwood*

Further information on the workings of the Executive, including latest information on agenda items, can be obtained by contacting Democratic Services on 01803 861185 or by e-mail to [democratic.services@southhams.gov.uk](mailto:democratic.services@southhams.gov.uk)

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

**KEY DECISIONS TO BE TAKEN BY THE EXECUTIVE**

<b>Portfolio Area</b>	<b>Report Title and Summary</b>	<b>Lead Officer/ Member</b>	<b>Documents to be considered in making decision</b>	<b>Date of Decision</b>	<b>Consultees and means of Consultation</b>
Leader – Strategic Assets	<b>Title: Commercial Investment Opportunity</b> <b>Purpose of report:</b> To outline to Members an investment opportunity	Chris Brook / Cllr Pearce	Report of Director for Place and Enterprise	19 March 2020	
Environment	<b>Title: Grounds Maintenance Service</b> <b>Purpose of report:</b> To consider recommendations from the review of service performance	Steve Mullineaux/ Cllr Baldry	Report of Director of Customer Service and Delivery	19 March 2020	
Homes  Page 16	<b>Title: Empty Homes Premium</b> <b>Purpose of report:</b> To consider an increase to the Council Tax premium on properties that have been empty for over two years	Issy Blake/ Cllr Hawkins	Report of the Head of Housing, Revenues and Benefits, and Customer First	19 March 2020	Consultation with various Heads of Practice
Homes	<b>Title: Release of S106 funds for Affordable Housing Projects</b> <b>Purpose of report:</b> To consider a report that seeks approval of the release of Section 106 funds for affordable housing projects.	Cassandra Harrison/ Cllr May	Report of Specialist Place Making	19 March 2020	
Health & Wellbeing	<b>Title: Wellbeing Strategy</b> <b>Purpose:</b> To recommend to Members the adoption of key wellbeing priorities and associated outcomes	Ian Luscombe/ Cllr Hawkins	Report of Head of Environmental Health	19 March 2020	
Environment	<b>Title: Re-procurement for Cashless Parking Payment System</b> <b>Purpose of report:</b> To seek approval to commence the tender process to re-procure the cashless parking contract through a joint procurement with other Devon Authorities.	Emma Widdicombe / Cllr Baldry	Report of Senior Specialist Parking	19 March 2020	
Environment	<b>Title: Implementation of new recycling service from September 2020</b>	Jane Savage / Cllr Baldry	Report of Portfolio Holder for Waste	19 March 2020	Consultation with SH Members on the Partnership Board

	<b>Purpose of report:</b> To review method and revised costs associated with the implementation				
Environment	<b>Title: Review of Permit Charges</b> <b>Purpose of report:</b> To review the Council's approach to the issuing of Car Parking Permits.	Emma Widdicombe / Cllr Baldry	Report of Senior Specialist Parking	19 March 2020	Consultation with stakeholders
Environment	<b>Title: Coastal Concordat</b> <b>Purpose of report:</b> To outline to Members the protocol for formal processes where these are shared across administrative boundaries / responsibilities	Thomas Jones / Cllr Pearce	Report of Head of Place Making Practice	14 May 2020	
SLT	<b>Title: Corporate Strategy – Business Plans</b> <b>Purpose of report:</b> To seek approval of the Business Plans that underpin the Council's Corporate Strategy	Neil Hawke / Cllr Pearce	Report of Head Strategy and Projects	14 May 2020	
Homes	<b>Title: Homeless Strategy Year 4 Action Plan</b> <b>Purpose:</b> To provide to Members an update on the Homeless Strategy Action Plan	Isabel Blake/ Cllr Hawkins	Report of Head of Housing, Revenues and Benefits Practice	18 June 2020	
Council	<b>Title: Write Off Report for Quarter 4 2019/2020</b> <b>Purpose of report:</b> The Council is responsible for the collection of: Housing Rents, Sundry Debts including Housing Benefit Overpayments, Council Tax and National Non-Domestic Rates. The report informs members of the debt written off for these revenue streams.	Lisa Buckle / Cllr Bastone	Report of Strategic Lead Finance	30 July 2020	
Council	<b>Title: Write Off Report for Quarter 1</b> <b>Purpose of report:</b> The Council is responsible for the collection of: Housing Rents, Sundry Debts including Housing Benefit Overpayments, Council Tax and National Non-Domestic Rates. The report informs members of the debt written off for these revenue streams.	Lisa Buckle / Cllr Bastone	Report of Strategic Finance Lead	17 September 2020	
Council	<b>Title: Revenue Budget Monitoring Quarter 1</b> <b>Purpose of report:</b> A revenue budget monitoring report to monitor income and expenditure variations against	Lisa Buckle / Cllr Bastone	Report of Strategic Finance Lead	17 September 2020	

	the approved revenue budget for 2020/21, and to provide a forecast of the year end position				
Council	<b>Title: Capital Budget Monitoring Quarter 1</b> <b>Purpose of report:</b> 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	Lisa Buckle / Cllr Bastone	Report of Strategic Finance Lead	17 September 2020	
Council	<b>Title: Medium Term Financial Strategy for the five years 2021/22 to 2025/26</b> <b>Purpose of the report:</b> To set the strategic intention for all of the different strands of funding available to the Council. This brings together all known factors affecting the Council's financial position and its financial sustainability, to provide a long term financial forecast.	Lisa Buckle / Cllr Bastone	Report of Strategic Finance Lead	17 September 2020	
Enterprise Age	<b>Title: Town Strategies Progress Report</b> <b>Purpose:</b> To provide Members with an update on town strategies	Tom Jones / Cllr May/ Cllr Bastone	Report of Head of Place Making Practice	22 October 2020	
Homes 8	<b>Title: Council Tax Reduction Scheme</b> <b>Purpose of report:</b> To seek approval for revised Council Tax Reduction scheme	Issy Blake/Cllr Hawkins	Report of the Head of Housing, Revenues and Benefits	3 December 2020	
Council	<b>Title: Write Off Report for Quarter 2</b> <b>Purpose of report:</b> The Council is responsible for the collection of: Housing Rents, Sundry Debts including Housing Benefit Overpayments, Council Tax and National Non-Domestic Rates. The report informs members of the debt written off for these revenue streams.	Lisa Buckle / Cllr Bastone	Report of Strategic Finance Lead	3 December 2020	
Council	<b>Title: Revenue Budget Monitoring Quarter 2</b> <b>Purpose of report:</b> A revenue budget monitoring report to monitor income and expenditure variations against the approved revenue budget for 2020/21, and to provide a forecast of the year end position	Pauline Henstock / Cllr Bastone	Report of Head of Finance	3 December 2020	

Council	<b>Title: Capital Budget Monitoring Quarter 2</b> <b>Purpose of report:</b> 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	Pauline Henstock / Cllr Bastone	Report of Head of Finance	3 December 2020	
Council	<b>Title: Draft Revenue Budget Proposals 2021/22</b> <b>Purpose:</b> To present Budget proposals for 2021/22	Lisa Buckle / Cllr Pearce	Report of Strategic Lead of Finance	3 December 2020	
Council	<b>Title: Draft Capital Programme Proposals 2021/22</b> <b>Purpose:</b> To present Capital Programme proposals for 2021/22	Lisa Buckle / Cllr Pearce	Report of Strategic Lead of Finance	3 December 2020	
Council	<b>Title: Revenue Budget Monitoring Quarter 3</b> <b>Purpose of report:</b> A revenue budget monitoring report to monitor income and expenditure variations against the approved revenue budget for 2020/21, and to provide a forecast of the year end position	Pauline Henstock / Cllr Bastone	Report of Head of Finance	February 2021	
Council	<b>Title: Capital Budget Monitoring Quarter 3</b> <b>Purpose of report:</b> 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	Pauline Henstock / Cllr Bastone	Report of Head of Finance	February 2021	
Council	<b>Title: Write Off Report for Quarter 3</b> <b>Purpose of report:</b> The Council is responsible for the collection of: Housing Rents, Sundry Debts including Housing Benefit Overpayments, Council Tax and National Non-Domestic Rates. The report informs members of the debt written off for these revenue streams.	Lisa Buckle / Cllr Bastone	Report of Strategic Lead of Finance	February 2021	
Council	<b>Title: Revenue Budget Proposals 2021/22</b> <b>Purpose:</b> To present Budget proposals for 2021/22	Lisa Buckle / Cllr Pearce	Report of Strategic Lead of Finance	February 2021	
Council	<b>Title: Capital Programme Proposals 2021/22</b> <b>Purpose:</b> To present Capital Programme proposals for 2021/22	Lisa Buckle / Cllr Pearce	Report of Strategic Lead of Finance	February 2021	

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Report to: **Executive**

Date: **19 March 2020**

Title: **COUNCIL TAX REDUCTION FOR CARE LEAVERS AND COUNCIL TAX PREMIUM FOR LONG TERM EMPTY PROPERTY**

Portfolio Area: **Support Services – Cllr Bastone**

Wards Affected: **All**

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

Date next steps can be taken: **Council meeting on 26 March 2020**

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

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

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**Recommendations:****That the Executive:**

- 1. Notes that there is a scheme in place run by Devon County Council to assist Care Leavers under the age of 25 with the cost of their Council Tax bill.**
  - 2. RECOMMEND to Council:**
    - (a) an increase in the Council Tax Premium from the current 50% to the relevant maximums set down in the Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018.**
    - (b) that, from 1 April 2020 onwards, to increase the Council Tax Premium to 100% for properties that have been empty for 2 years or more\***
    - (c) that, from 1 April 2020 onwards, to increase the Council Tax Premium to 200% for properties that have been empty for 5 years or more\***
    - (d) that, from 1 April 2021 onwards, to increase the Council Tax Premium to 300% for properties that have been empty for 10 years or more\***
- ( \* any period of not exceeding six weeks, where the property is not empty, shall be disregarded for the purposes of calculating the two year period).**

**3. RECOMMEND to Council that the increase in the Council Tax Premium for the 2020/21 Financial Year is effective from 1 October 2020, to allow for affected Council Taxpayers to take action (independently or with assistance from the Council) to bring their property back in to use (NOTE. the increase for 2021/22 will take effect from 1 April of that year).**

## **1. Executive summary**

1.1 The report informs Members of action taken by the Council and Devon County Council to assist young Care Leavers who are the responsibility of Devon County Council who would benefit from financial assistance with their Council Tax.

1.2 The report also informs Members of an increase to the Council Tax 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 South Hams.

## **2. Background**

### **Care Leavers**

2.1 Devon County Council has responsibility for young Care Leavers between the ages of 18 and 24. If the Care Leaver is on a low income they will be able to apply for and claim help from our Local Council Tax Reduction Scheme. For working age claimants, the support provided would not fully cover their Council Tax charge. The Devon County Council scheme has been set up to assist these Care Leavers, with the County directly identifying those young Care Leavers who would benefit from further financial support with their Council Tax, irrespective of whether they receive help from the Council Tax Reduction scheme.

2.2 The scheme was approved by the Devon Local Steering Group last January and the Care Leavers in need of additional support are identified by Devon County Council who will contact the authority. There is no action required by the Care Leaver. Each case is assessed individually on a case by case basis. The number of Care Leavers within the South Hams District is anticipated to be within the single figures.

### **Council Tax Premium on long term empty properties**

2.3 The Council has since 1<sup>st</sup> 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 / main residence) 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.

2.4 As at December 2019 the Council had 57 properties subject to a long term empty premium out of a total of 44,784 properties banded for Council Tax. Of these 57 properties, 17 will have been 'long term empty' for longer than 5 years on 1<sup>st</sup> April 2020, with a further 12 reaching 5 years during the 2020 financial year.

2.5 On 1<sup>st</sup> April 2021 there will be 5 properties that will have been 'long term empty' for 10 years or more (assuming no change to their circumstances before then).

2.6 Table 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 2020.

2.7 Research by the charity Action on Empty Homes in their reports 'Empty Homes in England' and 'Empty Homes in England -2019' has shown that in October 2017 there were 205,293 homes that had been empty for six months or more (not including exempt property) a 2.6% increase on the previous year, and the first increase since 2008. In 2018 this number increased again by 10,983 (a 5.3% increase). Their reports also show the number of property being charged the premium has risen from 60,898 in 2017 to 62,419 in 2019.

### **3. Outcomes/outputs**

3.1 The increase in the Council Tax Premium for a '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 income for 2020/21 would be in the region of £8,500 (SHDC share of the council tax income), but significantly less if the properties that have been empty the longest are brought back in to use. This would be the extra council tax income from a full financial year. It is recommended in Recommendation 3 that the effective date for 2020/21 is 1.10.2020.

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
- Access to SeaMoor lettings as a property management service for those interested in letting the property out

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 ability 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 premium on long term empty property for the 2020/21 financial year must be approved during the 2019/20 financial year. Any delay would mean that the new premium levels would come in from 2021/22.

4.2 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.

4.3 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 Executive recommends approval of the increase in the Premium to the maximum premium allowed for the 2020/21 financial year onwards (effective from 1.10.2020), and also for the 2021/22 financial year and onwards.

#### **6. Implications**

Implications	Relevant to proposals Y/N	The approval for an increase in a Premium needs to be made during the 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
Financial implications to include reference to value for money		Should all property remain empty, the additional income to the Council would be around £8,500 as shown in Table 2 in 2020/21 for a full year (SHDC share of the Council Tax bill equates to 9% of the overall bill). If recommendation 3 is adopted (to be effective from 1.10.2020), this reduces the SHDC share of the income by a half.

		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.
Risk		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.  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.
Supporting Corporate Strategy		Delivering efficient and effective services Enabling homes that meet the needs of all
Climate Change - Carbon / Biodiversity Impact		No direct carbon/biodiversity impact arising from the recommendations
<b>Comprehensive Impact Assessment Implications</b>		
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 1<sup>st</sup> April 2020

Table 2: Additional Council Tax received from an increased Council Tax premium on long term empty property for 2020/21 and 2021/22

## 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

**Table 1:** Number of property currently subject to the premium, by band and age on 1<sup>st</sup> April 2020

Council Tax Band	2-5 years	5-10 years	10 years +	Total
A	5	5	2	12
B	9	1	1	11
C	8	1	1	10
D	6	2		8
E	6	1		7
F	2	1		3
G	2	1		3
H	2	1		3
Total	40	13	4	57

**Table 2:** Additional Council Tax received from an increased Council Tax premium on long term empty property for 2020/21 and 2021/22

Year	Additional Council Tax received from an increased Council Tax premium on long term empty property	South Hams share of the Council Tax Income (9%)
2020/21 (FULL YEAR)	£94,511	£8,506
2021/22 (FULL YEAR)	£122,085	£10,988

*Above figures are based on 2019/20 Council Tax charges for property shown in Table 1*



Report to: **Executive**

Date: **19 March 2020**

Title: **RELEASE OF SECTION 106 FUNDS FOR AN AFFORDABLE HOUSING PROJECT AT ST ANNS CHAPEL**

Portfolio Area: **Affordable Housing – Cllr H Bastone**

Wards Affected: **Charterlands**

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

Date next steps can be taken: **Upon the expiry of the Call-in period.**

Author: **Cassandra Harrison** Role: **Specialist, Place Making**

Contact: **01803 861317 / cassandra.harrison@swdevon.gov.uk**

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## **RECOMMENDATIONS**

**That the Executive approve the allocation of Section 106 funds for Affordable Housing projects as set out below:**

- a) £97,700.91 – from the contribution from the former Old Chapel Inn, St Anns Chapel, Bigbury to spend on a community housing scheme at St Anns Chapel being developed by South Hams District Council; and**
- b) £65,193.00 – from the contributions from the Hollywell Stores, Bigbury to spend on a community housing scheme at St Anns Chapel being developed by South Hams District Council.**

### **1. Executive summary**

The Council has a key role as Local Planning Authority in securing funds for appropriate mitigation projects in relation to development granted by planning permission. These funds can be deployed either directly on Council projects or released to community groups and other organisations to develop affordable housing projects. The current mechanism for securing funds is through Section 106 (s106) of the Town and County Planning Act 1990. Affordable Housing requirements are set out in the SHDC Affordable Housing SPD, adopted September 2008.

