

South Hams Executive



Title:	Agenda
Date:	Thursday, 22nd October, 2020
Time:	10.00 am
Venue:	Via Skype
Full Members:	<p style="text-align: center;">Chairman Cllr Pearce</p> <p style="text-align: center;">Vice Chairman Cllr Bastone</p> <p><i>Members:</i> Cllr Hopwood Cllr Hawkins Cllr Baldry Cllr May</p>
Interests – Declaration and Restriction on Participation:	Members are reminded of their responsibility to declare any disclosable pecuniary interest not entered in the Authority's register or local non pecuniary interest which they have in any item of business on the agenda (subject to the exception for sensitive information) and to leave the meeting prior to discussion and voting on an item in which they have a disclosable pecuniary interest.
Committee administrator:	Democratic.Services@swdevon.gov.uk

1. Minutes	1 - 8
to approve as a correct record the minutes of the meeting of the Executive held on 17 September 2020;	
2. Urgent Business	
brought forward at the discretion of the Chairman;	
3. Division of Agenda	
to consider whether the discussion of any item of business is likely to lead to the disclosure of exempt information;	
4. Declarations of Interest	
Members are invited to declare any personal or disclosable pecuniary interests, including the nature and extent of such interests they may have in any items to be considered at this meeting;	
5. Public Question Time	9 - 10
a period of up to 15 minutes is available to deal with questions submitted to the Council in accordance with the Executive Procedure Rules;	
6. Executive Forward Plan	11 - 16
7. Medium Term Financial Strategy for the five years 2021/22 to 2025/26	17 - 48
8. Capital Programme Monitoring	49 - 80
9. Housing Strategy: Progress Update	81 - 110
10. Waste & Cleansing Contract Performance	111 - 120
11. Gypsy & Traveller Report	121 - 150
12. Track and Trace Hardship Payments - Use of Urgency Powers Provisions	151 - 196
13. Grant Award	
To follow	

**MINUTES OF A MEETING OF
THE EXECUTIVE
HELD VIA SKYPE ON THURSDAY 17 SEPTEMBER 2020**

Members in attendance by skype:			
* 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)

Also in attendance
Cllrs Abbott, Birch, Brazil, Holway, Long, O’Callaghan, McKay, Pennington, Reeve, Smerdon, Spencer, and Sweett

Officers in attendance and participating		
All items		Chief Executive; Director of Place and Enterprise; S151 Officer; Director of Governance and Assurance; Democratic Services Manager; Head of Housing, Revenues and Benefits; Head of Assets; Head of Strategy and Projects; Specialist Democratic Services

E.10/20 MINUTES

The minutes of the Executive meeting held on 30 July 2020 were confirmed as a true and correct record.

E.11/20 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.12/20 PUBLIC QUESTION TIME

No questions were received.

E.13/20 EXECUTIVE FORWARD PLAN

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

E.14/20

REPORTS OF OTHER BODIES

i)

Overview and Scrutiny Panel – 16th July 2020

O&S.4/20 – Homelessness Strategy Action Plan 2020/21

RESOLVED

That, with effect from 1 April 2020, the Executive adopt the Homelessness Strategy Action Plan 2020/21 (as attached at Appendix 3 of the presented report to the Panel).

ii)

Joint Development Management Committee and O&S Panel – 3rd September 2020

The Leader informed that Minutes OSDM.10/20 (Draft Amended Budget 2019/20) and OSDM.11/20 (Recovery Plan to the COVID-19 Crisis) were to be read in conjunction with agenda items 7 and 8 below (Minutes E.15/20 and E.16/20 below refer).

E.15/20

RECOVERY PLAN TO THE COVID-19 CRISIS

The Leader introduced the report and drew attention to the fact that this was the first time that the Executive had had the opportunity to review the draft Plan, and, as outlined in the report presented to the Joint Meeting of the Overview & Scrutiny (O&S) Panel and Development Management Committee, work would continue to be led by Members of the Executive under the themes set out in the current strategic framework.

Therefore, the Leader requested that the Chairmen of the O&S Panel and Development Management (DM) Committee consider withdrawing recommendation 6 from the Recommendations to Council as the establishment of a Working Group was not considered appropriate. Regarding recommendation 7, the Leader also clarified that it would not be possible to request that a member of Team Devon provide a Member Briefing, as Team Devon was a concept and not a specific group. The Leader confirmed that Team Devon had long existed but had strengthened during the pandemic and included other Local Authorities and stakeholders from across Devon, excepting Plymouth City Council and Torbay Council. The Leader asked officers to provide an enhanced explanation of this in the internal Members' Bulletin publication this week. It was hoped that this explanation would result in the recommendation to Full Council on 24th September 2020 being withdrawn at that meeting. The Executive thanked the O&S Panel and DM Committee Members for their input to reach this point.

Under Paragraph 13 of the presented agenda report, the Executive then laid out their priorities:

The Leader commented that improving the Council's reputation was key to the Recovery Plan as was ensuring that the Council worked at all times for the well-being of residents and businesses in the District.

The Deputy Leader then stated his belief that the priorities for the Business and Economy Theme were to understand and represent key business sectors in South Hams to facilitate better business for all to create business to business links to further best practice, to provide a channel to lobby and influence, and to improve access to Central Government and other support where the District Council was best placed to help. The Council should also wish to align its commercial strategy and land assets to deliver projects with multiple objectives, such as regeneration, revenue, housing and employment. In addition, the Council should take an active role in promoting tourism, working with partners and stakeholders across Devon. Work with partners to support the evolution of the 'High Street' creating place, fostering change and putting the community first. This priority was added as a response to how village shops had supported their communities through the Covid pandemic. The Deputy Leader concluded that his final objective was to work with partners to support green recovery and the principle of building back better.

Theme 2 Place and Environment Lead Member, the Leader, stated her view that the objectives under this theme should be to protect and enhance the beauty and character of the built and natural environment in South Hams. A further priority she considered was that the Council sustained and supported the vibrant towns and villages through the delivery of the Joint Local Plan, and by providing housing for the community, and that the Council should support a sustainable and resilient South Hams in line with the Council's commitments on climate change, including the identification of nature corridors and land use strategies to support the Council's biodiversity objectives.

The Lead Member for communication and service delivery then gave her objectives: Following the Council's 'Transformation 18 Programme', officers were perfectly set to be able to work from home with no detrimental impact on services, first with the 'Beast from the East' storm in 2019, then when the Covid Pandemic crisis. Members were also introduced to remote working arising from the Pandemic lockdown and all had responded well. The Member was strongly of the view that the Council now needed to concentrate on communication with its partners and communities, ensuring greater connection with those who use our services. Any future role of the Follaton House, Totnes site needed to be explored, whilst the Council continued to work remotely with some Council meetings being taken around the District, with venues reflecting the agenda. Council communications needed to be more relevant to our residents, with the reinstatement of the Residents Forum being investigated. The Member was also convinced that the use of social media had to be enhanced, increasing communication of daily tasks, for example letting a community know when their play park was being inspected, or their streets cleaned: simple messaging that was engaging and tackling real issues. The Council provided many great services that were not known of by residents and of which the Council could be justifiably proud. The Council should also build on the community groups that either grew out of Covid-19 and those that existed prior to the pandemic – mapping the groups to help the Council to identify and support the most vulnerable to achieve better outcomes and ensure that

work was not duplicated. The Member stated that this recovery plan was the start of modernising the Council and ensuring it was an outward facing organisation. From this, therefore, it was apparent that the Council required a new strategy to collate all learning achieved over the last months with the momentum and community spirit within South Hams captured and built on. The Member felt these were exciting times, improving communication and building on relationships with all residents and partners in South Hams.

The Lead Member for Health and Well-being began by thanking staff and residents for all the hard work that had been put in during the pandemic: he considered that the speed of response to the pandemic had been remarkable. The Member acknowledged the advances made in technological use by Members to enable working from home. Whilst he felt that the reputation of the Council had been dented by the aforementioned 'T18 Programme' and needed to be enhanced again. The Council needed to be supportive to all of its residents and communities ensuring that services were available when needed, and were quick, efficient, and easy to access. The Member outlined the main objective that South Hams District Council needed to be there for its local residents. To do this, he was of the view that there was a need to establish a Health & Well Being forum to build on the support developed recently, and thus ensuring sustainability for any future events, including a potential second wave of the pandemic. The Council needed to work with local Towns and Parish Councils to build community sustainability and self-help. Health and Well Being was the central thread to all services: housing, leisure, etc. For any residents facing unemployment, benefits and grants needed to be sourced quickly, efficiently, and as stress free as possible. The Member was looking forward to working with stakeholders, our community groups, and fellow Members irrespective of their political group.