The Council has secured s106 funds for affordable housing projects. The Council's Financial Procedure Rules require that where expenditure is proposed over £30,000 that this be authorised by the Executive. The purpose of this report is to request the release and allocation of s106 funds over £30,000 for a community housing project being developed by South Hams District Council.

## **2. Background**

The Council's Affordable Housing Supplementary Planning Document (SPD) September 2008 sets out when the Council will ask for an off-site commuted sum rather than on-site provision of affordable housing from a developer.

The SPD states that where off site provision is the agreed contribution, the contribution will be used solely for the purpose of affordable housing in accordance with the housing need priorities at the time. Contributions will be applied to meet housing need across the South Hams District. In practice this may mean that contributions in lieu arising from one location may be applied to meet housing need elsewhere in the South Hams.

The Community Housing Strategy was put in place to support the development of homes accessible to those with local connections for whom the cost of market housing (to purchase and rent) is beyond their reach.

A budget of £8.5m was approved at Council on 21<sup>st</sup> March 2019 (minutes E.83/18 and C74/18 refer) to build out four community housing schemes delivering 55 residential units as set out in the report. St Anns Chapel is one of the four community housing schemes.

A monthly update on the schemes is issued by the Community Housing Officer and published in the Members' Bulletin.

### **Background to Former Old Chapel Inn, St Anns Chapel, Bigbury contribution**

The s106 agreement for this development dated 5<sup>th</sup> May 2011, secured an off-site contribution of £97,700.91. The agreement states that on the occupation or sale of the 6<sup>th</sup> unit the owner shall pay to the Council the Affordable Housing contribution. The planning application number is 05/0227/11/F.

### **Background to Hollywell Stores, Bigbury contribution**

The s106 agreement for this development dated 22<sup>nd</sup> August 2014, secured an off-site contribution of £65,193. The agreement states that on the sale or occupation of the second dwelling of the development the owner shall pay to SHDC the Affordable Housing contribution. The planning application number is 05/2557/13/F.

### **3. Outcomes/outputs**

The Council's adopted Affordable Housing Supplementary Planning Document states:

Payments received in lieu of affordable housing on site will be held in the Affordable Housing Fund. Such payments will be used to meet the Council's affordable housing objectives in accordance with Circular 05/2005 and the following criteria:

- That the proposal fulfils the scope of the relevant Section 106 agreement, the Affordable Housing Policy and any relevant case law and Government guidance.
- That the proposal fulfils the aims of the current Housing Strategy statement and any other relevant documents.

### **4. Options available and consideration of risk**

The Council has a legal obligation to spend the s106 funds in accordance with the agreements. There are two main alternative approaches for expenditure of the s106 funds:

#### **Option 1 – SHDC to develop and deliver housing projects**

The first option is for SHDC Officers to develop and deliver projects. This allows more control over project plans and certainty.

#### **Option 2 – SHDC pass funds to community groups/other groups to develop and deliver housing projects**

The second option is to pass s106 funds to community groups/other organisations to develop and deliver projects.

Where SHDC has done this in the past the offer of grants have been made with the appropriate terms and conditions securing the interest of the Council and ensuring that the requirements of the s106 agreements are adhered to.

## 5. Proposed Way Forward

The proposal is Option 1, SHDC to develop a housing project at St Ann’s Chapel. This scheme has planning approval, application number 4214/18/FUL. The need for this proposed development became evident during the preparation of the Bigbury Neighbourhood Plan. A questionnaire was undertaken and 80% of respondents considered there was a need for more affordable housing in the parish.

SHDC is working in collaboration with the Parish Council (acting as community interfacing body) to deliver 13 homes (3 open market, 5 discount sale, 3 Affordable rent, 2 landowner). The S.106 funds from the Old Chapel Inn and Hollywell Stores will form part of the development budget to build out the affordable housing units, allowing them to be offered at approximately between 55% and 65% of open market value, and the rental units to enable them to be offered at Local Housing Allowance rates. Local Housing Allowance rates are set and used to work out Housing Benefit.

This funding is crucial to the success of the scheme and keep the cross subsidisation from open market units to a minimum. The affordable units will remain so in perpetuity.

The 5 rented homes will be prioritised to Bands A – E on Devon Home Choice with a local connection to Bigbury. The 3 discount sale properties will only be sold to someone with a local connection, this is set out in the S106 agreement. The 3 open market homes will have a covenant to insist they are a primary residence only and not a holiday home/let.

## 6. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance	Y	S106 agreements are secured under Section 106 of the Town and Country Planning Act 1990 to support projects that mitigate the impact of the development granted by planning permission. The Council has an obligation to spend the funds in accordance with the terms of the agreement. The Affordable Housing Supplementary Planning Document 2008 sets out the policy basis for collection of offsite financial contributions towards affordable housing.
Financial	Y	The Council’s Financial Procedure Rules require that where expenditure over £30,000 is proposed that it needs to be agreed at Executive.  A budget of £8.5m was approved at Council on 21 <sup>st</sup>

		March 2019 (minutes E.83/18 and C74/18 refer) to build out four community housing schemes delivering 55 residential units as set out in the report. St Anns Chapel is one of the four community housing schemes.
Risk	Y	<p>There is a risk of funds not being spent in accordance with the s106 agreement. To address this, where any s106 funds are passed to community groups to develop and deliver projects, offers of grants will be made with appropriate terms and conditions securing the interest of the Council and ensuring that the requirements of the s106 agreements are adhered to.</p> <p>Some s106 agreements have clauses allowing the developers to be re-paid the money if it is not spent within a certain timeframe. Thus there is a risk of communities losing out if money is not spent within the specific timeframes. Careful monitoring by the Council's S106 Monitoring Case Manager, Julie Rowdon will prevent this from happening.</p> <p>There is a risk that the requirements of the Council's Financial Procedure Rules will not be met. All payments will be made in accordance with the Rules and contracting/tendering procedures where relevant.</p>
Supporting Corporate Strategy		<p>Homes and Communities</p> <ul style="list-style-type: none"> <li>• Enabling homes for all incomes and tenures</li> <li>• Helping to sustain a community by building housing for local people</li> </ul>
Climate Change – Carbon / Biodiversity Impact		<ul style="list-style-type: none"> <li>• Corporate carbon footprint review and sustainability plan in progress.</li> <li>• Light pollution will be avoided by having low level lighting only and limiting light pollution from dwellings.</li> <li>• An Ecological Report shows that the site is currently of poor ecological value with no evidence of protected species. The proposed development includes a number of measures to enhance the biodiversity of the site.</li> <li>• The proposed development includes the provision of an area of public open space for the benefit of the occupiers of the proposed development as well as being available for the wider community. This public open space is centrally located within the scheme and will be available for informal play for the children or as</li> </ul>

		<p>providing a pleasant sitting out area for the residents to relax and to socialise.</p> <ul style="list-style-type: none"> <li>• A Tree Survey shows that there will be no loss of mature trees. The loss of a small section of less well formed and species poor hedgerow will be more than compensated by proposals for new Devon hedge banks and woodland planting along the northern and eastern boundaries of the development site. Measures are to be put in place to ensure the long term maintenance and management of these hedgerows and woodland areas.</li> <li>• The scheme has been designed to maximise energy efficiency of fabric and to provide a low carbon energy system including the provision of renewable energy through solar panels. The layout of the development has also been carefully considered to maximise solar gain.</li> </ul>
Comprehensive Impact Assessment Implications		
Equality and Diversity	Y	Projects need to address accessibility issues to ensure access to all wherever reasonable and practicable.
Safeguarding	N	There are no safeguarding implications.
Community Safety, Crime and Disorder	N	There are no community safety, or Crime and Disorder implications as a result of these recommendations.
Health, Safety and Wellbeing	Y	Increasing the provision of affordable housing is closely linked with improved health and wellbeing.
Other implications	N	

### **Supporting Information**

#### **Background Papers:**

"Section 106 Agreements" report to Overview and Scrutiny Panel – 6<sup>th</sup>

July 2017

Council – 21<sup>st</sup> March 2019 – Community Housing Schemes

Report to: **Executive**  
Date: **19 March 2020**  
Title: **RE-PROCUREMENT FOR CASHLESS PARKING PAYMENT SYSTEM**  
Portfolio Area: **Environment - Cllr Keith Baldry**

Wards Affected: **All**

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

Date next steps can be taken: Following the expiry of the Call-in period

Author: **Emma Widdicombe** Role: **Senior Specialist**

Contact: **01803 861367 Emma.Widdicombe@swdevon.gov.uk**

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## **RECOMMENDATION**

**That the Executive agrees:**

- 1. The commencement of a collaborative procurement tender process with nine other Devon authorities as set out in paragraph 2.3 below for the re-procurement of the cashless parking payment system be approved; and**
- 2. To enter into a contract for 4 years with the appointed supplier.**

### **1. Executive summary**

- 1.1 This report is seeking approval to commence the tender process to re-procure the cashless parking payment system contract for a period of 4 years, with the ability to extend for 2 years in accordance with the Council's Procurement Rules.
- 1.2 This tender is for the procurement of the cashless parking payment system in all of the Council owned off street car parks.
- 1.3 The cashless parking payment contract allows motorist's to pay for their parking by mobile phone, internet/web page or smart phone application.

## **2. Background**

- 2.1 The Council currently provide a cashless parking payment option to pay for parking when visiting our off-street car parks. This is a popular option for customers who do not have the required change for the pay & display machines or wish to extend their parking time without the need to return to the car park.
- 2.2 This procurement exercise is being carried out as the current cashless parking payment contract has expired although, the service continues to be provided under an agreement on the same terms. The agreement requires 90 days notice to terminate.
- 2.3 This tender exercise is being carried out as a collaborative procurement alongside nine other Authorities in Devon to implement and operate a cashless parking payment service across the majority of the county to ensure customers are not required to register with several different providers as they travel between Authorities throughout Devon.
- 2.4 Cashless parking is a popular option amongst many motorists. Users include a large number of commuters travelling to work, day visitors and holiday makers who stay in Devon for short breaks and holidays.
- 2.5 In 2018/19, there were 139105 cashless parking sessions in our car parks, which accounted for £401581 income collected through this method.
- 2.6 The Authorities recognise the benefits of the use of cashless parking solutions and wish to look to the advancement of technology to further improve the services to our customers.
- 2.7 The procurement process will look to deliver:
  - System must have the capacity to support an estimated transaction volume in excess of 2,500,000 transactions per year for all the Devon Authorities.
  - The service provider will deliver a fully functional service that is accessible twenty four hours per day, seven days per week
  - Have a current and valid Cyber Essentials certificate and provide a current Payment Card Industry Data Security Standard certificate
  - Integrate the system with the Authorities current enforcement system, notice processing provider and subsequent hand held enforcement devices.
  - Deliver the service to the Authorities at no initial or on-going cost unless otherwise instructed by an individual Authority.
- 2.8 The duration of the contract will be for a period of four years, with an option to extend for a further two years at the discretion of the Council and subject to satisfactory performance.
- 2.9 Tenders will be evaluated on the basis of the most economically advantageous tender' (MEAT) principles, against the criteria of quality: 40% and Price 60%



### 3. Outcomes/outputs

- 3.1 As a result of the tendering exercise, we will deliver a contract in place offering best value in terms of delivering the cashless parking payment solution to the customer and the Council. The contract is due to commence in June 2020.
- 3.2 Tenders will be invited to provide the cashless parking payment solution which includes the marketing of the service.
- 3.3 It is recognised that being part of the joint procurement will ensure that there is consistency in the provision of cashless parking payments across Devon which will improve the customer experience.
- 3.4 There will be a potential reduction in costs of providing service through the collaborative procurement for both the customer in terms of convenience fees paid for using the service (currently 20p) and the Council for handling fees of the parking revenue.

### 4. Options available and consideration of risk

- 4.1 There could be reputational risk to the Council for not awarding another contract in accordance with the procurement rules. This is a popular service and as we strive to go cashless this service supports the Council's objectives.
- 4.2 We are currently out of contract (and operating under an agreed extension) therefore, we need to ensure the service is protected moving forward in a formal contract
- 4.3 If we do not award a new contract the Council will continue to pay the handling fee which the under new contract we will hope to reduce this cost to the Council.

### 5. Proposed Way Forward

- 5.1 It is proposed that the cashless parking payment system be tendered so this system can continue to function and provide an improved customer experience in all of the Council's pay & display car parks.

### 6. Implications

Implications	Relevant to proposals Y/N	
Legal/Governance	y	Tenders will be invited in accordance to Torbay Council Contract Procedure Rules which have been reviewed by the Councils Procurement officer who has confirmed it is compliant with our own procurements requirements.

Financial implications to include reference to value for money	y	<p>Currently approximately 11583 parking transactions per month are paid using the cashless parking service, which is approximately 11% of the total number of parking payments. This shows a gross revenue of approximately £33465 per month being collected using this channel. The cost to the Council of this service is currently approximately £4320 per month.</p> <p>It is hoped a new contract will provide a saving per transaction and reduce the convenience fee paid by the customer against the current contract and it is anticipated that with increased promotion, the number of transactions via this payment channel will increase.</p>
Risk	y	<p>The option to do nothing i.e. cease to provide a cashless parking alternative – this is not an acceptable option. This is a popular service and the Council would be severely criticised for withdrawing it.</p> <p>There could be a failure in contract changeover if incumbent supplier unsuccessful however, this would be mitigated through a well-managed hand over.</p> <p>By not entering the joint procurement exercise the Council may not achieve best value</p>
Supporting Corporate Strategy	y	Council Environment Wellbeing
Climate Change - Carbon / Biodiversity Impact	y	Parking charges can have a positive effect on sustainability and carbon and energy management in reducing car usage.
<b>Comprehensive Impact Assessment Implications</b>		
Equality and Diversity	y	Opposition to cashless parking solution due to potential social exclusion claims as users must have access to a phone and a credit/debit card however mitigating this is there is still opportunity to pay by cash at the pay & display machine.
Safeguarding	n	none
Community Safety, Crime and Disorder	y	Vandalism and theft have an impact on the Councils parking operation. By reducing the amount of cash in the machines may deter thefts.