The Leader of the Opposition, Lead Member for waste and environment, echoed the viewpoint that the response of residents during the pandemic had been tremendous. The Member thanked officers and Members for their input into the recent workshops and the resultant draft Plan. The ongoing Localities review needed to be finalised. The Member felt it was important to consider those working from home to ensure that anyone who was not able to do so easily could still be accommodated in alternative ways where it was operationally possible, although as a general rule remote working was the way forward. The Member felt it was important to enhance the condition of the beach and street scenes, for residents, businesses and visitors. Clearing of waste had been an issue this summer, therefore the efficient delivery of refuse and recycling changes were part of his objectives with a wish to increase recycling rates across the District.

The Leader then spoke on the governance theme, which included the way the Council worked and how services were delivered. The Leader felt it was now imperative that a review of the Constitution was undertaken to ensure it was more accessible and user friendly both to Members and members of the public, to reflect current and future practice. The Council must ensure it provided good service at good

value, at all times. The Leader also identified wider joint working and collaborative opportunities as important, but that they should not require structural changes. The Leader reiterated that there was no possibility of a merger with West Devon Borough Council, but, in the spirit of Team Devon and working better, any collaborative opportunities to save money and increase efficiency would be fully explored.

The final theme being financial stability, the Leader outlined one objective which was to ensure the future financial stability and sustainability of the Council as this was key to everything that the Council delivered. The Leader concluded by acknowledging the huge debt of gratitude owed to the Section 151 Officer, her team, and all the staff, for their work through the pandemic.

Following the objectives outlined above, the Leader added two further proposals to the report (recommendations 8 and 9). These were reviewed and explained that the officers would start working on developing a new corporate strategy to be taken to Council in May 2021, and the Governance theme be initially covered by the Leader working with officers, with changes being dealt with through the appropriate decision making process. The current strategy was acknowledged as having been developed by officers for the previous Council so it was agreed it was useful to have a new strategy for the new Council. The Strategy would cover the last two years of this Council and the first of the next, to allow the next administration to bed down and have time to develop its own strategy.

It was then **RESOLVED** that the Executive:

1. Note the Council's continuing response to the Coronavirus (COVID-19) Pandemic;
2. Note the outputs of the Member Workshops as detailed in Appendix 1 of the presented agenda report;
3. Note progress on the development of the Recovery and Renewal Action Plan ('the Plan');
4. Take into account the conclusions of the Joint Meeting on the Plan (that are set at Item 7b on this agenda (Minute OSDM.11/20 refers) and reflected in the updated Plan);
5. Request that an update on progress against development of the Plan be brought back to an additional Joint Meeting of the Overview and Scrutiny Panel / Development Management Committee to be arranged to take place at 2.00pm on 19 November 2020;
6. Note that the Joint Meeting has **RECOMMENDED** to Full Council that a Member Working Group be formed to oversee the work of the Responsible Team/Group/Strategy (as set out at Appendix 1 of the presented agenda report) specifically the Recovery Management Team. The remit of this Working Group being to set priorities and direct officers accordingly, with this Group to become effective immediately following the Full Council meeting to be held on 24 September 2020;
7. Note that the Joint Meeting has requested that a representative and relevant officer be invited from Team Devon to an informal

meeting of all Members to set out its plans and actions in respect of all those items set out in Appendix 1 to the presented agenda report as being its initial responsibility for instigation;

8. Instruct officers to start working on the development of a new Corporate Strategy with a view to adoption by Full Council in May 2021; and
9. Request that, for the Governance theme, it initially be covered by the Leader of Council working with officers, with changes being dealt with through the appropriate decision making process.

E.16/20

AMENDED DRAFT BUDGET 2020/21

The Leader presented the amended draft budget report for 2020/21. One Member stated that he would have liked to move an amendment but had ascertained that there was no seconder, therefore he would be voting against the proposals. The Leader confirmed that a briefing note would be circulated by the S151 Officer that sought to clarify the purpose of unearmarked reserves. Although CiPFA (Chartered Institute of Public Finance and Accountability) no longer recommended a minimum level for unearmarked reserves, the amount suggested by the Section 151 Officer was in line with the previous recommendations.

It was then **RESOLVED** that the Executive **RECOMMENDED** to Council:-

- 1) That the ten options set out in 5.2 totalling £1,313,000, in order to produce an Amended Revenue Budget for 2020-21;
- 2) To replenish unearmarked reserves through a range of measures to be agreed as part of the medium term financial strategy (MTFS) as per 5.8;
- 3) To note the future capacity of reserves set out in 5.13 which may have to be called upon to meet any future financial challenges and/or additional requirements;
- 4) To earmark the funding within the Business Rates Retention Fund for employment land opportunities as set out in 8.7; and
- 5) To approve Tranche 4 of the Discretionary Business Grants Policy (attached in Appendix 2), to confirm that in accordance with the Government guidance, Town and Parish Councils are able to apply to the scheme if they meet the eligibility criteria (as Section 11).

E.17/20

SIGNING UP TO THE COASTAL CONCORDAT

The Leader introduced the Coastal Concordat paper which needed to be signed by all Coastal Councils. The Coastal Concordat provided a framework with which the separate processes for the consenting of coastal developments in England could be better coordinated. The benefits of working under the Concordat included upfront signposting to the right agencies for the applicant, reduced duplication of evidence requirements, streamlined regulatory processes with one body taking the lead for any required assessments, transparency and consistency of advice, time and cost savings for regulators and applicants, and met the commitments outlined in the 25 year environment plan. It was confirmed that there were no cost implications for the Council.

It was then **RESOLVED** that, with immediate effect, the Coastal Concordat be signed up to.

E.18/20

IVYBRIDGE REGENERATION PROJECT UPDATE

The Lead Member for Enterprise introduced the Ivybridge Regeneration update. Some Members noted their dismay with the lack of involvement and monies from both Ivybridge Town Council and the owners of the Glanville Mills Shopping Centre on the issue of renovating the bridges linking the town to the Centre.

Carparking plans were outlined and discussed with confirmation that the issue would be brought back to Members in December for a final decision. Following a question from a Member, officers clarified that the current proposal of the Council undertaking the construction and then leasing the building aligned well with the adopted commercial strategy (enhancing public assets, regeneration, long term revenue), whilst recognising that it did carry risks around construction. Disposing of the land (sell or long lease) was an alternative that the market would have interest in, but it would not deliver all of those benefits.

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

Further to the update provided by this report, the Council continue to support the project as it moves forward to planning and tender stage, with a decision on progressing the project further then being made at a subsequent meeting of the Executive and Council.

E.19/20

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.20/20

COMMUNITY HOUSING DELIVERY PROGRAMME: PROGRESS REPORT AND CAPITAL REQUIREMENTS

Members considered an exempt report on the above subject. One Member wished to have input on the procurement process and his offer of help was gratefully accepted.

It was agreed that a further Appendix on the cashflow position of the projects would be appended to the Council report.

There followed a full and frank discussion and it was then **RESOLVED** that:

1. The progress and spending commitments of the Community Housing Programme be noted; and
2. Approval be given to the signing of construction contracts to complete the St Anns Chapel and South Brent Developments; and

Council be **RECOMMENDED** to:

3. Approve Community Housing Development expenditure of up to £5.9 million to build out the first two Community Housing Schemes (St Ann's Chapel (13 units) and South Brent (17 units) as set out in the presented exempt agenda report; and
4. Approve funding of up to £5.9 million to build the schemes from a combination of internal borrowing and external borrowing (from the Public Works Loan Board).

(NOTE: THESE DECISIONS, WITH THE EXCEPTION OF E.15/20 PART 4, E.16/20, E.18/20 AND E.20/20 PARTS 3 AND 4 WHICH WERE RECOMMENDATIONS TO THE COUNCIL MEETING HELD ON 24 SEPTEMBER 2020, WILL BECOME EFFECTIVE FROM 5.00PM ON MONDAY 28 SEPTEMBER 2020 UNLESS CALLED IN, IN ACCORDANCE WITH SCRUTINY PROCEDURE RULE 18).

(Meeting commenced at 10:00 am and concluded at 11:55 am)

Chairman

PUBLIC QUESTIONS AT EXECUTIVE MEETINGS

The Council has agreed that 15 minutes should be set aside at the beginning its 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 Democratic Services (Democratic.Services@swdevon.gov.uk) 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; or is substantially the same as a question which has previously been put in the past six months.