		The cashless payment system also reduces the need for customers to handle cash in the car parks so the associated risk of theft may be reduced.
Health, Safety and Wellbeing	n	None
Other implications	n	none

### **Supporting Information**

#### **Appendices:**

None

#### **Background Papers:**

None

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Report to: **Executive**

Date: **19 March 2020**

Title: **Parking permit review**

Portfolio Area: **Environment - Cllr Keith Baldry**

Wards Affected: **All**

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

Date next steps can be taken: After the call in period for Executive

Author: **Emma Widdicombe** Role: **Senior Specialist Parking**

Contact: **Emma.Widdicombe@swdevon.gov.uk**

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## **RECOMMENDATION**

**That the Executive RECOMMEND to Full Council that the permit charges and permits be amended in accordance with Appendix A.**

### **1. Executive summary**

- 1.1 The report recommends that the cost of current parking permits are increased in order to manage parking more effectively, and increase the availability of Pay & Display parking.
- 1.2 At its meeting on 31 October 2019, Members resolved that new parking permit sales should be suspended, pending a review of the overall service. Customers who already have permits are able to renew them.
- 1.3 The three outcomes from this report are:
  1. To have a fair, transparent and consistent approach to permit pricing
  2. To reduce permit numbers in Dartmouth and Salcombe going forward
  3. To link the pay & display parking prices to the permit prices

## 2. Background

- 2.1 Following the previous resolution, officers have worked with the Portfolio Holder to consider how best to reduce the number of permits sold so that Pay & Display parking is freed up for both residents and visitors.
- 2.2 The permits were last reviewed in July 2017 when the virtual permit system was introduced. Permit prices have not increased since the 2017 review.
- 2.3 It is recognised that the current cost of permits no longer bears any relation to the cost of Pay and Display parking, and that permits are very much under-priced. This has resulted in an 'over-sale' of permits, which limits the availability of Pay & Display parking.
- 2.4 The primary objective is to increase the turnover of vehicles within the Council owned off street car parks and to ensure that going forward the permit prices are linked to all day parking charges.

## 3. Outcomes/outputs

- 3.1 To manage the sale of the permits it is proposed to review the permits as set out in appendix A which is summarised as follows:

### 3.2 Appendix A

- Permit prices are set based on the all day charge for 5 days a week, 48 weeks of the year at 20% of the current 2019/20 all day rate. The prices will then be increased year on year up until 2022/23 by 20% based on the previous years permit price (should be noted Ivybridge currently has all day price of £2.10 which is the exception so, to ensure the permit is consistent with other towns pricing, the day rate of £4 has been applied). Permits would be issued in one vehicle registration only.

*Example: Totnes Town Centre All day price is £6 per day*

*20% of (£6 per day x 5 days a week x 48 weeks per year)  
= £288 per annum for 2020/21*

*20% uplift of £288 = £345.60 per annum for 2021/22*

*20% uplift of £345.60 = £414.72 per annum for 2022/23*

- Residents permit (valid from 3pm until 10am daily) increase by 20% based on the current £40 per annum and increase a further 20% year on year up until 2022/23

based on the previous year's permit price. These permits provide an affordable solution to local residents who require parking outside of the peak parking times.

- Business permits be amended to town centre business permits valid in nominated long stay car parks within the specific town. There will also be an option to purchase a roaming business permit which will be valid in the majority of the long stay car parks. The roaming permit will be at a higher cost to reflect the greater flexibility in use across the whole of the South Hams rather than a specific town. Business permits will be increased each year by 20% of the previous year's price up until 2022/23. This will allow us to manage the permits more efficiently to see the usage of these permits per town.
- Leisure and Bowling permits be phased out.
- Reserved permits which are currently issued in a name and valid in a dedicated parking bay for sole use will increase by 20% and a further 20% year on year up until 2022/23 based on the previous year's permit price.
- Permits issued in Salcombe and Dartmouth remain on hold with no new permit sales with renewals only. This is in response to an over supply of permits in these locations and a rebalance of pay & display parking to permits is required to ensure there is a balance between residents and visitors. This will ensure the local economy and trade within these towns is supported by ensuring there is a regular turnover of vehicles within the car parks. This decision will be reviewed in May 2023 and not before.

3.3 The proposal to increase the cost of permits will contribute towards the Council's climate change ambitions, by not making the use of cars so cheap and easy. It is anticipated that increasing the cost of permits will encourage customers to consider alternative ways to travel to work or car share.

3.4 Consultation has been undertaken with towns and parishes but a further 21-day public consultation will be undertaken following the Council meeting.

#### **4. Options available and consideration of risk**

4.1 The proposal to increase the cost of permits is likely to cause concern for members of the public. However, it should be recognised that this step is being proposed in order to protect the availability of parking for all customers, and that this step will contribute to the long term improvement of the parking service as well as contribute to a reduced carbon footprint.

4.2 The proposal will be the subject of a 21-day public consultation exercise and, if necessary, concerns will be reported back to the Executive before the Parking Order is amended.

## 5. Proposed Way Forward

- 5.1 The proposed way forward is to increase the cost of parking permits, bringing them more in line with all-day parking fees in each area.
- 5.2 Permit prices going forward will be set in line with the all day pay & display fee in each location and the revised charges will be calculated using the formula of the percentage price increase agreed for the daily all day parking fee, 5 days a week, 48 weeks each year. This will enable future parking permits charges to track the pay & display charges, making the process more equitable.
- 5.3 This proposal fits with the following priorities:  
 Council  
 Communities  
 Environment

## 6. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance	Y	<p>This Council has power to provide off-street parking under the Road Traffic Regulation Act 1984 (as amended).</p> <p>The Council has the power to deal with the provision, management and control of car parks.</p> <p>The Council has the powers to provide this service under the General Powers of Competence in the Localism Act 2011.</p>
Financial implications to include reference to value for money	Y	<p>It should be noted that the budget for 2020/21 has not been amended for any additional income achieved through this review.</p> <p>Appendix B sets out the projected income from the sale of permits from each option compared against the budgeted income level for 2020/21 – see Appendix B. It has been assumed (modelled) in each option that there maybe a 15% drop in the take up of the permits, due to the increased prices.</p>
B		<p>There is likely to be a negative reaction from customers to this proposal, but they will be able to make their views known during the 21-day public consultation. However, there will be a need to bear</p>



		<p>in mind that the overall aim is to reduce permit parking across the district.</p> <p>Officers cannot predict customer behaviour in relation to the permit review so will monitor the income and permit applications regularly. It has been assumed (modelled) in each option that there maybe a 15% drop in the take up of the permits, due to the increased prices.</p> <p>Officers will ensure that communication is effective, including social media and press releases.</p>
Supporting Corporate Strategy		Council Communities Environment
Climate Change - Carbon / Biodiversity Impact	Y	<p>There are no negative impacts.</p> <p>There may be small positive impacts with customers considering alternative means of transport or care sharing.</p>
<b>Comprehensive Impact Assessment Implications</b>		
Equality and Diversity		No implications.
Safeguarding		No implications.
Community Safety, Crime and Disorder		No implications.
Health, Safety and Wellbeing		No implications.
Other implications		None at this stage.

**Supporting Information**

**Appendices: Appendix A: Permit Prices**

**Appendix B : Financial Information**

**Background Papers: None**

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Appendix A

South Hams permit review

Price increase based on 20% of previous year

Location	Permit	All-day P&D charge	Current price
<b>SH Residents' permit</b>	12 months		£40.00
all SHDC car parks except the P&R			
<b>Bigbury</b>	12 months	£12.00	£140.00
Bigbury car park	6 months		£85.00
<b>Ivybridge</b>	12 months	£4.00	£140.00
leonards Road car park	6 months		£85.00
<b>Modbury</b>	12 months	£5.00	£140.00
Poundwell Meadow car park	6 months		£85.00
<b>Slapton &amp; Torcross</b>	12 months	£8.00	£140.00
Slapton memorial, Strete Gate	6 months		£85.00
<b>Kingsbridge</b>			
<b>Kingsbridge Town Centre -Quay &amp; Duncombe Park</b>	12 months	£8.00	£365.00
	6 months		£220.00
<b>Kingsbridge Peripheral - Cattle Market &amp; Lower Union Road</b>	12 months	£4.00	£165.00
	6 months		£100.00
<b>Totnes</b>			
<b>Totnes Town Centre - Old market, Heath Way, North St, The Nursery</b>	12 months	£6.00	£365.00
	6 months		£220.00
<b>Totnes Peripheral -Longmarsh &amp; Pavilions Long Stay</b>	12 months	£4.00	£165.00
	6 months		£100.00
<b>Dartmouth</b>			
<b>Town Centre - Mayor's Avenue (all day and overnight)</b>	12 months	£10.00	£365.00
	6 months		£220.00
Park & Ride (open season only)	March - October	£5.00	£100.00
<b>Salcombe</b>	12 months	£8.50	£365.00
Shadycombe Oct-Mar, Creek	6 months		£220.00

01 April 2020	01-Apr-21	01-Apr-22
20%	20%	20%
£48.00	£57.60	£69.12
£576	£691.20	£829.44
£380.16	£456.19	£547.43
£192.00	£230.40	£276.48
£126.72	£152.06	£182.48
£240.00	£288.00	£345.60
£158.60	£190.08	£228.10
£384.00	£460.80	£552.96
£253.44	£304.13	£364.95
£384.00	£460.80	£552.96
£253.44	£304.13	£364.95
£192.00	£230.40	£276.48
£126.72	£152.06	£182.48
£288.00	£345.60	£414.72
£190.08	£228.10	£273.72
£192.00	£230.40	£276.48
£126.72	£152.06	£182.48
£480.00	£576.00	£691.20
£316.80	£380.16	£456.19
£160.00	£192.00	£230.40
£408.00	£489.60	£587.52
£269.28	£323.14	£387.76

<b>Reserved bays</b>						
Lower Batson	12 months		£1,500.00	£1,800.00	£2,160	£2,592
Mayor's Avenue, Dartmouth	12 months					
Shadycombe, Salcombe	12 months					
Victoria Street, Totnes	12 months					
Bigbury	12 months					
Pavilions, Totnes	12 months		£1,100.00	£1,320.00	£1,584	£1,901
Creek			£608.00	£729.60	£875.52	£1,050.62
Victoria Road, Dartmouth	12 months		£1,800	£2,160.00	£2,592.0	£3,110.40
<b>Leisure/Bowling Permits - Eliminated</b>						

**Business Permits**

<b>Business Permit Per Town</b>	<b>01 April 2020</b>	<b>01-Apr-21</b>	<b>01-Apr-22</b>
<b>Bigbury Business 12mth</b>	£1,025.28	£1,230.34	£1,476.40
<b>Ivybridge Business 12mth</b>	£341.76	£410.11	£492.13
<b>Modbury Business 12mth</b>	£427.20	£512.64	£615.17
<b>Slapton &amp; Torcross Business 12mth</b>	£683.52	£820.22	£984.27
<b>Kingsbridge Business 12mth</b>	£683.52	£820.22	£984.27
valid in Quay, Duncombe Pk, Cattlemarket & Lower Union Rd			
<b>Totnes Business 12 mth</b>	£512.64	£615.17	£738.20
Valid in Old Market, Heath Way, North St Nursery, Longmarsh, Pavilions Long stay			
<b>Dartmouth Business Permit 12 mth</b>	£854.40	£1,025.28	£1,230.34
Mayors Avenue			
<b>Park &amp; Ride Business Permit</b>	£284.80	£341.76	£410.11
<b>Salcombe Business Permit 12mth</b>	£726.24	£871.49	£1,045.79
Shadycombe Oct- March & Creek			

<b>Roaming Business Permit</b> valid in all long stay car parks not Fore Street, and Shadycombe between 1 <sup>st</sup> March and 31 <sup>st</sup> October	£1,350	£1,620.00	£1,944.00
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## Appendix B – Financial Information

Permit	Current No of Live Permits as of Feb 2020	current income	income generated under proposed costs in year 1	income generated under proposed costs in year 2	income generated under proposed costs in year 3
Residents permit	722	£28,880.00	£34,656.00	£41,587.20	£49,904.64
Bigbury Permit 12 mth	9	£1,260.00	£5,184.00	£6,220.80	£7,464.96
Bigbury Permit 6 mth	0	£0.00	£0.00	£0.00	£0.00
Ivybridge Permit 12 mth	102	£14,280.00	£19,584.00	£23,500.80	£28,200.96
Ivybridge Permit 6mth	6	£510.00	£760.32	£912.38	£1,094.86
Modbury Permit 12 mth	32	£4,480.00	£7,680.00	£9,216.00	£11,059.20
Modbury Permit 6 mth	7	£595.00	£1,108.80	£1,330.56	£1,596.67
Slapton & Torcross 12mth	15	£2,100.00	£5,760.00	£6,912.00	£8,294.40
Slapton & Torcross 6mth	0	£0.00	£0.00	£0.00	£0.00
Kingsbridge Town Centre 12mth	35	£12,775.00	£13,440.00	£16,128.00	£19,353.60
Kingsbridge Town Centre 6 mth	2	£440.00	£506.88	£608.26	£729.91
Kingsbridge Peripheral 12 mth	137	£22,605.00	£26,304.00	£31,564.80	£37,877.76
Kingsbridge Peripheral 6 mth	7	£700.00	£887.04	£1,064.45	£1,277.34
Totnes Town Centre 12mth	122	£44,530.00	£35,136.00	£42,163.20	£50,595.84
Totnes Town Centre 6mth	27	£5,940.00	£5,132.16	£6,158.59	£7,390.31
Totnes Peripheral 12mth	185	£30,525.00	£35,520.00	£42,624.00	£51,148.80
Totnes Peripheral 6mth	21	£2,100.00	£2,661.12	£3,193.34	£3,832.01
Dartmouth Town Centre 12mth	13	£2,860.00	£6,240.00	£7,488.00	£8,985.60
Dartmouth Town Centre 6mth	123	£44,895.00	£38,966.40	£46,759.68	£56,111.62
Park & Ride	24	£2,400.00	£3,840.00	£4,608.00	£5,529.60
Salcombe Town Centre 12mth	43	£15,695.00	£17,544.00	£21,052.80	£25,263.36
Salcombe Town Centre 6mth	4	£880.00	£1,077.12	£1,292.54	£1,551.05
Reserved	63	£94,500.00	£113,400.00	£136,080.00	£163,296.00
Reserved Pavilions	10	£11,000.00	£13,200.00	£15,840.00	£19,008.00
Reserved Creek	1	£608.00	£729.60	£875.52	£1,050.62
Reserved Victoria Rd	4	£7,200.00	£8,640.00	£10,368.00	£12,441.60
Business Permits 12 mth	315	£204,750.00	£271,158.30	£325,389.96	£390,467.95
<b>TOTAL</b>	<b>2029</b>	<b>£556,508.00</b>	<b>£669,115.74</b>	<b>£802,938.89</b>	<b>£963,526.67</b>
<b>Potential 15 % drop income</b>			<b>£568,748.40</b>	<b>£682,498.06</b>	<b>£818,997.67</b>
<b>Budgeted Income 2019/20 (net)</b>		<b>£525,100</b>			

## Income verses Budget

	2020/21	2021/22	2022/23
Gross Income	£568,748	£682,498	£818,997
Net Income	£473,957	£568,748	£682,497
up/down Budget (Budget £525100)	-£51,143	£43,648	£157,397

Report to: **Executive**

Date: **19 March 2020**

Title: **STATEMENT OF COMMUNITY INVOLVEMENT**

Portfolio Area: **Cllr Judy Pearce,  
Strategic Planning / Joint Local Plan**

Wards Affected: **all**

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

Date next steps can be taken:  
Formal adoption at the next Full Council meeting on 26<sup>th</sup> March 2020. Once adopted, the SCI will come into force and will be used to guide the consultations undertaken by the three Councils on a consistent basis

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

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**Recommendations:**

**That Council be RECOMMENDED that, subject to West Devon and Plymouth agreeing likewise, the Statement of Community Involvement (SCI) is formally adopted under section 23 of the Planning and Compulsory Purchase Act 2004.**

**1. Executive summary**

- 1.1 The report recommends the adoption of a new SCI relating to Plymouth, South Hams and West Devon, and which will therefore require separate adoption by the three councils.
- 1.2 The Statement of Community Involvement (SCI) provides certainty for communities about the basis upon which the Local Planning Authorities (LPA) will engage with them in the future and to guide the LPAs to provide an excellent and professional process as they undertake their responsibilities. The primary aim is to ensure that consultation and engagement is

meaningful and effective, resulting in better outcomes for everyone.