For any further advice on questions for Executive meetings, please contact Democratic Services (Democratic.Services@swdevon.gov.uk)

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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 October 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)

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 861105 or by e-mail to democratic.services@swdevon.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

Portfolio Area	Report Title and Summary	Lead Member / Officer	Documents to be considered in making decision	Date of Decision	Consultees and means of Consultation
Strategy	<p>Title: Housing Strategy 2021-2026 Purpose of report: To seek Executive approval of the Housing Strategy priorities (based on the outputs from September 2020 Member Workshops) and the timeline & process for adoption of the Council’s Housing Strategy by April 2021.</p>	Cllr Pearce / Chris Brook	Report of Director of Place and Enterprise	22 October 2020	
Council	<p>Title: Medium Term Financial Strategy for the five years 2021/22 to 2025/26 Purpose of the report: To set the strategic intention for all of the different strands of funding available to the Council. This brings together all known factors affecting the Council’s financial position and its financial sustainability, to provide a long term financial forecast.</p>	Cllr Pearce / Lisa Buckle	Report of S151 Officer	22 October 2020	
Council	<p>Title: Capital Budget Monitoring Quarter 1 and Quarter 2 Purpose of report: The report advises Members of the progress on individual schemes within the approved capital programme for 2020/21, including an assessment of their financial position</p>	Cllr Bastone / Lisa Buckle	Report of S151 Officer	22 October 2020	
Environment	<p>Title: FCC Contract Review Purpose: To provide Members with a review of the FCC contract performance</p>	Cllr Baldry / Jane Savage	Report of Head of Commissioning and Contracts	22 October 2020	
Environment	<p>Title: Consolidation of Off Street Parking Places Order Purpose: To seek consolidation of approval for our off street parking order</p>	Cllr Baldry / Emma Widdicombe	Report of Senior Specialist Parking	22 October 2020	

Homes	Title: Gypsy and Traveller update and options Purpose of report: To provide an update to Members for future options on Gypsy, Traveller and Caravan dwelling community	Cllr Bastone / Alex Rehaag	Report of Senior Specialist Affordable Housing	22 October 2020	
Enterprise	Title: Release of S106 Funds for Affordable Housing Projects Purpose of report: To seek approval for Affordable Housing S106 expenditure on a Community Led Housing Scheme in Stoke Gabriel	Cllr Bastone / Cassandra Harrison	Report of Specialist (Place Making)	22 October 2020	
Homes	Title: Council Tax Reduction Scheme Purpose of report: To seek approval for revised Council Tax Reduction scheme	Cllr Hawkins / Issy Blake	Report of the Head of Housing, Revenues and Benefits	3 December 2020	
Council	Title: Write Off Report for Quarter 2 Purpose of report: The Council is responsible for the collection of: Housing Rents, Sundry Debts including Housing Benefit Overpayments, Council Tax and National Non-Domestic Rates. The report informs members of the debt written off for these revenue streams.	Cllr Bastone / Lisa Buckle	Report of Strategic Finance Lead	3 December 2020	
Council	Title: Revenue Budget Monitoring to October Purpose of report: 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	Cllr Bastone / Pauline Henstock	Report of Head of Finance	3 December 2020	
Council	Title: Draft Revenue Budget Proposals 2021/22 Purpose: To present Budget proposals for 2021/22	Cllr Pearce / Lisa Buckle	Report of Strategic Lead of Finance	3 December 2020	
Council	Title: Capital Budget Monitoring Quarter 2 Purpose of report: The report advises Members of the progress on individual schemes within the approved capital programme for 2020/21, including an assessment of their financial position	Cllr Bastone / Pauline Henstock	Report of Head of Finance	3 December 2020	

Enterprise	Title: Revision to the Commercial Investment Strategy Purpose: To incorporate the changes to the PWLB following the outcome of the consultation and make recommendations relating to regeneration.	Cllr Bastone / Chris Brook	Report of Director of Place and Enterprise	3 December 2020	
Environment	Title: Outcome of TAP Consultation on Parking Charges increase Purpose of report: To outline where the 4% increase in car parking charges, agreed at Full Council 13 th February, will be applied in SHDC car parks	Cllr Baldry / Emma Widdicombe	Report of Senior Specialist Parking	3 December 2020	outstanding issue of fee increase and also looking at car park management, perhaps to introduce ANPR (automatic number plate recognition) or barriers (linking in to Localities and enforcement) therefore broader piece of work may be required. Car parking and street car parking enforcement to be discussed with Devon County Council to talk to about joint enforcement.
Enterprise	Title: Regeneration Projects Update Purpose: to update the Council on any commercial investment opportunities	Cllr Bastone / Chris Brook	Report of Director of Place and Enterprise	3 December 2020	
Strategy / Homes	Title: To present for consideration the final draft Housing Strategy Purpose: To present the final housing strategy and the outcome of stakeholder consultation	Cllr Pearce / Issy Blake	Report of the Head of Housing, Revenues and Benefits	3 December 2020	
Council	Title: Draft Capital Programme Proposals 2021/22 Purpose: To present Capital Programme proposals for 2021/22	Cllr Pearce / Lisa Buckle	Report of Strategic Lead of Finance	3 December 2020	
Council	Title: Revenue Budget Monitoring Quarter 3 Purpose of report: A revenue budget monitoring report to monitor income and expenditure variations against	Pauline Henstock / Cllr Bastone	Report of Head of Finance	28 January 2021	

	the approved revenue budget for 2020/21, and to provide a forecast of the year end position				
Council	Title: Capital Budget Monitoring Quarter 3 Purpose of report: The report advises Members of the progress on individual schemes within the approved capital programme for 2020/21, including an assessment of their financial position	Pauline Henstock / Cllr Bastone	Report of Head of Finance	28 January 2021	
Council	Title: Write Off Report for Quarter 3 Purpose of report: The Council is responsible for the collection of: Housing Rents, Sundry Debts including Housing Benefit Overpayments, Council Tax and National Non-Domestic Rates. The report informs members of the debt written off for these revenue streams.	Lisa Buckle / Cllr Bastone	Report of Strategic Lead of Finance	28 January 2021	
Council	Title: Revenue Budget Proposals 2021/22 Purpose: To present Budget proposals for 2021/22	Lisa Buckle / Cllr Pearce	Report of Strategic Lead of Finance	28 January 2021	
Council	Title: Capital Programme Proposals 2021/22 Purpose: To present Capital Programme proposals for 2021/22	Lisa Buckle / Cllr Pearce	Report of Strategic Lead of Finance	28 January 2021	
Environment	Title: Grounds Maintenance – Business Plan Purpose of report: To seek adoption of the business plan following on from the Grounds Maintenance review	Cllr Baldry/Sarah Moody	Report of Business Manager – Case Management	28 January 2021	

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Agenda Item 7

Report to: **Executive**

Date: **22nd October 2020**

Title: **Medium Term Financial Strategy 2021/22 to 2025/26**

Portfolio Area: **Cllr J Pearce – Budget Setting Process**

Wards Affected: **All**

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

Date next steps can be taken: 3 December 2020
(Executive)

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

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

Recommendations:

It is recommended that the Executive considers the Medium Term Financial Strategy and recommends to Council:

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

Recommendation 2: To continue to respond to Government consultations on Business Rates Reform

Recommendation 3: To continue to actively lobby and engage with the Government, Devon MPs, South West Councils and other sector bodies such as the District Councils' Network and the Rural Services Network, for a realistic business rates baseline to be set for the Council for 2022 onwards, when the business rates reset happens.

Recommendation 4: That the Council continues to lobby in support of the Government eliminating Negative Revenue Support Grant in 2021/22 (and thereafter) and continues to lobby for Rural Services Delivery Grant allocations which adequately reflect the cost of rural service provision.

Recommendation 5: – That the Council maintains an Upper Limit on External Borrowing (for all Council services) as part of the Medium Term Financial Strategy of £75 million.

It is also recommended that the Executive:

- i) Notes the forecast budget gap for 2021/22 of £0.138 million (1.5% of the current Net Budget of £9.4million) and the position for future years.
- ii) Notes the current options identified and timescales for closing the budget gap in 2021/22 and future years, to achieve long term financial sustainability.

1. Executive summary

- 1.1 The Council's Medium Term Financial Strategy (MTFS) is based on a financial forecast over a rolling five year timeframe to 2025/26. The Council, along with other local authorities, has faced unprecedented reductions in Government funding. Between 2009/10 and 2020/21, the Council's Core Government funding has reduced by £4 million. The Council now receives **no main Government Grant (Revenue Support Grant)** – this has been reduced to zero.
- 1.2 South Hams has continued to work in partnership with West Devon Borough Council which has allowed South Hams to achieve annual savings of £3.9 million and more importantly protect all statutory front line services. Between both Councils the annual shared services savings being achieved are over £6 million per annum. However, the Councils continue to face considerable financial challenges as a result of uncertainty in the wider economy and constraints on public sector spending.
- 1.3 It is important to note that this Medium Term Financial Strategy (MTFS) sets out the budget strategy for the Council for the next five years, with regular reviews (at least annually) and updates when items are further known or are announced by the Government.
- 1.4 This is the starting point for developing a meaningful five year strategy that sets out the strategic intention for all of the different strands of funding available to the Council. The Council will then be able to rely on this to inform future decisions.
- 1.5 Covid 19 has caused financial strain for all Councils up and down the country where Councils find themselves being caught in a 'perfect

storm'. Councils have to manage both the increased costs of coping with Covid19 and supporting vulnerable people in the community and the loss of key income streams such as ferry income, car parking income, planning income and council tax and business rates income.

- 1.6 The factors affecting the Council's finances are issues affecting the whole Local Government sector. The Council is well-placed to meet the financial challenges arising from Covid19, due to its prudent financial management over previous years.
- 1.7 Due to the rapidly changing financial position, the Council is now undertaking monthly revenue budget monitoring reports (as opposed to quarterly). The latest revenue budget monitoring report for Month 3 (end of June) predicted a budget shortfall of £1.313 million for 2020/21. An amended balanced Budget for 2020-21 was set by Council on 24 September 2020.
- 1.8 The key assumptions within the Medium Term Financial Strategy are as below. Each of these is described in more detail in Section 4.
 - A one year 'rollover settlement' (with no negative Revenue Support Grant in 2021/22) is the most likely scenario now
 - The business rates baseline reset will be deferred until 2022/23
 - The Settlement Funding Assessment (SFA) will increase in line with inflation – this is essentially the business rates baseline and is the amount of money the Council retains from its share of the business rates income.
 - There will be a phasing in of negative Revenue Support Grant (RSG) as part of the business rates baseline reset with a transition period over three years, to avoid Local Authorities losing/gaining too much in one go
 - It is assumed Council Tax limits for District Councils will remain at the higher of £5 or 1.99% for 2021/22 onwards
 - It is assumed there will be one more year of the New Homes Bonus payments (as part of a one year 'rollover settlement') and legacy payments will be honoured and that the NHB payments envisaged will be used to finance the revenue base budget
 - A modest business rates pooling gain of £125,000 has been modelled for 2021/22 with no further gains for 2022/23 onwards. Business rates income is assumed to be down by 3%.
 - No council tax collection fund surplus has been assumed for any years going forward (normally the Council receive a surplus share of around £60,000 per annum) and it has been assumed that the council tax collection rate will reduce by 1%.
 - Rural Services Delivery Grant has been assumed to continue at the same level with a slight inflationary increase across the 5 years.
 - No permanent reductions to the Council's income streams (such as ferry income, car parking income, planning income etc. as a

result of the Covid pandemic) have been built into the Base Budget for 2021/22. This will be regularly monitored over the next few months. It is also awaited to see if the Government will implement a similar income compensation scheme for sales, fees and charges for Councils in 2021/22. This has been lobbied for through the South West Councils response to the Comprehensive Spending Review.

- The last pay award offer for 2020-21 was 2.75%. A 2% pay increase has been modelled from 2021/22 onwards (2% equates to £140,000).

1.9 The following table illustrates the predicted budget gap from 2021/22 onwards for the Council **as shown in Appendix B:**

Budget Gaps	2021/22 £	2022/23 £	2023/24 £	2024/25 £	2025/26 £	Total Aggregated Budget Gap £
'New' Budget Gap each year	137,871	483,624	425,590	435,609	445,630	1,928,325
*Cumulative Budget Gap	137,871	621,496	1,047,086	1,482,695	1,928,325	5,217,474

* (Cumulative Budget Gap assumes annual new budget gaps have not been addressed)

1.10 ***The forecast budget gap for 2021/22 is £137,871. This is 1.5% of the Net Budget of 20/21 of £9.4million.*** A cumulative budget gap of £621,496 is predicted for 2022/23 (the £621,496 assumes that the 21/22 budget gap of £137,871 has not been closed). The cumulative aggregated Budget Gap by 2025/26 is £5.2 million, if no action has been taken in each individual year to close the budget gap annually.

1.11 The Council awaits the details of the Government's Spending Review announcement which will enable the Council to further firm up some of the assumptions within the Medium Term Financial Strategy (MTFS). A further budget update report will be presented to the Executive in December. Further options for Members' considerations of how to close the predicted budget gap of £137,871 will be presented as part of this report.

2 COMPREHENSIVE SPENDING REVIEW 2020

2.1 The Autumn Budget was cancelled on 23 September 2020 because there is too much uncertainty about the UK's economic outlook. A statement from the Treasury said:

"As we heard this week, now is not the right time to outline long-term plans – people want to see us focussed on the here and now – So we are confirming today that there will be no Budget this Autumn."

2.2 Both the Chancellor and the Prime Minister have said that the Spending Review will go ahead as planned and will cover the years 2021-22 to

2023-24. The Institute for Fiscal Studies (IFS) has published an analysis in advance of the Spending Review later this year:
<https://www.ifs.org.uk/publications/15048>

2.3 The IFS recommends a one –year “spending round” rather than a multi-year Spending Review. There is a very good chance that the Spending Review will indeed be for only one year and that many of the significant decisions affecting local government over the medium term will therefore be delayed.

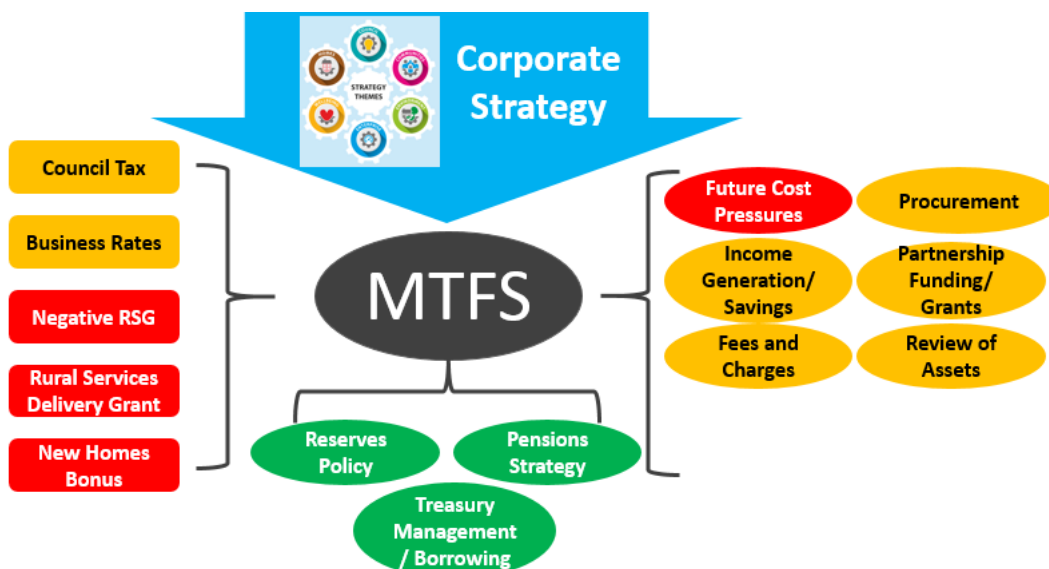
What are the implications for local Government?

2.4 It is expected that in 2021-22 there will be a **one year “rollover” settlement**, similar to that in 2020-21. A one year settlement has the advantage that it is simple, there is no redistribution of funds and it minimises financial pressure on individual Councils.

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

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

2020/21 Net Amended Budget £9.4 million



3.2 The key assumptions within the MTFs are as below. Each of these is described in more detail in Section 4.

- A one year 'rollover settlement' (with no negative Revenue Support Grant in 2021/22) is the most likely scenario now
- The business rates baseline reset will be deferred until 2022/23
- The Settlement Funding Assessment (SFA) will increase in line with inflation – this is essentially the business rates baseline and is the amount of money the Council retains from its share of the business rates income.
- There will be a phasing in of negative Revenue Support Grant (RSG) as part of the business rates baseline reset with a transition period over three years, to avoid Local Authorities losing/gaining too much in one go
- It is assumed Council Tax limits for District Councils will remain at the higher of £5 or 1.99% for 2021/22 onwards
- It is assumed there will be one more year of the New Homes Bonus payments (as part of a one year 'rollover settlement') and legacy payments will be honoured and that the NHB payments envisaged will be used to finance the revenue base budget
- A modest business rates pooling gain of £125,000 has been modelled for 2021/22 with no further gains for 2022/23 onwards. Business rates income is assumed to be down by 3%.
- No council tax collection fund surplus has been assumed for any years going forward (normally the Council receive a surplus share of around £60,000 per annum) and it has been assumed that the council tax collection rate will reduce by 1%.
- Rural Services Delivery Grant has been assumed to continue at the same level with a slight inflationary increase across the 5 years.
- The last pay award offer for 2020-21 was 2.75%. A 2% pay increase has been modelled from 2021/22 onwards (2% equates to £140,000).
- No permanent reductions to the Council's income streams (such as ferry income, car parking income, planning income etc. as a result of the Covid pandemic) have been built into the Base Budget for 2021/22. This will be regularly monitored over the next few months. It is also awaited to see if the Government will implement a similar income compensation scheme for sales, fees and charges for Councils in 2021/22. This has been lobbied for through the South West Councils response to the Comprehensive Spending Review.