- 1.3 LPAs have a statutory duty to review and update their SCIs at least once every 5 years, a provision introduced in The Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017. The current SHDC SCI was adopted in 2012 and it is therefore clearly time to review and update its content following the adoption of the Plymouth and South West Devon Joint Local Plan.
- 1.4 The SCI has therefore been prepared as a joint document between Plymouth City Council, South Hams District Council and West Devon Borough Council. It builds on the work of the Plymouth and South West Devon Joint Local Plan, providing a consistent baseline to support the continued cooperation in planning across the three LPAs.
- 1.5 The SCI sets out the minimum requirements for consultations and involvement that must be followed by the LPAs of the Councils when preparing planning documents or consulting on planning applications. The document also sets out how the LPAs will support groups undertaking neighbourhood planning.

## **2. Background**

- 2.1 The report is concerned with the Council's statutory duty to review its Statement of Community Involvement (SCI) at least once every 5 years, a provision introduced in The Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017. In September 2019, the Executive approved an updated draft SCI for consultation, and consultation subsequently took place between November 2019 and January 2020. This report summarises the results of the consultation and recommends that the SCI is adopted. The new SCI will relate to Plymouth, South Hams and West Devon, in response to the collaboration by the three Councils on the Plymouth and South West Devon Joint Local Plan, and will therefore require separate adoption by the three councils.

## **3. Outcomes/outputs**

- 3.1 The timely adoption of the SCI is set out in regulation. Success in this regard will be to adopt the new SCI in line with the expectations of regulations cited in the previous paragraph.
- 3.2 The SCI establishes a clear framework for enabling community involvement in the planning process. The effectiveness of how consultation and engagement is undertaken is in part considered by the Planning Inspectorate when examining development plan documents, and reviewing the extent to which comments have been made with regard to planning applications.



#### **4. Options available and consideration of risk**

- 4.1 To produce and adopt a South Hams only SCI – as we are working jointly with Plymouth and West Devon on the Joint Local Plan this option would create confusion in the plan making and review process and present significant logistical difficulties for further joint planning policy work.
- 4.2 The draft SCI was considered and approved for consultation by Cabinet on 8<sup>th</sup> October 2019. Agreement was also given by South Hams Executive on 31<sup>st</sup> October and West Devon Hub on 5<sup>th</sup> November, and consultation on the SCI commenced on 13<sup>th</sup> November, running until 6<sup>th</sup> January 2020.
- 4.3 A total of 14 comments were received on the draft SCI from 7 respondents - South West Water, Natural England, Inclusive Totnes, Highways England, Bovis Homes, Plymouth Civic Society and a member of the public. In response to these comments, the following amendments to the consultation draft SCI have been made:
- Paragraph 1.13 has been amended to include a reference to the Town and Country Planning (Local Planning) (England) Regulations 2012, which set out a list of statutory consultees for the purpose of the Duty to Cooperate. This change has been made in response to a comment from Highways England.
  - The first sentence of paragraph 4.2 has been changed to read "All consultations on DPDs will comply with the Town and Country Planning (Local Planning) (England) Regulations 2012 by achieving the following as a minimum:" to make clear that the process of producing a DPD will follow the steps set out in regulations. This change has been made in response to a comment made by Bovis Homes Plc.
  - The table under paragraph 8.5 has been slightly amended to bring it into line with National Planning Policy Guidance on the publicity around planning applications, to clarify that where site notices are required, at least one notice will be used.
  - The Councils have also taken the opportunity to make minor typographical and factual changes to the SCI before it is finalised.
- 4.4 The final adoption version of the SCI is therefore substantially unchanged from the version which was approved previously by Executive, and subsequently consulted upon.

## 5. Proposed Way Forward

- 5.1 Adoption of the SCI as per the recommendation would establish regulatory compliance with the Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017.
- 5.2 The consultation and engagement process contained within the up-to-date SCI will allow for more effective community input into the planning process.

## 6. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance	Y	Adoption of the SCI as per the recommendation would establish regulatory compliance with the Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017.
Financial implications to include reference to value for money	Y	<p>The costs of preparing the Statement of Community Involvement and public consultation are covered within existing budget Joint Local Plan budget, through which costs are shared between the councils.</p> <p>Effective community engagement can deliver real cost savings to the Council, as has proved the case with the adopted SCI. The cost of public examinations for the Joint Local Plan have been substantially less than could have been the case. In part, this is as a result of the effectiveness of the Council's approach to community involvement, which has helped reduce the numbers of representations needing to be heard at Public Examination.</p>
Risk	Y	<p>The risks associated with the adoption of the new SCI are negligible.</p> <p>The risks of non-adoption will result in the LPAs relying on older SCI documents that are considered out-of-date in regulatory terms.</p> <p>On that basis, there could be a risk to the LPAs if they are considered to not be consulting adequately or effectively with relevant stakeholders on planning matters.</p> <p>The risks of continuing to use out-of-date SCI is removed by the adoption of the new SCI.</p>

Supporting Corporate Strategy	Y	<p>The SCI is directly supportive of the Council's Corporate Strategy, and will enhance the Council's ability to meet our stated aims by consulting more effectively on issues that have direct implications for the delivery of new homes, supporting the rural economy and enterprise, protecting our natural and built environments from inappropriate development, promoting inclusivity in decision making for all members of our communities and improving health and wellbeing by delivering better places through the planning system.</p> <p>The SCI sets the minimum requirements for our engagement in relation to future reviews of the Joint Local Plan as well as any supporting planning documents such as Development Plan Documents or Supplementary Planning Documents.</p>
Climate Change - Carbon / Biodiversity Impact	Y	<p>Although the SCI itself does not have any direct implications to the Carbon Footprint, it includes a key principle to design our consultation programmes with a view to an awareness of the climate emergency and the sustainability agenda.</p>
<b>Comprehensive Impact Assessment Implications</b>		
Equality and Diversity	Y	<p>The SCI will ensure that a range of people have the opportunity to influence the plans (including specifically the Local Plan) related to planning, in accordance equality and diversity agendas.</p> <p>'Equality and Diversity' is clearly articulated as one of the core principles of the SCI. Furthermore, the SCI requires that consultations are supported by a Consultation Statement that, among other things, will state how the principle of Equality and Diversity has been taken into account in the running of the consultation. Where appropriate consultations will also be supported and informed specifically by an Equality Impact Assessment.</p>
Safeguarding	N	
Community Safety, Crime and Disorder	N	
Health, Safety and Wellbeing	N	
Other implications	N	

**Supporting Information**  
**Appendices:**

- A - SCI adoption draft
- B - Summary of SCI responses

**Background Papers:**  
None.

# STATEMENT OF COMMUNITY INVOLVEMENT MARCH 2020 DRAFT FOR CABINET





## **Region**

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# 1 Introduction

**1.1** Everyone needs to be involved in making places great to live, work and play in. By living in an area, you know what is happening in your community and how it could be improved. If you are a local group or business in the area, you will have information and ideas that can help shape the future. By taking part you can make sure that decisions being made are the best for you and the area.

## What is the Statement of Community Involvement?

This document sets out what the Councils have committed to do so that the community are involved in planning.

**1.2** This is a joint Statement of Community Involvement, or 'SCI', between Plymouth City Council, South Hams District Council and West Devon Borough Council. It builds on the work of the Plymouth and South West Devon Joint Local Plan, providing a consistent baseline to support the continued cooperation in planning across the three Local Planning Authorities (LPA).

**1.3** The SCI sets out the minimum requirements for consultation and involvement that must be followed by the LPAs of the Councils when preparing planning documents or consulting on planning applications. The document also sets out how the LPAs will support groups undertaking neighbourhood planning.

**1.4** § Technical Point – The preparation of a Statement of Community Involvement is a requirement of s18 of the Planning and Compulsory Purchase Act 2004 (as amended). Under s180 of the Planning Act 2008, Statements of Community Involvement are considered to be Local Development Documents. S6 of the Neighbourhood Planning Act 2017 requires SCIs to set out how a council as LPA will support groups undertaking neighbourhood planning.

## Aims of the Statement of Community Involvement

The Councils want consultation and engagement to work for everyone and lead to better decisions.

**1.5** This document is intended to provide certainty for communities about the basis upon which the LPA will engage with them in the future and to guide LPAs to provide an excellent and professional process as they undertake their responsibilities. The primary aim is to ensure that consultation and engagement is meaningful and effective, resulting in better outcomes for everyone.

**1.6** The Councils believe that local knowledge and opinion can help to achieve the best outcomes in planning. By being clear about what the Councils will do, we hope to ensure that involvement happens at the most appropriate stage to influence the decisions that are made.

**1.7** Communities, developers and third parties are also encouraged to use the SCI to inform how they conduct their own consultation and engagement. Developers submitting planning applications should also be aware of any requirements set out in the Local Validation List.

## **How to Use the Statement of Community Involvement**

The SCI can be used in a number of different ways depending on your role.

**1.8** For people who are designing consultation processes (including, but not limited to, the Councils) the SCI sets out the principles that should be followed (chapter 2), gives advice on creating a consultation process (chapter 3) and sets out the specific actions that the Councils must take for certain types of consultation (chapters 4-8).

**1.9** For those wanting to know how to influence or engage with the planning system the SCI gives an insight into how the Councils intend to consult with stakeholders and provides clarity about what the Councils will do as a minimum when consulting on planning related matters. The SCI also gives some key advice in grey boxes about how to effectively engage in consultations.

**1.10** The principles section sets out the approaches that the Councils will take towards their consultations. The 'Consultation On' sections explain the specific commitments that the Councils are making to do for every consultation of that type and is what the Councils are legally required to carry out once the SCI is adopted.

Top tip – words that begin with capital letters normally have a definition in the Glossary

## **What is Not Included?**

**1.11** This document does not contain consultation policies for planning applications that are dealt with by Devon County Council (for example their minerals and waste applications), nor for planning policy documents and planning applications relating to Dartmoor National Park, which has its own LPA.

**1.12** Each of the Councils can also introduce consultation and processes that are in addition to what is set out in the SCI. For example one Council may choose to routinely consult more widely on their planning applications. Where this is the case, the authority will have additional documents on the Statement of Community Involvement page of their website.

**1.13** In addition to the consultation requirements set out in the SCI, LPAs must also ensure that they meet the requirements of the 'duty to cooperate' with neighbouring councils and statutory bodies (such as the Environment Agency and Highways England) constructively, actively and on an ongoing basis.

- Technical point – the duty to cooperate is required by s33A of the Planning and Compulsory Purchase Act 2004 and amended by s110 of the Localism Act 2011 and relates to when preparing planning documents which relate to strategic matters or which could have a strategic impact. The duty to cooperate is not a 'duty to agree'. However, LPAs are required to demonstrate how they have complied with the duty to cooperate at the independent examination of their local plan. If a LPA cannot show that it has complied with the duty to cooperate then the proposed local development plan will be found unsound by a Planning Inspector. The list of statutory consultees for the purpose of the Duty to Cooperate is set out in the Town and Country Planning (Local Planning) (England) Regulations 2012.



## 2 Principles

These are overarching principles for how the Councils will aim to conduct their community engagement and consultation processes for planning matters.

**2.1** The Councils will develop its planning consultations having regard to the following general principles. The Councils will also expect consultations done by others (for example developers and neighbourhood planning groups) to use these principles too.

### 1. **Appropriate, Meaningful and Relevant**

- We will deliver meaningful consultations, proportionate to their complexity, using Plain English and explaining technical terms.

### 2. **Integrity and Honesty**

- We will be clear about the scope of our consultations, so that those responding are aware of what they are able to influence.

### 3. **Equality and Diversity**

- We will ensure that all our consultations are fair and open, taking into account the needs of all sectors of the community relevant to the consultation.

### 4. **Open and Fair**

- We will give sufficient information and reasoning to allow for an informed response and we will give sufficient time for responses to be made, taking into account any statutory time requirements.

### 5. **New Technology and e-consultation**

- We will look to make best use of technology in the way we advertise consultations, provide information and collect comments from participants,

### 6. **Climate Emergency**

- We will design our consultation programmes with a view to an awareness of the climate emergency and the sustainability agenda.

### 7. **Responsibility and Accountability**

- We will ensure that all comments made in relation to our consultations are considered conscientiously when decisions are made, where appropriate publishing reports that explain key issues raised and how the consultation influenced the decision.

## **Appropriate, Meaningful and Relevant**

**2.2** In order to make consultation as meaningful as possible, the use of jargon should be restricted to only where it is strictly necessary and Plain English standards should be aimed for when producing documents. However, some technical evidence documents and planning documents do require a professional use of terminology. This will be kept to a minimum and where appropriate explained in Plain English summaries.

**2.3** To ensure that discussions remain relevant it is important to recognise that the planning process has limitations in what it can achieve as well as much potential. There is a need to ensure that realism is part of all dialogue between council staff, planning professionals, members, stakeholders and the public.

## **Integrity and Honesty**

**2.4** The Councils will ensure that consultations have honest intent, for example avoiding a formal consultation if the decision has already been taken. Care will be taken to scope consultations properly and provide the clearest possible indication of those matters where the Councils have discretion and is open to be influenced by the submissions and contributions made by those who respond. Integrity and honesty can also be demonstrated through clarity of how public and stakeholder views have been considered or taken into account.

## **Equality and Diversity**

**2.5** The Councils are committed to ensuring that consultation is as effective as possible and does not discriminate any particular group. People carrying out consultation must be aware of the greater propensity of some groups to respond to particular methods, and the barriers facing others. Engaging with disabled, racial, ethnic, linguistic or religious minorities can require special facilities, and enabling equal access to the process for such groups is essential.

## **Open and Fair**

**2.6** The Councils commit to being transparent in the way we conduct consultations, subject to thinking about confidentiality appropriately. There are occasions where stakeholder views are properly subject to confidentiality, but in the public sector, the Freedom of Information Act makes those circumstances few and far between. Commercial undertakings and private individuals may be able to agree with planning authorities that aspects of their discussions may be confidential, but all parties need to be increasingly aware of the need to satisfy a public interest test and that certain recommendations and decisions can only take into account publicly available information.

**2.7** PDFs can be hard to read<sup>(1)</sup> but web pages come with various features such as the ability to change font size and contrast or to use screen readers. Some groups may not have access to a computer, however libraries provide the resource, are free for all, and staff can help people access online material.

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1 <https://gds.blog.gov.uk/2018/07/16/why-gov-uk-content-should-be-published-in-html-and-not-pdf/>

## **New Technology and e-consultation**

**2.8** Technology makes it easier for more people to find out about and engage with consultations that the Councils conduct. There is less reliance on printed media, particularly newspapers, which are becoming out-dated way for people as a primary means for people to find out about events in their area. With the right tools, documents become more accessible and conversations become easier. Therefore the Councils are supporting the use of these tools as the foundation for modern consultations.

## **Climate Change Emergency**

**2.9** The Councils are working on measures relating to a climate change emergency and the SCI has considered how it can contribute to this agenda by maximising sustainability through the use of technology and reducing resource use. The Councils will be mindful of the declared climate change emergency when conducting their consultations.

## **Responsibility and Accountability**

**2.10** It is vital to be clear where responsibility for decision making lies, whether that be inside or outside the council and to ensure that there is sufficient information to track decisions and maintain accountability. This approach also ensures that participants have realistic expectations about how their involvement could be valuable.

For your comments to have the most impact you need to say how you would change what is being consulted on to meet your concerns





## 3 Designing a Consultation Programme

Consultations should be designed with careful consideration to the principles of the SCI and be clear about when, who and how stakeholders will be engaged.