OVERALL POSITION – BUDGET GAP

- 3.3 Financial modelling has been undertaken for the next five years to predict the Council’s financial situation for the short and medium term.
- 3.4 **Appendix A** to the Medium Term Financial Strategy sets out the Budget Pressures forecast for the next five years and the additional savings and income forecast. **Appendix B** illustrates the overall financial forecast for the forthcoming five years. The Council’s Net Budget is £9.4 million in 2020/21.
- 3.5 A Summary forecast is shown below of the potential budget situation if all of the budget pressures and the savings and income generation in Appendix A were approved. It also shows the situation if the Council Tax is increased by £5 per annum (shown in Appendix B).
- 3.6 The following table illustrates the predicted budget gap from 2021/22 onwards for the Council as shown in Appendix B:
- 3.7 The following table illustrates the predicted budget gap from 2021/22 onwards for the Council **as shown in Appendix B:**

Budget Gaps	2021/22 £	2022/23 £	2023/24 £	2024/25 £	2025/26 £	Total Aggregated Budget Gap £
‘New’ Budget Gap each year	137,871	483,624	425,590	435,609	445,630	1,928,325
*Cumulative Budget Gap	137,871	621,496	1,047,086	1,482,695	1,928,325	5,217,474

* (Cumulative Budget Gap assumes annual new budget gaps have not been addressed)

- 3.8 **The forecast budget gap for 2021/22 is £137,871. This is 1.5% of the Net Budget of 20/21 of £9.4million.** A cumulative budget gap of £621,496 is predicted for 2022/23 (the £621,496 assumes that the 21/22 budget gap of £137,871 has not been closed). The cumulative aggregated Budget Gap by 2025/26 is £5.2 million, if no action has been taken in each individual year to close the budget gap annually.
- 3.9 The Council awaits the details of the Government’s Spending Review announcement which will enable the Council to further firm up some of the assumptions within the Medium Term Financial Strategy. A further update will be presented to the Executive in December. Further options for Members’ considerations of how to close the predicted budget gap of £137,871 for 2020/21 will be presented as part of this report.

4 ASSUMPTIONS FOR FINANCIAL MODELLING PURPOSES

- 4.1 In the Medium Term Financial Strategy (MTFS), it has been assumed that the Settlement Funding Assessment (SFA) will increase in line with inflation.
- 4.2 The SFA is essentially the business rates baseline and is the amount of money the Council retains from its share of the business rates income. The breakdown of the increase in SFA for 2020/21 is shown below.
- 4.3 The 'Core Spending Power' is a headline figure used by MHCLG to represent the key revenue resources available to local authorities, including an estimate of actual and potential council tax, as below. The Council now receives no main Government grant (Revenue Support Grant).

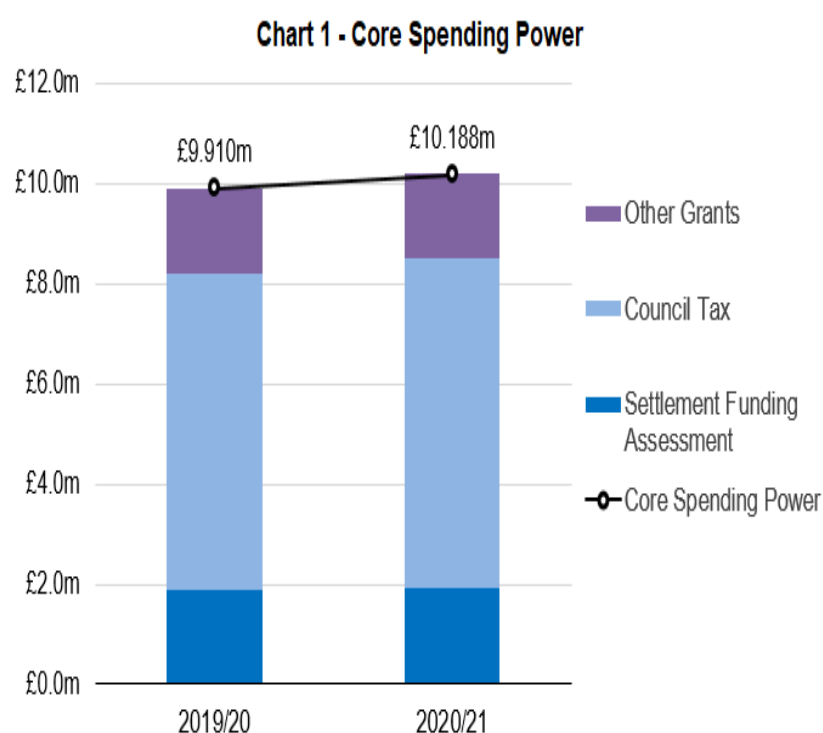


Chart 2 – Core Spending Power (£m)

	2019/20	2020/21	Change
Core Spending Power	9.910	10.188	2.81%
<i>Which consists of:</i>			
Settlement Funding Assessment (Business Rates Baseline)	1.897	1.928	1.63%
Assumed Council Tax	6.316	6.575	4.10%
New Homes Bonus	1.227	1.199	(2.28)%
Rural Services Delivery Grant	0.408	0.408	-
Other grants	0.062	0.078	25.8%

Business Rates and Negative Revenue Support Grant (RSG)

- 4.4 It has been assumed that the Business Rates Reset will be delayed to 2022/23. Whilst this change is not confirmed by MHCLG, a reset based on the current taxbase would appear very unlikely (e.g. the NNDR3 data (a Government return for business rates) for 2019/20 is not likely to reflect the potential business rates that authorities can collect in future years).
- 4.5 A one year 'rollover settlement' (with no negative Revenue Support Grant in 2021/22) is the most likely scenario now. This means the Council wouldn't have to forego some of its business rates income (£400,000) by paying some of it back to Government in the form of 'negative government grant' in 2021/22. Negative RSG is effectively the Council's further predicted funding cuts.
- 4.6 It is anticipated there will be a phasing in of negative RSG as part of the business rates baseline reset in 2022/23, with a transition period over three years, to avoid Local Authorities losing/gaining too much in one go. Some of the negative RSG is expected to be offset by growth being dispersed across as Local Authorities.
- 4.7 Estimates have been made of the business rates baseline funding levels for 2021/22 onwards and the relative deductions for negative RSG. For example in 2019/20, the £2.155m is the amount the Council retains from its business rates income collected of £30 million (the Council keeps about 7p in every £1 collected of business rates to fund its services). The Council responded to the Government consultation on the Call for Evidence on Business Rates Reform. A joint response was also sent by the Devon Business Rates Pooling partners.

	Business Rates Income projected in the MTFs (£m)					
	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26
Business Rates Income	2.155	2.350	2.398	2.344	2.387	2.320
Less: Negative RSG change to baseline need	0	0	(0.270)	(0.360)	(0.450)	(0.500)
TOTAL	2.155	2.350	2.128	1.984	1.937	1.820

Recommendation 2: To continue to respond to Government consultations on Business Rates Reform

Recommendation 3: To continue to actively lobby and engage with the Government, Devon MPs, South West Councils and other sector bodies such as the District Councils' Network and the Rural Services Network, for a realistic business rates baseline to be set for the Council for 2022 onwards, when the business rates reset happens.

Business Rates reliefs

- 4.8 Aside from the retail relief, the other variance expected in business rates income in 2020/21 will be due to the businesses failing and subsequent reliefs. This is forecast at a -3% reduction in 2020/21, with a further 3% reduction in 2021/22. It is too early to tell the implications for the economy of COVID, other than the more general expectations of negative growth. See 4.20 on the Collection Fund.
- 4.9 The net collectable debt for Business Rates is £18.6 million for 2020/21. Prior to the pandemic, this was predicted to be £30million and the additional NNDR reliefs for the total value of the expanded retail discount and nursery discount for 2020/21 total £13.778million. Therefore over £13.7million worth of the Council's normal business rates bills issued of £30million (46%) are entitled to 100% business rates relief and have no business rates to pay in 2020/21 due to the coronavirus expanded retail discount and nursery discount. This amount is being reimbursed to the Council by the Government through a Section 31 Grant.
- 4.10 The Council and SWCouncils are lobbying the Government for these business rates reliefs to continue into 2021/22. The Spending Review should indicate whether the Expanded Retail Discount and other business rates reliefs will continue into 2021-22. If the Retail Discount is discontinued, then this will place more pressure on business rates income for Councils in 2021-22. The detail of the Spending Review may not be announced until the provisional finance settlement in December 2020.
- 4.11 By August 2020, the Council has collected 46.37% of the net collectable debt. This is 2.78% lower than August 2019. Hence a reduction of 3% is assumed. The 2019/20 collection rate for South Hams for business rates was 98.67%. The national average was 98%.

Devon Business Rates Pool

- 4.12 South Hams District Council will continue to be part of a Devonwide Business Rates Pool for 2021/22. A modest business rates pooling gain of £125,000 has been modelled for 2021/22 with no further gains for 2022/23 onwards.

Council Tax

- 4.13 The Council Tax Referendum limits for District Councils for 2020/21 was the higher of 1.99% or £5, for 2020/21. An increase in council tax of £5 for the next five years has been modelled for council tax purposes. This would equate to a Band D council tax for South Hams of £175.42 in 2021/22 as shown in Appendix B (an increase of £5 for the year (10 pence per week) which equates to a 2.93% increase. The council tax for 2021/22, the SHDC share, will be set at the Council meeting on 11th February 2021. (A 1% increase in council tax generates £66,000 of extra council tax income).