**3.1** There is lots of guidance available online from various sources about conducting consultation and engagement. This chapter provides some simple advice but there are some further links in Chapter 9.

### Consultation Statement

**3.2** Many types of consultation will require a consultation statement. The consultation statement helps to ensure that the process is as clear as possible and that those who engage with the consultation can know how their comments will influence future decisions following the consultation. A consultation statement – where it is required – will include the following:

- A short statement about the aims of the consultation and who the decision-makers are.
- Whether there are any specific ways in which the outcome could be influenced by the consultation, including listing any specific options that the Councils would like to get a view on from consultees.
- State how the principles have been taken into account,
- Explain the specific events and techniques that are to be used in the consultation and explaining the when, who and how of the consultation.
- Where appropriate, explain how the consultation process has been specifically tailored to meet the needs of minority groups.
- Must be clear about how representation are to be made, where they must be sent, and when they should be received by.

### When, Who and How

**3.3** When the Councils consult, who the Councils consult and how the Councils consult will vary depending on what the purpose of the consultation is and should consider the following information. Those undertaking consultation should be clear about the when's, who's and how's of their consultation process.

**3.4** When - each type of document has different requirements for when the Councils will hold a consultation period and how long that period must be for as a minimum. The requirements are set out later in the document.

Top tip – the earlier you get involved in a planning process the more influence you are able to have.

**3.5** Who - for each consultation the Councils will be considering which of the following stakeholders need to be engaged specifically:

- Statutory organisations including LPAs, Councils, Parish and Town Councils, infrastructure providers and government bodies as legally required or as otherwise appropriate and Members of the Councils;
- Organisations representing local geographic, economic, social or other communities or other relevant interests;
- Local businesses, voluntary or other organisations;
- Planning and development industry and consultants;
- Others who have expressed an interest in the preparation of Local Development Documents; Neighbourhood Forums;
- The general public.

**3.6** Some groups have traditionally been underrepresented in consultation. Many have limited capacity for involvement and are facing engagement initiatives from several quarters. Specific engagement with groups can also be necessary as informed by the consultation's Equality Impact Assessment.

**3.7** How – this relates to how the Councils will publicise consultations and also what methods they will use to engage with stakeholders and collect representations and feedback.

**3.8** Publicising consultations is informed by the other requirements of the SCI using a combination of the following methods:

- On the Councils' websites
- E mail mailing lists
- Councils' press releases
- Facebook
- Twitter

**3.9** There are different consultation methods for engagement that the Councils will want to consider when designing their consultations. Choosing any additional methods will be done taking into account the benefit of the technology available. Consultation methods can include:

- Displays
- Drop-in sessions
- Workshops
- Focus groups
- Enquiry by design

**3.10** The Community Planning website<sup>(2)</sup> has a comprehensive list of different methods for consultation.

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2 <http://www.communityplanning.net/>

**3.11** NB There are specific types of publicity that are used for planning applications.

Top tip – make sure you are signed up to any newsletters and mailing lists that the LPA’s have so that you don’t miss out on any consultations that take place.

**Consultation Documents (consulted upon)**

**3.12** For information, the following table sets out documents that will be produced in some circumstances and would be part of the consultation or consulted on separately at the same time.

Document	Description	Potential Circumstance
Main Document(s)	The document being consulted upon – provided as a web page and pdf. Depending on the stage this might be a topic paper, issues and options assessment or a draft document for example.	All Consultations
Sustainability Appraisal/Strategic Environmental Assessment	Assessing the extent to which the emerging plan, when judged against reasonable alternatives, will help to achieve relevant environmental, economic and social objectives	Determined through screening
Evidence Documents	Documents, reports and statistics that have informed the production of the Consultation Document or that will help consultees make informed representations.	Where relevant

**Process Documents (not part of consultation)**

**3.13** For information, the following table sets out what documents can be created to help the process of consultations undertaken by the Councils.

Document	Description	Potential Circumstance
Consultation Statement	A short statement about the aims of the consultation and who the decision-makers are.  Setting out the when, who and how of the consultation – ensuring that it meets the minimum requirements of the SCI.	Most consultations (excludes planning applications and the Council’s consultation on neighbourhood plans for example)

Document	Description	Potential Circumstance
	Provides clarity about how responses to the consultation will be published	
Consultation Summary	Please see the Responsibility and Accountability section for more details.	Produced after the consultation
Equality Impact Assessment (EqIA)	Assessing the potential impact of the proposals to discriminate against any equality group (based on age, disability, gender, race, faith or sexual orientation) and any specific consultation that is appropriate. Informs the Consultation Statement.	Documents with significant potential impact

## 4 Consultation On - Development Plan Documents (DPDs)

4.1 These are formal plans for a geographic area or on a subject (for example Waste), and also include the 'main' Local Plan. They are subject to rigorous procedures including at least two consultation stages and an independent examination. They also require a Sustainability Appraisal (SA) – an assessment of the economic, social and environmental impacts of a plan. When adopted a DPD is part of the development plan for the area.

Top tip – as well as commenting on the document, don't forget that you can also comment on the Sustainability Appraisal and Evidence Documents if they are part of the consultation.

### DPD Consultation Requirements

4.2 All consultations on DPDs will comply with the Town and Country Planning (Local Planning) (England) Regulations 2012 by achieving the following as a minimum.

- There will be at least two formal consultation periods, known as the 'regulation 18' and 'regulation 19' stages.
- Each consultation will have a Consultation Statement, that covers the issues in para 3.2 of the SCI, published on the Council's website. The Consultation Statement is for information and is not being consulted upon.
- All consultation periods will be open to comments for a minimum of six weeks.
- Consultation documents will be made available at relevant Council offices and public libraries through free access to a computer and the internet. The main consultation documents will be available as plain text on our websites, alongside formatted pdfs. The Councils will also ensure that all the relevant evidence base documents are easily accessible online, and that relevant statistics are made available where possible.
- At relevant consultations stages the Councils will consult on a Sustainability Appraisal.

### Regulation 18 Stage – Issues and Options

4.3 This stage is primarily intended to be about open discussion of the issues and options that relate to the topic of the DPD. It can be useful to provide additional information at this stage, for example topic papers, options analysis and background evidence, draft policies or site allocations, or a draft DPD document for stakeholders to comment on. This stage provides an opportunity to influence the direction of the DPD at an early point in the plan making process. The discussions should reflect that freedom.

4.4 A range of approaches can be appropriate at this stage, including focus groups and workshops, in order to be able to explore the issues in detail. There can be more than one phase of consultation at this stage.

4.5 There is a large scope for comments to be received in many different ways at this stage.

4.6 Responses received on social media (twitter and facebook for example) will not be considered as formal representations in relation to consultations, however, the Councils will report the amount of involvement that there has been and the issues that have been raised in these online discussions where it is appropriate.

4.7 Following each consultation the comments that have been received will be summarised and published online by the Councils. In some circumstances it will be appropriate to make the consultation responses available in full and this will be made clear in the relevant consultation statement.

Generally consultation responses that we receive are not confidential and everybody will be able to see what you have submitted to us in your representation.

4.8 Response summaries will be published with commentary or feedback about what has been taken into account or why a different decision was reached.

Top tip - There are lots of factors that affect the decisions that are taken and the final outcome, including consultation responses, other material considerations, national policy and the evidence base information.

### **Regulation 19 Stage – Pre-Submission Document**

4.9 This stage is important to ensure that everyone has the opportunity to express their formal view on a 'pre-submission' draft of a DPD and then potentially to be heard at a Local Plan examination which will be presided over by an independent planning inspector. Any additional consultation measures should be focused on displaying and explaining the content of the document.

4.10 Comments at this stage can only be considered if they are 'duly made'. Responses received on social media (Twitter and Facebook for example) will not be considered as formal representations and will not influence decisions made at this stage.

4.11 The decision of the Council at this stage is to either progress to examination or to re-run a regulation 19 consultation stage with an amended document.

4.12 Consultation responses will be made publicly available in full.

4.13 The Councils will prepare a detailed schedule of all the comments received with a response and make this available to the Inspector.

### **Examination Stage**

4.14 When we submit the plan to the Secretary of State for examination the Councils will submit a 'statement of consultation' in accordance with legislation, guidance and policy.

**4.15** There may need to be further formal consultation carried out during the examination stage on potential modifications to the plan and this is at the discretion of the Inspector.





## 5 Consultation On - Supplementary Planning Documents (SPDs)

5.1 These build upon and provide further detailed advice or guidance on policies in adopted Development Plan Documents where required. These need to be consulted on and are agreed by the Councils. They are a material consideration in planning decisions but are not part of the development plan.

### SPD Consultation Requirements

5.2 All consultations on SPDs will comply with the following as a minimum.

- There will be at least one formal consultation periods, known as the 'regulation 12' stage.
- Each consultation will have a Consultation Statement, that covers the issues in para 3.2 of the SCI, published on the Council's website. The Consultation Statement is for information and is not being consulted upon.
- All consultation periods will be open to comments for a minimum of six weeks.
- Consultation documents will be made available at relevant Councils' offices and public libraries through free access to a computer and the internet. The main consultation documents will be available as plain text on our websites, alongside formatted pdfs. The Councils will also ensure that all the relevant evidence base documents are easily accessible online, and that relevant statistics are made available where possible.
- If there is a Sustainability Appraisal for the SPD it is also a requirement to consult on the Sustainability Appraisal at the same time as the SPD consultation.

### Regulation 12 Stage – Draft SPD

5.3 This stage is the only consultation stage for SPDs although there can be more than one phase at the discretion of the Councils. This stage provides an opportunity to change the direction of the SPD and promote changes to it before it is adopted. The discussions should reflect that freedom and how complex the SPD is.

5.4 Comments at this stage can only be considered if they are 'duly made'. Responses received on social media (Twitter and Facebook for example) will not be considered as formal representations in relation to consultations, however, the Councils will report the amount of involvement that there has been and the issues that have been raised in these online discussions where it is appropriate.

5.5 Consultation responses will be made available in full. Also response summaries will be published with commentary or feedback about what has been taken into account or why a different decision was reached.



## 6 Consultation On - Neighbourhood Plans

6.1 Neighbourhood Plans are Development Plan Documents written and produced by the community themselves who must set up a 'Qualifying Body'. The community has to follow various requirements in order to progress a Neighbourhood Plan and must carry out their own consultation before they submit it to the LPA. The LPA must then publicise the document and invite representations before sending it to independent examination.

### Neighbourhood Plan Consultation Requirements

6.2 After the neighbourhood plan has been submitted to the LPA consultations conducted by the Councils on Neighbourhood Plans will comply with the following as a minimum.

- There will be one formal consultation period, known as 'regulation 16'.
- The consultation period will be open to comments for a minimum of six weeks.

6.3 Consultation documents will be made available at relevant Councils' offices and public libraries through free access to a computer and the internet.



## 7 Other Planning Documents

**7.1** This section relates to consultations for the any other types of documents or processes that the Councils are seeking views from stakeholders on. It includes things like a Community Infrastructure Levy Charging Schedule or informal planning initiatives such as Article 4 Directions or conservation area plans.

### **Other Planning Documents Requirements**

**7.2** The Councils will need to carry out other planning document consultations from time to time, and they will be carried out in alignment with the general principles set out in the SCI and any legal requirements related to that document.

**7.3** Each consultation will have a Consultation Statement, that covers the issues in para 3.2 of the SCI, published on the Council's website. The Consultation Statement is for information and is not being consulted upon.



## 8 Consultation On - Planning Applications and Related Applications

### Pre-application Consultation

8.1 There are no requirements on the Councils to consult during the pre-application stage. However, applicants for planning permission should consider consulting widely with stakeholders and the community.

8.2 Applicants for larger developments are encouraged to consult with the local community prior to making a planning application. They should consider how and when consultation has been carried out and how the needs of equality groups have been considered when running the consultation. They should set out the issues raised and whether any changes have been made to the scheme as a result and if not, why not.

8.3 Particularly sensitive types of development include:

- Major applications that are a departure from the development plan
- EIA applications
- Large scale retail (20,000sqm+ or 2,500sqm if combined with existing would be 20,000 sq m+)
- 150 dwellings or site is 5ha+ on Greenfield land
- Development is proposed on playing fields
- Onshore wind developments involving more than 2 turbines or where the hub height of any turbine exceeds 15 metres.

### Application Consultation

8.4 The Councils have a duty to consult on applications that they receive. How they will go about notifying people about the applications is set out in the table below.

- 'Technical Point - The SCI applies the statutory requirements for publicity as set out in Article 15 of the Town and Country Planning (Development Management Procedure) Order 2015 (as amended) for all planning applications.'<sup>(3)</sup>

8.5 Definition of 'days' – with the exception of the first row which is development where the application is accompanied by an environmental statement, where the table refers to 'days' it means any day of the week that is not a bank holiday or public holiday.

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3 <https://www.gov.uk/guidance/consultation-and-pre-decision-matters#Public-consultation>

Application type	Publicity				Minimum Length of publicity
	Advertisement in newspaper	Identified on Councils' website	At least one site notice	Other	
Development where application: <ul style="list-style-type: none"> <li>Is accompanied by an environmental statement</li> </ul>	x	x	x		<b>30 days</b> , including bank holidays, from date of publication or placing of notice (whichever is later)
Development where application: <ul style="list-style-type: none"> <li>Is a departure from the Development Plan</li> <li>Affects a public right of way</li> </ul>	x	x	x		<b>21 days</b> from date of publication or placing of notice (whichever is later)
Major development: <ul style="list-style-type: none"> <li>10 or more dwellings</li> <li>Creation of 1,000 square metres or more floorspace or the site exceeds 1 hectare</li> <li>Mineral working or use of land for mineral working deposits</li> <li>All waste related developments, including waste treatment, storage and transfer as well as tipping.</li> </ul>	x	x	x		<b>21 days</b> from date of publication or placing of notice (whichever is later)



Application type	Publicity				Minimum Length of publicity
	Advertisement in newspaper	Identified on Councils' website	At least one site notice	Other	
All other planning applications for "Minor" and "Other" developments		x	x		<b>21 days</b> from date of publication or placing of notice (whichever is later)
Development affecting the setting of a listed building	x	x	x		<b>21 days</b> from date of publication or placing of notice (whichever is later)
Development affecting the character or appearance of a conservation area	x	x	x		<b>21 days</b> from date of publication or placing of notice (whichever is later)
Application for listed building or consideration area consent	x	x	x		<b>21 days</b> from date of publication or placing of notice (whichever is later)
Application related to a Tree Preservation Order		x	See section below		<b>21 days</b> from date of publication or placing of notice (whichever is later)
Permitted development requiring prior approval or notification to the LPA			See section below		<b>14 days or 21 days</b> (depending on the type of prior notification) from placing of site notice

Application type	Publicity				Minimum Length of publicity
	Advertisement in newspaper	Identified on Councils' website	At least one site notice	Other	
Lawful Development Certificate		x			<b>None</b>
Advertisement consent		x			<b>None</b>
Re-notification – relating to amendments to planning applications currently under consideration, amendments to approved schemes			See section below		<b>None</b>
Submission of details and schemes to comply with and / or discharge conditions			See section below		<b>None</b>
Permission in principle		x	x		<b>14 days</b> from placing of site notice
Application for technical details consent which is not: <ul style="list-style-type: none"> <li>• A departure from the Development Plan</li> <li>• Affecting a public right of way</li> <li>• Major development</li> </ul>		x	x		<b>21 days</b> from date of publication or placing of notice (whichever is later)

### Neighbour notification

**8.6** The minimum requirements set out in this SCI do not require neighbours to be notified by letter, however in exceptional circumstances it might be appropriate. The exception where a letter would be sent are as follow at the discretion of the LPA:

- There is no location where the site notice can be located.

### **Application related to a Tree Preservation Order**

8.7 It is not necessary to provide site notices for every application, but where officers of the LPA consider that there is a significant public interest then two or more site notices can be erected.

### **Permitted Development Requiring Prior Approval or Notification to the LPA**

8.8 There are many types of permitted development that are potentially subject to 'prior notification' or 'prior approval'. The publicity for these applications is specified in the corresponding section of the legislation.<sup>(4)</sup> If the legislation requires the LPA to give notice either by site display/notice or by serving notice to adjoining owner or occupier, the Council will display a site notice. In some circumstances the legislation requires the applicant to display a site notice themselves.

### **Planning Conditions and Re-notification**

8.9 This section applies to amendments to planning applications currently under consideration, amendments to approved schemes, and the submission of details and schemes to comply with or discharge planning conditions. There are no statutory requirements for publicity in these circumstances, however, the Councils can decide to publicise the application taking into account if:

- Objections or reservations were raised at an early stage, whether they were substantial and, in the Councils' view, relevant to the amendments being sought.
- The proposed changes would, in the Council's opinion, have a significant impact when compared to the original proposals.
- The Council considers that parties not previously notified might be affected.

### **Notification of decisions**

8.10 All decisions are published on the Councils' website. The Councils will normally only inform the applicant, or their agent where there is one, of the decision. If you would like to be specifically informed about a particular application when a decision is made then contact the relevant LPA to see if this can be arranged.

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4 Eg The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). Un-amended legislation:  
<http://www.legislation.gov.uk/ukxi/2015/596/contents/made>



## 9 Additional Tools

9.1 There are many tools available to Councils, communities and developers about how to conduct effective community consultation. Some good places to start exploring further good practice can be found here:

- <http://www.communityplanning.net/>
- <https://www.communityplanningtoolkit.org/>
- <https://www.local.gov.uk/new-conversations-20-lga-guide-engagement>

9.2 Planning Aid<sup>(5)</sup> provides planning advice and support to help individuals and communities engage with the planning system and get involved in planning in their local area. It can be a valuable resource for people who would like support engaging in consultations.

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5 <https://www.rtpi.org.uk/planning-aid/>



## 10 Glossary

- Consultation – ‘The dynamic process of dialogue between individuals or groups, based upon genuine exchange of views, and normally with the objective of influencing decisions, policies or programmes of action’<sup>(6)</sup>.
- Consultation Statement – A document that includes specific information about a particular consultation. see paragraph 3.2 for details.
- Duty to Cooperate – A legal duty where strategic policy-making authorities (including LPAs) are required to cooperate with each other, and other bodies, when preparing, or supporting the preparation of policies which address strategic matters.
- (public or community) Engagement – ‘Actions and processes taken or undertaken to establish effective relationships with individuals or groups so that more specific interactions can then take place’<sup>(7)</sup>.
- (public or community) Involvement – ‘Effective interactions between planners, decision-makers, individual and representative stakeholders to identify issues and exchange views on a continuous basis’<sup>(8)</sup>.
- Local Planning Authority (LPA) – Is the formal designation for the officers and processes that deal with the planning related functions of a council. They are given certain powers by legislation to prepare plans and determine planning applications among others.
- Participation – ‘The extent and nature of activities undertaken by those who take part in public or community involvement’<sup>(9)</sup>.
- The Councils – Plymouth City Council, South Hams District Council and West Devon Borough Council

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6 [RTPI Good Practice Note 1 – Guidelines on Effective Community Involvement and Consultation p4.](#)

7 [RTPI Good Practice Note 1 – Guidelines on Effective Community Involvement and Consultation p4](#)

8 [RTPI Good Practice Note 1 – Guidelines on Effective Community Involvement and Consultation p4](#)

9 [RTPI Good Practice Note 1 – Guidelines on Effective Community Involvement and Consultation p4](#)









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Comment ID	Notes	Agent?	Objective ID (Agent)	Full Name (Agent)	Company / Organisation (Agent)	Objective ID (Consultee)	Full Name (Consultee)	Company / Organisation (Consultee)	Comments and proposed amendments	Comment summary	Summary statement	Response	Officer	Title
1		No				1002518	Martyn Dunn	South West Water	I refer to the above the content of which is noted and upon which South West Water has no specific comment.	No comment	Noted		Richard Grant	South West Water_Redacted.pdf
2		No				1237557	Dr Sarah Collinson	Inclusive Totnes	The Councils' entire approach to community engagement is inadequate, particularly as regards 'harder to reach' groups such as those with sensory impairments, limited literacy or mental health difficulties, those who are homeless and traveler families who may well be very directly (and potentially negatively) affected by planning issues and decisions. We would expect to see a far more robust and detailed explanation of how potentially excluded groups will be reached and forewarned and involved in planning-related processes and decision-making. Although the principles, including on equality and diversity, are adequate as stand-alone statements, there is no adequate detail provided to explain how these principles will be implemented in practice. We want to see a new section added to every sub-section of this document to explain how the Councils will ensure meaningful consultation with and participation of groups at high risk of exclusion. We want to see specific commitments to reaching: homeless people and traveler families, people with limited literacy (including a commitment to always producing easy-read versions of all documents), people with sensory impairments (including a commitment to always producing documents in accessible formats for sign-language users with limited literacy and for people blind people and people with visual impairments such as BSL video versions and use of large-font formats). As regards the specific types of planning documents referred to in the document, we want to see a requirement that these documents directly reference Councils' public sector equality duty and a commitment that this will be applied to all decision-making. As regards the potential equality impacts of planning decisions, we want to added to the document an acknowledgement of new evidence on the negative impacts of air pollution on vulnerable people with protected characteristics under the Equality Act 2010 and in particular children, the elderly and people with long-term heart and respiratory conditions. We want to see a clear commitment added to Councils gathering and using evidence on actual and potential air pollution impacts of planning strategies and decisions, including reference to Air Quality Management Areas, Air Quality Management Plans and clean air strategies. We also want to see a clear commitment to modelling and analysing the impacts of any proposed development and planning permissions on traffic, congestion and air quality.	The SCI should set out how the Councils will engage hard to reach groups and commit to producing documents and evidence base that commit to various elements of the Equalities Act.	No change needed	The SCI sets out the high level approach that the Councils will use when undertaking public consultations. It does not set out the detail - this is to be decided as the specific arrangements for consultations are being designed and will take into account the characteristics of the consultation required. The Councils will always ensure that the requirements of the Equalities Act are met. The SCI only covers consultation arrangements, and cannot be concerned with the	Richard Grant	
3		No				609794	Sharon Jenkins	Natural England	Please see PDF.	No comments made	No change needed		Richard Grant	Natural England (SCI).pdf
4		No				961935	Sally Parish	Highways England	Please see PDF for full set of comments. The SCI sets out the minimum requirements for consultation and involvement proposed by the local planning authorities (LPAs) of the Councils when preparing planning documents or consulting on planning applications. It sets out when, how and who the LPAs must consult, including the requirement for the LPAs to engage with neighbouring councils and statutory bodies under 'Duty to Cooperate'. We note that in section 1.13 reference is made to Highways England being a statutory body. We would suggest it may be useful to provide a list of all statutory consultees within the SCI for the ease of reference of those using the document.	Include a list of statutory consultees in the SCI	Change to be made	Statutory consultees for the purpose of the Duty to Cooperate are set out in Regulation 4 of the The Town and Country Planning (Local Planning) (England) Regulations 2012. It would not be helpful to repeat these in the SCI, as any change made by Government to the Regulations would make the SCI out of date. However, it may be helpful to include a link to the Regulations to assist people using the SCI to find a definition of statutory consultees.	Richard Grant	Highways England_Redacted.pdf
5		No				273925	Mr Richard Sroka	Plymouth Civic Society	Please see PDF.	Section 2 - replace "meaningful" with "clear" Section 3 - support Section 8 suggests: 1. developers are further encouraged to undertake pre application consultation 2. Relevant organisations should be recognised as non statutory consultees. 3. Applicants should submit a project statement of community involvement as part of larger planning applications	No change needed	Section 2 - the word "meaningful" does not simply relate to "jargon free" and therefore the word "clear" is not a reasonable substitute. Section 8 - A statement of Community Involvement is already a requirement for certain application types and developers are always encouraged to undertake consultation with relevant sections of the community prior to the submission of a planning application. The Council welcomes the Plymouth Civic Society's greater	Richard Grant	Plymouth Civic Society_Redacted.pdf

6		No				1191222	Mr Graham Palmer		Please see PDF for full set of comments. 1.3 – It mentions the ‘minimum requirements’ for consultation and involvement.....in what circumstances will greater than ‘minimum’ come into play? 1.4 – this mentions the following - Planning and Compulsory Purchase Act 2004 - Planning Act 2008 - Neighbourhood Planning Act 2017 - Localism Act 2011 Without wishing to plough through all of these documents, I assume the SCI and SPD seamlessly complement all of these. One thing that concerns me greatly is the manifesto of the current government which indicates a ‘streamlining of the planning process’. Difficult to gauge the effect this may have, but one would hope it does not lead to the local planning systems and procedures being steamrollered by national edicts. 1.7 – this mentions the Local Validation List, firstly what is this? Secondly, it says developers should be aware of any requirements which are contained therein. That sounds a bit conditional – can it not stipulate developers MUST make themselves aware of any such requirements? 1.11 – this tends to rule out any involvement/reference to DCC and DNP. I suggest that both may well have an interest in certain larger scale developments as they may well affect such things as highways and traffic and a wider implication on the environment. Additionally, whilst DNP have their own LPA, it may well be affected by larger scale developments both visually and environmentally. 1.13 – mentions a Planning Inspector in the Technical point...is this an independent person?	Detailed points related to paragraphs	No change needed	The SCI sets out the minimum requirements for consultation. The details of a consultation, including any specific elements going beyond the minimums, will be decided as part of the consultation on a specific document or application - the SCI ensures that certain minimum standards must be met. The Local Validation list sets out requirements for all planning applications to meet before being accepted and processed. It is not considered that the wording here needs to be	Richard Grant	GPalmer (SCI)_Redacted.pdf
7		No				1191222	Mr Graham Palmer		Please see PDF for full set of comments. 2.9 - mentions Climate Emergency, whilst it states that the consultation process will consider this, of greater concern is the way the planning process considers applications and what guidelines/rules it will apply when reviewing the application. This may not be the most appropriate place to raise this particular issue, but we are already faced with new developments taking place where developers are not seriously considering the sustainable aspects. Houses being built which will need remedial work within the next 10 years this should be addressed if we as a council, government, nation are really serious about Climate Emergency! 2.10 – mentions .....whether inside or outside the Council.....how will the wider public be involved/informed if bodies outside the council become involved?	The SCI should set out how development proposals will be considered and how they will be required to take account of climate emergency.	No change needed	The SCI sets out the minimum standards the Councils will apply to consultation exercises. It cannot discuss how applications are processed. For more information on this see the JLP and the SPD, which contain the policies which are used to decide planning applications - several of which relate directly to the issues raised in the representation. Information on the decision making body will be included with information published on a proposal. If the body is not the Council, the SCI will	Richard Grant	GPalmer (SCI)_Redacted.pdf
8		No				1191222	Mr Graham Palmer		Please see PDF for full set of comments. 3.3 etc. When; Where; Who etc this indicates that different situations (potentially) need different approach to consultation. Where the need arises (and within reason) will the Council put forward the most appropriate type of consultation, with a timescale commensurate with the consultation scale/topic?	Will the Councils put forward the most appropriate type of consultation?	No change needed	The SCI sets out the minimum requirements for consultation. The Councils will design consultation processes for individual documents ensuring they are in line with the SCI, with regulations, and appropriate to specific circumstances.	Richard Grant	GPalmer (SCI)_Redacted.pdf
9		No				1191222	Mr Graham Palmer		Please see PDF for full set of comments. 4.1 – this mentions an independent examination.....who is this and how ‘independent’ are they? 4.1 – mentions 6 weeks minimum – is there any kind of maximum? It strikes me that with a larger scale development 6 weeks isn’t very long to consider, consult and co-ordinate responses, especially if anything changes during the process. 4.9 – mentions Pre-Submission – could this be defined in more detail? Does it mean that a potential developer has to submit pretty much a full application for wider consideration and comment before submitting the formal planning application? Earlier in the document one of the Top Tips is ‘the earlier you get involved in the planning process, the more influence you can have’. I absolutely agree with this, however, I would say that having got involved in a recent Environmental Impact Assessment and commented accordingly, I was told my comments would not formally be considered and I would have to re-submit them once the Planning Application had been submitted! Surely the sooner comments are submitted the sooner the Council can gauge community feelings? I’ve never come across the idea of a pre-submission – is this a new idea? 4.14 – if the Secretary of State overrules Council decisions, based on full consultation with the local community, what opportunities are there for appeal?	Comments on how section 4 affects planning applications	No change needed	Section 4 deals with the process to be followed by the Council when it produces Development Plan Documents such as the Plymouth and South West Devon Joint Local Plan. It does not apply to planning applications. More information on the DPD process can be found in the National Planning Policy Guidance and on the Planning Inspectorate website. The independent examination is held into development plan documents produced by a local planning authority by the	Richard Grant	GPalmer (SCI)_Redacted.pdf

10		No				1191222	Mr Graham Palmer		Please see PDF for full set of comments. Section 8 – the content of this section concerns me. It seems to rely on the developer ‘doing the right thing’ by engaging with the community affected by the application. I think that this should be a much stronger statement and consultation made mandatory, where reasonable. I also disagree with the threshold of 150 dwellings – to me this is a purely arbitrary number and will encourage developers to go just a little bit lower. Any development on a green field site of more than a handful of houses will, without question, effect those living nearby and the wider environment. Of equal concern is the table of timescales for consultation. Earlier in my comments I indicated that 6 weeks was, in some cases, not enough time to fully engage and comment. This table talks in terms of 21 days!.....surely this must be longer where the planning application is for anything other than very basic requests?	Concerns over detail of planning application consultation set out in Section 8	No change needed	The SCI specifies a minimum level of consultation and these are based on statutory requirements where legally the Councils cannot ask for further mandatory consultation. However certain planning applications rely on a Statement of Community Involvement where local communities can respond to an applicant's level of engagement with local communities.	Richard Grant	GPalmer (SCI)_Redacted.pdf
11		Yes	1238260	Ian Jewson	Walsingham Planning	1003640		Bovis Homes Limited	Please see PDF for full set of comments. We would suggest this section makes reference to the requirement for the initial stages of local plan production to comply with the specific requirements in regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012. We suggest paragraph 4.2 is amended as follows: "4.2 All consultations on DPDs will comply with the Town and Country Planning (Local Planning) (England) Regulations 2012 and achieve the following as a minimum."	Para 4.2 should make reference to the Local Planning Regulations	Change to be made	Add to para 4.2" 4.2 All consultations on DPDs will comply with the Town and Country Planning (Local Planning) (England) Regulations 2012 by achieving the following as a minimum.	Richard Grant	Bovis Homes (SCI).pdf
12		Yes	1238260	Ian Jewson	Walsingham Planning	1003640		Bovis Homes Limited	Please see PDF for full set of comments. This section should make reference to any changes made to SPD documents once they have been adopted. In our view it will be important to undertake further consultations on any further changes to SPDs to ensure everyone has an opportunity to comment. It is appreciated that it may be possible to make minor changes to SPD documents without formal consultations but those who commented previously should be notified of any changes made to these documents. This should be clearly set out as follows: "5.6 Once adopted any changes to SPD's will be subject to formal consultation in accordance with the SCI before those changes are given weight in the decision making process."	SCI should say that any changes to an adopted SPD will be subject to consultation	No change needed	This suggestion is not necessary. Once an SPD has been adopted, it cannot be changed without following the process set out in regulations for producing an SPD - which includes consultation.	Richard Grant	Bovis Homes (SCI).pdf
13		Yes	1238260	Ian Jewson	Walsingham Planning	1003640		Bovis Homes Limited	Please see PDF for full set of comments. We would suggest paragraphs 8.1 and 8.2 are updated to be consistent with the NPPF. For instance it could make reference to Paragraph 40 in relation to LPAs encouraging applicants to consult the community: "They should also, where they think this would be beneficial, encourage any applicants who are not already required to do so by law to engage with the local community" Paragraph 8.3 lists particularly sensitive types of development which are also set out in the accompanying table on page 26 which sets out the LPAs requirements for publicity for each type of development. Reasoning should be provided relating to why these types of development are considered particularly sensitive with reference to the NPPF.	Community consultation requirements should be referenced against the NPPF	No change needed	The SCI is consistent with the provisions of the NPPF - no change required.	Richard Grant	Bovis Homes (SCI).pdf
14	Late comment	No				487799	Mr Dennis Silverwood	Tamerton Foliot Village Conservation Society	8.4 insert "The Council(s) will maintain a list of constituted societies and community interest groups and determine which are to be consulted as appropriate to the areas affected and to the nature of the applications." 8.5 What are the table headers? Add to rows "Departure from Development Plan and ProW" and " Affecting Conservation Areas" "e mail to constituted societies and community interest groups"	Further definition required on who is consulted for particular applications	No change needed	Community interest groups can register to receive the planning applications they wish to comment on through the PCC website. The Council welcomes the Plymouth Civic Society's greater involvement in the planning process and officers will meet with the Plymouth Civic Society to explore how this can be achieved in a practical way and how comments set out here can be accommodated.	Richard Grant	