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

- 4.14 The table below shows how an average Band D council bill is made up for South Hams District Council for 2020/21 as compared to the previous year. Of an average Band D Council Tax within the District of £1,990.82, an amount of £170.42 is the element of a council tax bill set by South Hams District Council. Therefore 9pence of every £1 paid (9%) in council tax is received by South Hams District Council to pay for our services. The rest of the council tax bill is set by Devon County Council, the Fire, the Police and Town and Parish Councils to fund the services they provide.

Precepting Authority	Band D 2019/20	Band D 2020/21	£ Increase	% Increase
South Hams District Council	£165.42	£170.42	£5.00	3.02%
Devon County Council Precept	£1,286.19	£1,313.73	£27.54	3.99%
Adult Social Care Precept *	£98.10	£125.73	£27.63	
Devon & Cornwall Police & Crime Commissioner	£212.28	£221.64	£9.36	4.41%
Devon & Somerset Fire & Rescue	£86.52	£88.24	£1.72	1.99%
Average Parishes/Towns	£64.53	£71.06	£6.53	10.12%
TOTAL	£1,913.04	£1,990.82	£77.78	4.07%

- 4.15 A 1% reduction in council tax collection rates has been assumed for 2021/22 onwards. This may need to be revisited in future budget reports depending on the payment profiles being experienced in latter months of the year. As at the end of August 2020, 46.77% of the council tax has been collected. This is a decrease of 0.76% against the 2019/20 collection rates at the end of August. The 0.76% drop equates to £588,000 (SHDC share £53,000). See 4.20 on the Collection Fund.
- 4.16 The District Council is responsible for collecting all the Council Tax debt of £78m in 2020/21 as South Hams DC is the Billing Authority. After keeping 9% of the council tax collected to run the Council's services, the rest is paid over to Devon County Council, the Police, the Fire and Town and Parish Councils. The collection rate for Council Tax for South Hams was 98.3% for 2019-20. This was 1.5% higher than the national average of 96.8%.
- 4.17 More work will need to be carried out on the Council TaxBase calculations for 2021/22 onwards, once the Council TaxBase estimate form (CTB1) has been completed in October 2020. The effect of an increase in working age claimants for Council Tax Support for 2021/22 onwards will need to be modelled and this could have the effect of decreasing the TaxBase in 2021/22.
- 4.18 It has been assumed that the number of properties within the District will increase by 200 per annum from 2021/22 onwards. A low figure has been assumed to partly offset the impact of Council Tax Support on the Taxbase.
- 4.19 In 2020/21 the Government set no council tax referendum principles for Town and Parish Councils. It has not yet been announced by the Government whether any referendum principles will apply to Town and Parish Councils in 2021/22 onwards.

The Collection Fund - Council Tax and Business Rates Income

- 4.20 The Collection Fund holds all payments in and out relating to Council Tax and Business Rates. As such any losses incurred will be suffered by the Collection Fund in the year and then distributed to the Council and Precepting Authorities in future years. A large part of the reductions in income will affect the Council's financial position in 2021/22 onwards, although it does affect the cashflow position of the Council in 2020/21.
- 4.21 Council Tax and Business Rates form a large share of the funding for the Council's budget and therefore these income streams are funding the essential services being delivered.

- 4.22 In the next Spending Review the Government will also determine what support Councils will need, to help them meet the pressures of income losses from council tax and business rates. The Government has said that they are bringing in changes to allow Councils to spread their Collection Fund losses (for losses in Council Tax and Business Rates income) over the next three years instead of over the next one year. So this will allow council tax and business rate losses in income, to be repaid over the next 3 years of budget cycles, instead of just the next one year. The Government will also agree an apportionment of irrecoverable council tax and business rate losses, between central and local Government for 2020 to 2021. More details are awaited on this from the Spending Review, to be able to understand the detail of how Councils will be supported by this.

Rural Services Delivery Grant

- 4.23 Rural Services Delivery Grant has been modelled to continue for 2021/22 onwards at previous levels (£81m nationally – SHDC share of £408,055) and the methodology for distribution to remain unchanged from 2020/21. The Council will continue to lobby on the basis that the £81m should be increased. This is Government grant to recognise the additional cost of delivering services in rural areas.

Recommendation 4: That the Council continues to lobby in support of the Government eliminating Negative Revenue Support Grant in 2021/22 (and thereafter) and continues to lobby for Rural Services Delivery Grant allocations which adequately reflect the cost of rural service provision.

New Homes Bonus (NHB)

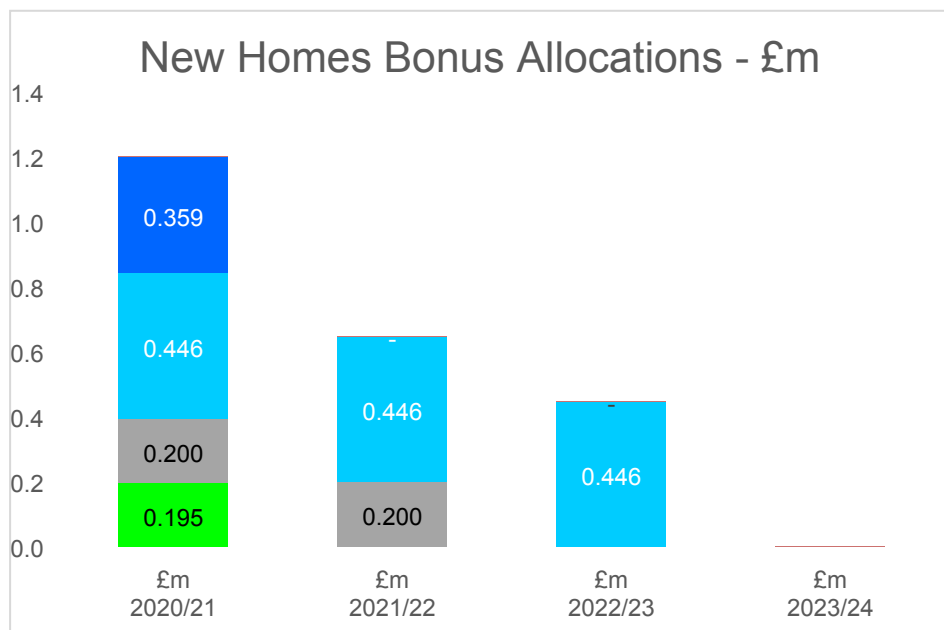
- 4.24 In theory, the New Homes Bonus (NHB) scheme is being phased-out and the spending review will propose a replacement (for consultation). It has been confirmed in a letter on the Council TaxBase (CTB1, 25 September 2020) that “the future direction of the NHB incentive will now be considered as part of the Spending Review process”. An additional one-off NHB payment in 2021-22 is still a real possibility. It is thought more likely that New Homes Bonus will continue in its current for 2021-22 as part of a ‘one year rollover settlement’, with changes being put in place after that.
- 4.25 On 25 September, the Ministry for Housing, Communities & Local Government wrote to local authority Chief Finance Officers to request Council Tax Base data. The letter notes that the planned Spring consultation on the future of the New Homes Bonus (NHB) has been delayed. Authorities are asked to provide the usual data relating to NHB calculations, which “may be needed in calculating the bonus”, though explains that “the future direction of the incentive will now be considered as part of the Spending Review process”. This could suggest that the government is considering extending the scheme for a further year.

4.26 The letter does not provide any further information on proposals for collection fund deficits relating to 2020/21 to be spread over three years, and does not ask authorities for information on their 2020/21 position.

4.27 The Council's New Homes Bonus allocation for 2020/21 was £1.199million as shown below.

New Homes Bonus	2020/21	2021/22	2022/23	2023/24
	£m	£m	£m	£m
2017/18 allocation	0.195			
2018/19 allocation	0.200	0.200		
2019/20 allocation	0.446	0.446	0.446	
2020/21 allocation	0.359			
2021/22 forecast allocation		-		
2022/23 forecast allocation			-	
Equals NHB Funding	1.199	0.646	0.446	-

} No future years' allocations assumed



4.28 If the legacy payments for NHB from previous years are honoured by the Government, this would equate to £646,000 in 2021/22 and £446,000 in 2022/23. In light of the recent Government letter accompanying the CTB1 return issued on 25th September, it is reasonable to assume that a further allocation for 2021/22 (at least £100,000) will also be made. The modelling in the MTFs therefore assumes NHB funding of £746,000 in 2021/22 and £546,000 in 2022/23 will be available to fund the revenue base budget (this is the legacy payments plus an anticipated £100,000 allocation for 2021/22).

Other assumptions within the Medium Term Financial Strategy (MTFS)

- 4.29 The last pay award offer for 2020-21 was 2.75%. A 2% pay increase has been modelled from 2021/22 onwards (2% equates to £140,000). The Medium Term Financial Strategy is not an expression of Council Policy on pay awards, but a means of ensuring an appropriate provision is made as part of the overall financial planning of the Council.
- 4.30 This report assumes inflation will run at 1% over the five year period. The Consumer Prices Index (CPI) was 1.0% in July 2020. RPI was 1.6%.
- 4.31 The predicted interest rate forecast from our treasury management advisors, Link Services, is that interest rates will remain at 0.75% up to March 2021. By March 2022 the bank base rate is predicted to increase to 1.25%.

SAVINGS

- 4.32 On 24 September 2020 Council considered a report on strategic leisure options. It was agreed to continue with the Fusion contract as being the most appropriate means of supporting health and wellbeing objectives within the District. The savings from the re-profiled management fees from the leisure contract have been built within the Medium Term Financial Strategy. Management fees are repayable from 2021/22.
- 4.33 Members have a future opportunity as to whether to implement a charged garden waste service from April 2022. A proposed annual charge of £40 for an opt in service, could release net income of £250,000 in the first year, rising to £400,000 in following years with a 20% participation rate. If participation rates are higher, income of up to £700,000 per annum could be achieved. These potential savings have not been reflected within the Medium Term Financial Strategy as Members have not yet taken a decision on charged garden waste.

5 PARTNERSHIP FUNDING AND GRANTS

- 5.1 At the Executive meeting on 19th December 2019, Members considered future Partnership funding and grants. The relevant Minute (Minute 63) is attached below.

Partnership Funding

Members were presented with a report that provided feedback from each of the partners that the Council currently funded. Members were asked to consider the merits of each partner submission and decide which partners they would like to enter into a three year funding agreement with.

The Lead Members for Communities and Wellbeing introduced the report. Members had a detailed discussion on this item, and non-Executive Members were included in the debate. Whilst acknowledging that these were to be subject of discussion during the draft 2020/21 Revenue Budget Setting process, the following recommendations reflect the decision of the Executive in respect of the partner submissions that were submitted. The total amount of funding allocated was £89,647. This amount was £7,000 less than the amount currently committed for partnership funding. Additional funds were recommended to support the Ivybridge Ring and Ride, and the SH CVS funding (£10,000) was recommended for withdrawal on the basis of a lack of clear financial information within their submission.

It was then:

RESOLVED that:

1. the feedback given by each partner as shown in presented Appendix A was considered based on
 - a. local need
 - b. alignment to the Council's Corporate Strategy
 - c. statutory duty; and
2. the following partners be awarded funding for the next three years of the following amounts per annum, subject to endorsement through the 2020/21 Revenue Budget setting process:
 - a) South Devon Area of Outstanding Natural Beauty Partnership - £20,700
 - b) South Hams Citizens Advice - £51,867
 - c) South Hams Community Volunteer Service - £0
 - d) Ivybridge Ring and Ride - £5,710
 - e) Totnes & Dartmouth Ring & Ride (Newton Abbot Community Transport Group) - £7,370
 - f) South West Youth Games - £0
 - g) South Hams Museums Group - £4,000

The total amount of funding allocated in the Executive meeting on 19th December 2019 was £89,647 as above. The current partnership funding in the base budget is £96,647.

At Council on 13th February 2020, it was resolved:-

That Partnership funding levels be as set out within Section 2.38 of the Revenue Budget Proposals to the Executive on 6 February 2020, with the addition of £10,000 to the South Hams CVS for 2020/21 only, subject to the organisation demonstrating that it meets the criteria set out at Section 2.38 of the Revenue Budget report, with the additional £3,000 required to be taken from Unearmarked Reserves in 2020/21.

6 Treasury Management and Borrowing Strategy

- 6.1 The Council has taken external treasury management advice on the Council's overall borrowing levels and debt levels. The Council set an Upper Limit on External Borrowing (for all Council services) as part of the Medium Term Financial Strategy of £75 million in 2019. It is recommended that this limit is retained as the Council's circumstances and financial indicators have not changed since this work was carried out.

Recommendation 5: – That the Council maintains an Upper Limit on External Borrowing (for all Council services) as part of the Medium Term Financial Strategy of £75 million.

7 FEES AND CHARGES

- 7.1 A Fees and Charges report will be considered at a meeting of the Overview and Scrutiny Panel on 19th November 2020 with recommendations made to the Executive in December 2020.
- 7.2 No permanent reductions to the Council's income streams (such as ferry income, car parking income, planning income etc. as a result of the Covid pandemic) have been built into the Base Budget for 2021/22. This will be regularly monitored over the next few months. It is also awaited to see if the Government will implement a similar income compensation scheme for sales, fees and charges for Councils in 2021/22. This has been lobbied for through the South West Councils response to the Comprehensive Spending Review.

8 FINANCIAL SUSTAINABILITY AND TIMESCALES

- 8.1 The Council will assess various options for closing the budget gap for 2021/22 onwards, to achieve long term financial sustainability. The table below sets out a timescale for those options and the various strands that the Council is exploring.

Option	Possible Budget Impact	Timescale
Extended Leadership Team (ELT) Budget options The Extended Leadership (ELT) will be tasked with identifying budget options for Members to consider for income generation/savings/reduced expenditure for 2021/22 onwards, taking into consideration the Council's corporate strategy and the latest budget monitoring position.	To be quantified	Options to be presented to the Executive on 3rd December 2020.

Option	Possible Budget Impact	Timescale
<p>Revenue Budget Monitoring report</p> <p>The next Revenue Budget Monitoring report to the Executive on 3rd December 2020 will also identify possible areas of future savings, e.g. savings on travel.</p>	To be quantified	Options to be presented to the Executive on 3 rd December 2020.
<p>Asset and Accommodation Review</p> <p>Members and Officers are assessing options for the Council's Asset review.</p>	To be quantified	On-going
<p>Charged Garden Waste</p> <p>Members have a future opportunity as to whether to implement a charged garden waste service from April 2022. A proposed annual charge of £40 for an opt in service, could release net income of £250,000 in the first year, rising to £400,000 in following years with a 20% participation rate. If participation rates are higher, income of up to £700,000 per annum could be achieved.</p>	Net income could be as high as £250,000 in the first year, rising to £400,000 in the following years.	<p>Future decision of the Council</p> <p>These potential savings have not been reflected within the Medium Term Financial Strategy as Members have not yet taken a decision on charged garden waste.</p>
<p>Funding Options</p>		
<p>Contributions to Earmarked Reserves</p> <p>The Council could chose to reduce some of its contributions to Earmarked Reserves currently budgeted for 2021/22 as set out in Appendix D. For example the Council may wish to consider whether it continues to make the following contributions to Earmarked Reserves in 2021/22:-</p> <p>Capital Programme Reserve (£181,600)</p> <p>Repairs and Maintenance Reserve (£80,000)</p> <p>Planning Reserve (£50,000)</p>	As set out in Appendix D	To be decided as part of the Budget Setting process for 2021/22

Option	Possible Budget Impact	Timescale
<p>New Homes Bonus allocations for 2021/22 onwards</p> <p>The Council is awaiting details of the Comprehensive Spending Review and an announcement on NHB.</p> <p>There is also an unallocated balance (currently £235,016) of New Homes Bonus from 2020/21, which has been transferred into the New Homes Bonus Earmarked Reserve, with its future use to be decided when more details are known about the Spending Review and following a Government consultation document on a replacement scheme for NHB.</p>	<p>To be assessed. It is not known what NHB allocations (or a similar scheme) will be in future years when the NHB scheme is replaced.</p>	<p>Awaiting further announcements from the Government</p>
<p>Use of Earmarked Reserves as a temporary measure</p> <p>The Council could temporarily utilise an element of Earmarked Reserves to balance an element of the 2021/22 budget, whilst longer term solutions are being implemented.</p>	<p>To be assessed</p>	<p>To be decided as part of the Budget Process</p>

8.2 Through the budget setting process, further measures will continue to be considered to balance future years' budget positions.

8.3 Financial Stability is one of the themes within the Recovery and Renewal Plan. The action plan, setting out the areas being progressed and the timescales within which this will take place, was set out in Appendix 1 of the Recovery Plan.

9 CAPITAL PROGRAMME AND PRUDENTIAL BORROWING

9.1 The Capital Programme is set by the Council and may be funded by sale proceeds from the disposal of assets (capital receipts), external grants and contributions, directly from revenue or from borrowing. The Capital Budget Proposals for 2021/22 will be a separate report to the Executive on 3rd December 2020.

- 9.2 **Investment Property Strategy** – The Council has agreed an Investment Property strategy. To date, Investment Properties have a value of £19.156 million in aggregate as at 31.3.2020.
- 9.3 Purchases made within the strategy are capital expenditure. An income projection of £75,000 from the net ancillary income from investments in Investment property has been included within the 2020/21 Base Budget.
- 9.4 The Council's Asset Base is £99 million at 31 March 2020. The Council will continually review and challenge its asset base in order to deliver the optimum value for money from the Council's Assets.