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Not for Publication

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

Report to: **Executive**

Date: **19 March 2020**

Title: **FOLLATON HOUSE: STRATEGIC ACCOMMODATION REVIEW**

Portfolio Area: **Place and Enterprise**  
**Cllr David May/Cllr Nicky Hopwood**

Wards Affected: **none**

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

Date next steps can be taken: following the Council meeting held on 26 March 2020

Author: **David Parkes** Role: **Senior Specialist Assets**

Contact: **01803 861053** [david.parkes@swdevon.gov.uk](mailto:david.parkes@swdevon.gov.uk)

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## RECOMMENDATION

**That the Executive RECOMMEND to Council that:**

- 1. South Hams District Council remains at Follaton House for the foreseeable future recognising that the net accommodation costs (£150,000 as set out in 4.4.) represent good value for money;**
- 2. The Council considers introducing commercial weddings in the Listed Building with effect from 2021, and that officers procure a detailed cost plan and tender for associated improvement works to the House and Garden. A sum of up to £30,000 is allocated from the Land and Development Earmarked Reserve for this purpose; and**
- 3. A sum of £25,000 is allocated from the Land and Development Earmarked Reserve to undertake infrastructure improvements to Follaton Arboretum to enhance use of the site by staff, tenants and visitors and also to support biodiversity and carbon capture in response to the Council's commitment to tackle climate change. This funding would enable match funding to be sought for improvement works.**

## **2.0 Executive summary**

- 2.1 This report updates Members on the work of the Accommodation Working Group (AWG) in considering future plans for Follaton House.
- 2.2 The AWG have considered the net running costs of Follaton House against the costs of relocating to a new office in the district and concluded that staying at Follaton House represented good value for money at a total net cost of £150k per year as set out in 4.4.
- 2.3 This report goes on to examine how Follaton House and its grounds may be adapted for future use, extending the use of the Listed Building (The House) for weddings and events; and developing the Arboretum as site of educational and recreational interest.

## **3.0 Background**

- 3.1 In March 2019 the Executive agreed

*to appoint a members-led working group to review options presented to the Executive for the Council to either remain at Follaton House or relocate offsite to new accommodation*

- 3.2 Following the Joint Councils' LGA Peer Assessment last year, a review took place of options to streamline the services and facilities of both Councils including the potential to co-locate to a centralised area such as Ivybridge.
- 3.3 The findings of this relocation study was that despite a number of limitations in the use of a listed building, there is not a financial business case to move the Council to alternative premises at this time. West Devon Borough Council have similarly concluded that it would be in their best interest to stay at Kilworthy Park, Tavistock.
- 3.4 The assessment took into account
  - That there are no suitable options for relocation within the District. Moving would therefore require the development of new premises
  - The current running costs of Follaton House (FH) compared to a hypothetical tenancy and the running costs of a new building
  - The capital value of FH were it be disposed of
  - The cost of building a new HQ building
  - Opportunities to improve revenue at FH



#### **4.0 To Stay or Move**

- 4.1 The Accommodation Strategy report to Executive in March 2019 outlined consideration of the various advantages and disadvantages of the Council moving from Follaton House to somewhere on the A38 such as Ivybridge. It recognised that the Council currently occupies only half of the commercial floorspace in the building and that further rationalisation of space was likely in the future.

It acknowledges that Follaton House is, by reference to modern standards, inefficient in terms of layout and energy use. However the affordability of this proposal has to be considered alongside the benefits of relocation.

#### **Current costs of FH**

- 4.2 The Council currently occupies about 2,500m<sup>2</sup> (58%) of the usable space in the buildings. Some 1,600m<sup>2</sup> (36%) is let to tenants such as Devon County Council (DCC) and Public Health England and a further 220m<sup>2</sup> (6%) is vacant.
- 4.3 The table at Appendix A illustrates that in 2018/19 Follaton House cost in excess of £500,000 per annum to maintain and run. This cost is offset by rents, hirings and service charge income received from tenants. Taking all this into consideration the annual cost to the Council last year was c.£240,000 pa (£100 psm or £10 psf overall). The total costs (including business rates) of the Council renting similar sized space in the commercial market could be two to three times this level.
- 4.4 The Council's occupation costs of Follaton House are further reduced by a supplemental payment by West Devon Borough Council, currently £90,000 pa. This payment reflects the cost of the shared service provision and the far greater footprint used at Follaton House for the provision of some frontline services (call centre) and all back office functions. This figure is currently being reviewed. The net costs of £150,000 pa (£240,000-£90,000 as above) represents good value for money relative to commercial costs in this area.
- 4.5 There is potential to reduce the Council's direct costs of occupation further as their level of the Council's occupancy reduces and the level of third party lettings increases

### **Cost of moving**

- 4.6 Assumptions outlined in the Accommodation Strategy Executive report March 2019 were
- i. Relocation would require the development of a new building
  - ii. The Council might reduce its office space requirement by a third through efficiency measures if it moved to modern premises
  - iii. Continuing to hold Follaton House as a commercial investment would be high risk and this therefore should be sold to offset development costs. The potential sale value however is unlikely to exceed £2m
- 4.7 Based on building new offices of 1500m<sup>2</sup> with a further 500m<sup>2</sup> for Council Chamber and Members' rooms; the overall building and moving costs are estimated to be in excess of £7m.
- 4.8 The costs might be reduced if the Council Chamber and member services could be provided off-site as a shared facility in an existing building such as the Watermark Centre at Ivybridge. In this case the estimated cost of the office building of 1500m<sup>2</sup> would be £5.5m
- 4.9 The offset value of Follaton House could potentially reduce these costs by £2m. The sale value of Follaton would ultimately depend on the viability of an alternative use and predictions cannot be made accurately but this figure has been supported by some market testing and advice from JLL consultant valuers (summary attached at Appendix B).
- 4.10 The conclusion is the Council would need up to £5m of additional capital funding to fund a move to new premises.
- 4.11 The Council would not be expected to make savings on the annual running costs, as cost reductions in adopting a smaller and more efficient floorplate would be offset by higher business rates charges.
- 4.12 The cost of borrowing the capital to fund a development of this size would be expected to add £175,000-£250,000 to the operational property costs.
- 4.13 It is not envisaged that the Council would have either the capital reserves or the additional revenue budget to fund this commitment.

## **5.0 Future options for use of Follaton House**

- 5.1 The Listed Building (The House) is currently used during the week both as members' areas and also for functions and meetings. Rooms are hired out on an informal basis to tenants and third parties and are to Devon County Registrars on Fridays and Saturdays for wedding services. The first floor is occupied by the AONB team and Electoral services and is part vacant.
- 5.2 DCC Registrar is an office tenant and Follaton House is licenced as a Registry Office for wedding services. Around 142 such services were held last year at the property for which the Council received a room hire fee based on the hourly charges the Council makes for other tenants. The annual revenue from Weddings totalled under £5,000 last year and from room hirings to other parties around £8,000 pa.
- 5.3 The scope for increasing room hire charge rates for Registrar wedding services appears limited. The current charges are in line with the hire charges the DCC Registrar pays elsewhere and they stress their aim is to provide an affordable option. Members should note that there are existing bookings for registry office weddings at Follaton until end 2020.
- 5.4 The Council could however terminate the current arrangements with DCC Registrar and extend the facilities of the house and grounds to provide a commercial wedding venue able to facilitate reception and dining events more in line with those offered in the area at Dartington or Sharpham Estates or Kingston House.
- 5.5 The building adapts well for this use without the need for significant alterations, however improvements would need to be carried out to the House and Grounds which are likely to include:-
- i. Upgrading the front entrance and car park
  - ii. Refurbishment and refitting of toilet facilities (including providing full access facilities)
  - iii. Installing a new commercial kitchen and potentially resiting Follies to provide catering for staff and tenants within the main building.
  - iv. Relocating the existing members' rooms and Leaders office to the first floor.
  - v. Refitting the member's area to provide a new guest lounge leading to a new terrace and into the Formal Gardens.
  - vi. Improvements to the Gardens including all ability access and providing service connections for a Marquee.
  - vii. Adapting space for a Bridal suite on the first floor
  - viii. "De-Councillng" the building and redecoration (inside and out). Upgrading lighting

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

ix. Providing new furnishing and fittings

- 5.6 Clarification of the extent and costs of these works is required in order to prepare a business case which would be brought back to the Executive for approval.
- 5.7 It is therefore proposed that a limited sum is made available from the Land and Development Earmarked Reserve to undertake a more detailed design and specification work and review requirements for statutory consents.
- 5.8 In planning terms this would constitute a change of use and therefore both Planning and Listed Building Consents will be required as well as Building Regulations and Events Licence.
- 5.9 On the face of it this presents an opportunity for generating future revenues that could offset the ongoing maintenance costs of the building.
- 5.10 AWG have indicated that an incremental approach to introducing weddings would be favoured. Whilst a number of comparable venues do offer overnight accommodation for wedding guests it is not proposed this would be offered at Follaton House in the first instance but rooms could be adapted from the upper floor accommodation at a later date subject to a business case.
- 5.11 It is not envisaged that the Council would take responsibility for event management but would work in partnership with a specialist Wedding Planner who would provide a range of services to the bridal party. Three such organisations have been consulted.
- 5.12 During the working week it is envisaged the House would continue to function as a facilities block for use by the Council, its tenants and outside organisations with the four main rooms (plus a new guest lounge) available to book for meetings and conferences.
- 5.13 Subject to the business case being approved, it is suggested that the Council also considers resiting the on-site staff canteen from Follies utilising the new commercial kitchen to provide lunches for staff, tenants and guests with the capacity to cater for weddings and functions as required. The costs would be offset by refurbishing and reletting the existing Follies premises as offices.
- 5.14 Project timescales
- |                |   |
|----------------|---|
| March 2020     | Report to Executive with recommendation for the Council to remain at Follaton House |
| April-May 2020 | Refine budget estimates and business plan for introducing weddings                  |

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

May 2020	Report to Exec seeking approval of business plan Planning & Listed Building application Building regs Contract Procurement Marketing Plan
Sept to Mar 2021	Building works
October 2020	West Country Wedding Fair
Spring 2021	SW Wedding Fair Exeter
Summer 2021	Weddings commence

## **6.0 The Follaton Arboretum**

- 6.1 The Arboretum was first laid down in 1992 since when there has been relatively little capital investment and much of the infrastructure (paths, seats and signage) is now in need of repair or replacement.
- 6.2 Whilst volunteers and community organisations have contributed to its routine maintenance there is a general lack of coordination or strategic focus in these initiatives.
- 6.3 The redesignation of the Arboretum as public open space is seen as an opportunity to redefine the nature and use of this space and set out a strategic vision for its future use and management.
- 6.4 For the present the Arboretum will continue to be owned and managed by the Council, however the Council is open to the possibility that this asset could be transferred to a suitable community-led organisation in the future providing the long term management for the benefit of the community would not be compromised.
- 6.5 A stakeholder meeting was held in July 2019 to bring together District and Totnes Town Councillors along with officers and organisations that had previously been involved in activities at the Arboretum. This included the Incredible Edible and Forest Farming Groups supported by Transition Towns Totnes.
- 6.6 Initiatives discussed and considered at this meeting included
- i. The need for a strategic management plan that reflected wider community; education and biodiversity themes as well as developing a long term plan for the Arboretum.
  - ii. Better control of activities such as tree planting to ensure this fitted the broader objectives.
  - iii. Review of hard landscaping including boundary fences; paths; new seating and bins etc.

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

iv. New signage, information boards and labelling of significant trees and memorial trees

- 6.7 Landscape consultant Keith Rennells was appointed to support the development and implementation of an improvement plan and this is attached at Appendix C.
- 6.8 The costs of undertaking these improvement works are estimated at £50,000 over three years. It is recommended that the Council make available £25,000 from the Land and Development Earmarked Reserve as a catalyst to seek match funding for the balance to be funded from external funds such as the National Lottery.
- 6.9 Plans for the Arboretum will continue to develop in consultation with the Accommodation Working Group; the Council's landscape and maintenance teams and the wider community

**7.0 Outcomes/outputs**

- 7.1 The primary intention in this accommodation review is to ensure the Council's assets are fit for purpose for the foreseeable future. The decision to stay at Follaton House enables the Council to more clearly plan for its future.
- 7.2 It is recognised that the state of repair and decoration of the Old House has been in decline and modernisation and improvement work is much needed.
- 7.3 The improvement plan is intended not only to ease the revenue burden on the Council through generating income from third party activities, but also to improve the facilities for staff and tenants
- 7.4 Opening the House to Weddings and/or conferences as well as expanding the use of the offices and facilities and profiling the use of the House, Gardens and Arboretum would increase access to these facilities by local businesses and the wider community.

**8.0 Options available and consideration of risk**

- 8.1 Generating revenues from weddings and functions will help to defray future maintenance costs of the listed building and reduce the financial burden on service charges.
- 8.2 Much of the expenditure proposed will be reflected in improvements to the existing building and contribute to its ongoing upkeep and maintenance.

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

- 8.3 The investment in the refurbishment and reuse of the House could be phased to include the provision for a new canteen at a later date and also conversion of the first floor residential suites when demand is established.
- 8.4 Relocating the Members area to the first floor would leave the ground floor of the House as a dedicated facilities suite with new catering facilities. Members would have access to lifts and meeting rooms and would be located closer to officers on the second floor.
- 8.5 Capital improvement works to the Arboretum would have no direct revenue benefit but would demonstrate a commitment to the Council’s policies of community engagement; health and welfare and response to supporting the environment and climate change. It is an amenity that adds value to working at or visiting the site.

**9.0 Proposed Way Forward**

- 9.1 The Executive is invited to consider the implications of this report and endorse the recommendations for the Council to
  - a. remain at Follaton House for the foreseeable future
  - b. agree to investigate introducing commercial weddings in the Old House and Gardens at weekends with effect from 2021.
  - c. proceed with plans for expanding use of the Arboretum and to enable applications to be made for joint funding.

**10.0 Implications**

Implications	Relevant Y/N	Details and proposed measures to address
Legal/Governance	Y	<p>Duty of care and insurance provisions will need to be reviewed. Events licence would be required along with consents for works to a listed building.</p> <p>Partnership agreement with third party wedding planner would be subject to further negotiation. This would be a hiring agreement. No property rights or obligations would be created.</p> <p>Appendices A &amp; B of this report contain potentially exempt information as defined in Paragraph 3 (information relating the financial or business affairs of the Council or a third party) Part 1 of Schedule 12A to the Local Government Act 1972. The there are grounds for the publication of these</p>

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

		<p>Appendices to be restricted because they contain commercially sensitive valuation figures it is recommended that these are considered in exempt session. The public interest test has been assessed and it is considered that the public Interest will be better served by not disclosing the information in the Appendices.</p>
<p>Financial implications to include reference to value for money</p>	<p>Y</p>	<p><b>Relocation option</b>  Capital cost of relocation estimated at £5.5-£7m. Expected value from resale of Follaton House £2m. No anticipated revenue cost savings. Loan repayments would double the level of existing outgoings. Not considered value for money</p> <p>Recommendation for SHDC to remain at Follaton House for the foreseeable future recognising that the net accommodation costs (£150,000 as set out in 4.4.) represent good value for money.</p> <p><b>Wedding Venue</b>  Costs to be clarified in the business plan. It is recommended that a sum of up to £30,000 is allocated from the Land and Development Earmarked Reserve for this purpose.</p> <p><b>Arboretum</b>  SHDC contribution to expanding the use of the Arboretum £25,000  It is recommended that a sum of up to £25,000 is allocated from the Land and Development Earmarked Reserve for this purpose.</p>
		<p><b>Relocation</b>  Risks are greater in moving than staying at Follaton House. These would include</p> <ul style="list-style-type: none"> <li>• Cost risk</li> <li>• Funding risk if finance is not available (i.e. borrowing for a relocation project)</li> <li>• Follaton House may not achieve expected value</li> <li>• Operational disruption and costs of move</li> <li>• Political risk of future changes to the Council's structure</li> </ul> <p><b>Weddings</b></p>



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

		<ul style="list-style-type: none"> <li>• Risk would be minimised by working in partnership with wedding planner and clarifying costs and statutory consents prior to final approval</li> <li>• Risk that Business Rates may be reassessed due to change in use.</li> </ul> <p><b>Arboretum</b></p> <ul style="list-style-type: none"> <li>• H&amp;S risks with decaying infrastructure</li> </ul>
Supporting Corporate Strategy		Assets/ Enterprise Best use of assets
Climate Change - Carbon / Biodiversity Impact		<ul style="list-style-type: none"> <li>• Corporate carbon footprint review and sustainability plan in progress.</li> <li>• Arboretum. Tree planting and management. Local harvesting. Education programme for biodiversity and habitats .</li> </ul>
<b>Comprehensive Impact Assessment Implications</b>		
Equality and Diversity		Issues to be addressed in business plan include mobility access to toilets and garden.
Safeguarding		None
Community Safety, Crime and Disorder		Weddings carry risk of disturbance. Events licence would need to be obtained.
Health, Safety and Wellbeing		Arboretum currently has H&S risks associated with outdated infrastructure.
Other implications		

**Supporting Information**

**Appendix A: Rent and Service Charges schedule (Exempt)**

**Appendix B: JLL valuation summary (Exempt)**

**Appendix C: Arboretum consultant report and summary costings**

**Background Papers:**

None

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# Follaton Arboretum

## Improvement Plan March 2020 – March 2023

### Background

For many years managed as stock grazed fields adjoining the House, the Arboretum covers an area of about 6 ha. With the building of the new offices in the early 1990s, the Council adopted a vision for an Arboretum, setting out a landscape of trees and shrubs, a suitable parkland setting alongside Follaton House. From the mid-1990s, specimen trees were planted, alongside wooded shelter belts, with paths and benches to provide access and enjoyment for the public.



### 1993 vision for the Arboretum

Over the last 25 years, the trees have matured, and been added to by a variety of local community groups, who have established their activities in ad hoc fashion. The site is used mainly by dog walkers, and in March 2019 the Council officially designated the Arboretum as Public Open Space. This included a new fence, installed to delineate the area of the Arboretum, separate from the more formal House and Gardens.

Follaton Arboretum has been in a state of gradual decline for a number of years; a combination of lack of capital investment, limited maintenance programmes and uncoordinated community activity has led to a position where its landscape value has declined, and its wildlife habitats are of poor quality. Furthermore, the Arboretum’s amenity and recreational value as open space has also been negatively impacted by aging infrastructure, meaning it has limited value for some sectors of the community.

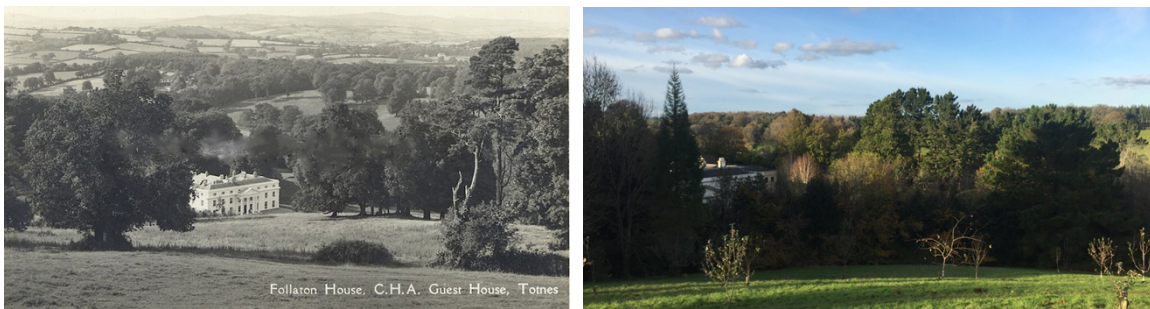
The time has come for a new strategic vision for the Arboretum, delivering a high quality landscape and thriving community space. A relatively small investment by the Council, matched by external funding, could result in potentially massive benefits in terms of community health and wellbeing, offsetting climate change, and aiding biodiversity.

## PHASE 1 – Planning the priority restoration works

A lack of capital investment over recent years has led to a reduction in quality of key elements:

- Specimen trees are in need of urgent pruning works
- Wooded shelter belts require active management
- Meadow grassland is being invaded by ‘scrub’ from the margins
- The ‘all access’ path has eroded and is unusable for those with disabilities
- Signage, benches and other furniture have decayed and need replacing

Although there is a limited grounds maintenance and repairs programme, the overall feel is of an area in decline, which has lost sight of its original vision, and isn’t fulfilling its potential as a community asset. Indeed, it would be fair to say that the Arboretum is currently only serving a small proportion of the general public.



*Then and now – views have been lost as the site has become overgrown*

## Moving forward – a strategic vision and 3 year action plan

The Arboretum should be a wonderful natural asset, both to the Council and people working at Follaton House, as well as for the local community and visitors from further afield. A mixture of specimen trees, meadow grassland, woodland and wetland areas makes it a potentially a very special place for people and wildlife.

The decline in the site, the loss of its impressive views – both close and distant – and reduction in quality of its natural features, cries out for a new vision, faithful to the Arboretum’s origins, but modernised to reflect current issues and interests. This can be captured in a new masterplan, implemented over 3 years, which sets out measures to bring new life to the area:

- **Landscape and biodiversity enhancement** – a programme of tree restoration, woodland management, meadow enhancement and wetland conservation, whilst opening up the original vistas, including views towards Dartmoor



- **Access and recreation improvements** – an upgrade to the Arboretum infrastructure, new signs, information boards, benches and bins, and repairs and improvements to the path network
- **Community and education development** – improved partnership working with the existing community groups, the creation of arts and educational trails and an outdoor events space, a broader appeal to a broader cross section of the community

## Climate and biodiversity

In July 2019, the Council declared both a Climate Change and Biodiversity Emergency. Capturing and storing carbon from the atmosphere is vital, and wooded sites absorb and lock up many tonnes each year, in trees, shrubs and soils. The Arboretum will already make some contribution to offsetting the effects of climate change, and will have some value for biodiversity.

This could be enhanced through an active conservation programme focusing on trees, wildflower and wetland habitats, these being central themes in the new vision for the Arboretum.



*Woodland, grassland and wetland habitats could be improved to aid biodiversity*

## 2 - Engagement

A stakeholder meeting was convened in July 2019, with broad representation of Town and District Councillors and community groups engaged in activities at the site. Issues of concern were discussed, and feedback received on current management and maintenance procedures. There was strong support for a programme of restoration and enhancement at the Arboretum, and community groups were keen to take part and buy in to a new vision.

The contributors to this meeting identified the new vision should include:-

- i. A strategic management plan that reflected wider community; education and biodiversity themes as well as developing a long term plan for the Arboretum.
- ii. Better control of activities such as tree planting to ensure this fitted the broader objectives.
- iii. Review of hard landscaping including boundary fences; paths; new seating and bins etc.
- iv. New signage, information boards and labelling of significant trees and memorial trees

- v. Clearance of bramble and scrub where this has encroached and overgrown areas around the House to open up views of the property
- vi. Creating space for organised events, education facilities and visits
- vii. Walking, running or biking trails and/or other recreation activities for people of mixed abilities to appreciate and enjoy the Arboretum
- viii. Assessment of the impact of the tree planting as a carbon sink to offset emissions created through other activities.

Following this meeting the Council engaged Keith Rennells of ParkLife South West to develop proposals to enhance the Arboretum as a Public Open Space, prepare some budget costings and to liaise with the active gardening groups and wider community interests in the area.

### Community partnerships

Groups who are, or have been, involved in managing areas of the Arboretum include:-

- **Incredible Edibles** – manage the community orchard trees and nut trees planted in areas of the Arboretum; they recognise the benefits of a wider improvement programme
- **SANDS** – the Stillbirth and Neonatal Death Society (SANDS) maintain the Littlefootprints Babyloss Memorial Garden; interested in entering a longer term licence agreement with the Council to maintain this area
- **Forest Garden Group** – manage the forest garden area, and keen to join forces with the Council and its partners in enhancing the setting
- **Trees for Health** – no longer active, but keen to ensure that the plantation is maintained as part of the Arboretum landscape
- **International Tree Foundation** – involved in the original planting plan; no longer active, but keen to be involved in restoration and enhancement programme

### Memorial Trees

It is also recognised that a number of trees have been planted in the Arboretum in memory of those who have now passed away. In many cases these trees have lost their identity tags and records need to be brought up to date.



*Community volunteering has been popular at the Arboretum*

The Plan will bring forward the vision of the Arboretum as a thriving community space be it for quiet relaxation, being physically active, for gardening, horticulture or wildlife conservation, or education.

The community will have an opportunity to engage with the consultation process early in 2020, giving time for feedback to be taken into account in the final masterplan for implementation from April 2020.

### Consultation timescale

**March/April 2020** – Funding applications and second stakeholders meeting.

**May 2020** – collation and assessment of feedback, updates to the enhancement plan

**From May 2020** – delivery of the enhancement plan in partnership with the community

### 3 - Improvement works plan 2020-2023

A budget has been identified for a three-year programme of works from April 2020 to March 2023 in order to restore and enhance the Arboretum. It is proposed that the works budget, in the order of £50,000 as set out below, would be made up in part from Capital Grant from the Council and in part by external grant funding.

<b>Project</b>	<b>Elements</b>	<b>2020-21</b>	<b>2021-22</b>	<b>2022-23</b>	<b>Total</b>
		<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>
Signage and furniture	Visitor welcome signs, benches, bins, gates, fencing, gazebo, information and interpretation boards	8500	1800	1800	<b>12100</b>
Access for All path	Repairs to existing path and extension to complete circuit and access to viewpoint	16000			<b>16000</b>
Events, recreation activities	Create event space, linking paths, arts trail, bbq area etc.	3800			<b>3800</b>
Specimen and memorial trees	Restoration, enhancement works, inc. tree information and education	3200	1500	1500	<b>6200</b>
Woodland biodiversity	Including educational trail and habitat management	3500	1700	1700	<b>6900</b>
Meadow grassland restoration	Enhancement of grassland areas as wildflower meadows	1000	1000	1000	<b>3000</b>
Viewpoints and amenity works	Opening up of views of house frontage and distant views; hedge management	2000			<b>2000</b>
		<b>38000</b>	<b>6000</b>	<b>6000</b>	<b>50000</b>

## 4 - Funding options

Works to the Arboretum could potentially attract funding from a variety of sources. As Public Open Space it will meet the eligibility criteria for funders seeking to support health and wellbeing, landscape and biodiversity improvements, access for people with sensory and mobility impairments, educational activities and measures to offset climate change.

For wellbeing programmes like walking and gardening for health, every £1 invested can lead to a £5 saving for the NHS, by way of reduction in treatments and drugs, so encouraging people to be physically active at the Arboretum has much wider benefits to society.

The value of well-maintained trees and woodland, and of habitats that support bees and other pollinating insects, is being increasingly recognised in helping to offset the effects of the climate and biodiversity emergencies.

Grants may be typically awarded at 50% of the total project cost, and the working assumption is that a capital allocation of £25,000 would be a catalyst to attract external funding to deliver this programme. Potential sources of external funding might include:-

<b>Grant Fund/Source</b>	<b>Purpose and award</b>	<b>Timescale</b>
National Lottery Awards for All	Up to £10k for improving the places and spaces that matter to communities	Rolling programme – up to 18 weeks for a decision
Naturesave Trust (based Totnes)	Environmental conservation projects up to £5k	Rolling programme – 6 to 8 weeks for decision
Claire Milne Trust (Devon)	Unspecified grants for disabled access projects (ie path)	Applications received quarterly by trustees
Elmgrant Trust (Dartington base)	Unspecified grants for welfare projects through education, arts	Trustees review 3 times/year
Totnes Trust (Totnes based)	Unspecified grants for environmental regeneration	Ongoing application process
David Gibbons Foundation (Devon)	Typically up to £1.5k for projects benefitting physical disability	Applications received quarterly by trustees
Devon Community Foundation	Up to £5k for helping to strengthen communities	Under review – relaunch Autumn 2020

## 5 - Outcomes: a new vision for the Arboretum

It is clear that the Arboretum is a community asset that isn't currently as good as it could be. Much of the infrastructure has become time expired, and its natural assets, the trees and other wildlife habitats, are in need of some urgent work to restore their value. In addition, the piecemeal and uncoordinated community activity, whilst generally a force for the good, has at times been at odds with the Arboretum landscape.

The plan now is to change this; to bring all activity into a single vision for the Arboretum. Going back to the original 1990s plan, a place where specimen trees from around the world sit together in an attractive collection with trees labelled with information about their natural history and place of origin.

Lost vistas should be opened up, including distant views to Dartmoor, views towards the Castle, and more closely to open up views of the front of Follaton House. And reopening views around the Arboretum will make it a more enjoyable place to visit.

Woodland, wetland and grassland habitats should be better managed for biodiversity. Visitors, especially those with mobility difficulties will once more be able to use the zig zag path to the top, and signs, information boards, benches and bins will all be upgraded to a quality worthy of the impressive parkland setting.



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