10 Earmarked and Unearmarked Reserves Policy

- 10.1 As part of the Budget Workshop on 27th August, the Council also undertook a review of its Earmarked Reserves through reviewing the commitments against the Earmarked Reserves, its unallocated balance and the contributions to/from Earmarked Reserves for 2020/21 also.
- 10.2 A schedule of Earmarked Reserves is attached at Appendix C , which shows Earmarked Reserves have a balance of £13.998 million at 31.3.2020. Reserve levels will be kept under constant review.
- 10.3 The Council's level of Unearmarked Reserves currently stands at £1.9 million (prior to the Accounts underspend for 2019-20 going into Unearmarked Reserves). As part of the Amended Budget for 2020-21, it was approved to utilise £200,000 from Unearmarked Reserves as one of the options to balance the £1.3million shortfall in 2020-21. Therefore Unearmarked Reserves have been reduced to £1.7million in 2020-21.
- 10.4 As part of the Medium Term Financial Strategy and at Council in February 2020, Members have set a minimum balance for Unearmarked Reserves of £1.5 million, based on a risk assessment basis and a sensitivity analysis. Therefore the current level of £1.7m is still above the minimum level set of £1.5m.
- 10.5 Legislation does not prescribe how much the minimum level of reserves should be. The Section 151 officer is tasked with recommending the minimum level of reserves required as part of the budget setting process having regard to elements of risk in the Council's finances (this was recommended at £1.5million being the minimum level). Since February 2020, the financial risks which all Councils face will have increased. Section 25 of the Local Government Act 2003 requires the S151 officer to report on the adequacy of the Council's financial resources on an annual basis.
- 10.6 It is proposed to replenish £200,000 of unearmarked reserves through a range of measures to be agreed as part of the budget setting process. This will be kept under constant review and the Council is currently awaiting details of the Comprehensive Spending Review.

10.7 As set out in the report to Council on the Amended Budget for 2020/21, all other uncommitted amounts in all other Earmarked Reserves (see Appendix C) will remain subject to review, with the exception of Reserves for the Salcombe Harbour Board, as these are subject to decisions by the Salcombe Harbour Board.

10.8 In view of the relatively modest budget gap predicted for 2021/22 of £137,871 set out in this report (based on current assumptions), limited spending of Earmarked Reserves will be considered to support wider corporate objectives.

11 NEXT STEPS AND PROPOSED WAY FORWARD

11.1 The MTFs is the starting point for developing a meaningful five year strategy that sets out the strategic intention for all of the different strands of funding available to the Council. The Council will then be able to rely on this to inform future decisions.

11.2 Officers will continue to work with the Executive and the results of this will be incorporated into future Budget reports. Section 8 sets out the potential timescales against the areas identified.

11.3 The Council awaits the details of the Government’s Spending Review announcement which will enable the Council to further firm up some of the assumptions within the Medium Term Financial Strategy. A further update will be presented to the Executive in December. Further options for Members’ considerations of how to close the predicted budget gap of £137,871 for 2020/21 will be presented as part of this report. The table below shows the budget timetable for the budget meetings for the 2021/22 Budget.

3rd December 2020	Executive – To consider draft proposals for the Revenue and Capital Budget for 2021/22.
14 January 2021	Joint Development Management Committee and Overview & Scrutiny Panel - To consider draft proposals for the Revenue and Capital Budget for 2021/22.
28 January 2021	Executive – To recommend Final Budget Proposals to Council for 2021/22
8th February 2021 (9am)	Date which Council Procedure Rule 16 applies

11th February 2021	Full Council – To approve Final Budget Proposals for 2021/22 and set the SHDC share of the Council Tax
23 February 2021	Council Tax Resolution Panel – to agree the Council Tax Resolution for 2021/22 (This is SHDC share plus all other precepting authorities share).

Note 1- Council Procedure Rule 16 states that ‘Where a member intends to move a motion or amendment in relation to the Budget, the text of that motion or amendment must be put in writing and submitted to the Head of Paid Service by 9am on the third working day before the meeting, in order that officers may have sufficient time to consider and advise the Council of the financial implications of any such motion or amendment’. As per the timetable above, this would need to be submitted by 9am on Monday 8th February 2021.

12. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance		<p>The Executive is responsible for recommending to Council the budgetary framework. It is the role of the Overview and Scrutiny Panel to scrutinise the Budget proposals being proposed by the Council on an annual basis. In accordance with the Financial Procedure Rules, Council must decide the general level of Reserves and the use of Earmarked Reserves.</p> <p>The preparation of the Budget report is evidence of whether the Council has considered and taken into account all relevant information and proper advice when determining its financial arrangements in accordance with statutory requirements, and in particular, that it will set a lawful budget.</p>

Financial implications to include reference to value for money		<p>The forecast budget gap for 2021/22 is £137,871. This is 1.5% of the Net Budget of 20/21 of £9.4million. A cumulative budget gap of £621,496 is predicted for 2022/23 (the £621,496 assumes that the 21/22 budget gap of £137,871 has not been closed). The cumulative aggregated Budget Gap by 2025/26 is £5.2 million, if no action has been taken in each individual year to close the budget gap annually.</p> <p>The recommendations adopted and the annual budget setting process will ensure the Council has arrangements in place to secure economy, efficiency and effectiveness in its use of resources. The Council's auditors, Grant Thornton, provided an unqualified value for money opinion for the District Council for 2019-20, which was reported to the Council's Audit Committee in October 2020.</p>
Risk		Each of the budget options taken forward by Members will consider the risks of the option.
Supporting Corporate Strategy		The Budget report supports all six of the Corporate Themes of Council, Homes, Enterprise, Communities, Environment and Wellbeing.
Climate Change - Carbon / Biodiversity Impact		<p>The Council declared a Climate Change and Biodiversity Emergency on 25 July 2019 and the potential for this to have significant financial implications for the Council was highlighted.</p> <p>A Climate Change Action Plan was presented to Council in December 2019. Following this report, a strategy will be implemented as to how the Council could finance the items within the Action Plan, whether that is from external grant sources or some funding from the Council's own resources. The Council has Earmarked £400,000 in a Climate Change Earmarked Reserve as part of the 2020-21 Budget.</p> <p>A further update report 'Climate Change and Biodiversity Strategy and Action Plan Update' was presented to Council on 24 September 2020.</p>
Comprehensive Impact Assessment Implications		
Equality and Diversity		Equality Impact Assessments are completed for the budget proposals.
Safeguarding		None directly arising from this report.

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

Supporting Information

Appendices:

- Appendix A – Budget pressures and savings
- Appendix B – Modelling of the Budget Position
- Appendix C - Schedule of Earmarked Reserves
- Appendix D – Movement in Earmarked Reserves

Background Papers:

- Council 24th September 2020 – Amended Budget Proposals 2020-21
- Council 24 September 2020 – Climate Change and Biodiversity Strategy and Action Plan Update
- Council 24th September 2020 – Strategic Leisure Options (Fusion Update)

Approval and clearance of report

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

BUDGET PROPOSALS 2021/22
(This shows the changes to the existing Base Budget)

APPENDIX A

	(Amended Budget)					
	BASE 2020/21	Yr1 2021/22	Yr2 2022/23	Yr3 2023/24	Yr4 2024/25	Yr 5 2025/26
	£	£	£	£	£	£
BUDGET PRESSURES						
Inflation and increases on goods and services	110,000	110,000	110,000	110,000	110,000	110,000
Triennial Pension revaluation (increase in Pension Employer primary rate contributions)	140,000					
Salaries - provision for pay award at 2% for 21/22 onwards (the actual pay award for 20/21 was 2.75% and therefore 21/22 includes an extra 0.75% to build this extra amount for 2020/21 into the base budget)	140,000	193,000	140,000	140,000	140,000	140,000
Waste collection, recycling and cleansing contract (estimate)	130,000	130,000	130,000	130,000	130,000	130,000
National Living Wage and National Insurance	70,000	70,000	70,000	70,000	70,000	70,000
Two planning enforcement officers (SHDC share of the cost - Council September 19)	50,078					
Employer's pension costs - Waste collection, recycling and cleansing contract	25,000					
Depot annualised costs - Waste collection, recycling and cleansing contract	60,762	60,761				
Devon aligned service for waste	175,000	175,000				
Implementation costs for Devon aligned service for waste (one-off) This is additional staffing support for implementation such as roadshows, communications and customer services support.	125,000	(125,000)				
Reduction in recycling income	95,000					
ICT future service provision	150,000					
Housing Benefit overpayment recoveries (to reduce income target to Nil in 21/22)	100,000	145,000				
Payment collection expenses	25,000					
Maintenance of trees	40,000					
Climate Change Policy Officer (SHDC share of cost - 2 year temporary post)	25,000		(25,000)			
Housing Posts (make three temporary posts permanent - SHDC share of costs - to be funded by Government grant - Flexible Homelessness Grant funding)	48,700					
Economy Post - 50% of cost (shdc share), for two years	25,000		(25,000)			
SLT/ELT Restructure - redundancy/pension strain costs	25,000			(25,000)		
Dartmouth Ferry - management recharge from Salcombe Harbour	21,100					
Large and hazardous fly tipping costs (outside of the FCC contract)	20,000					
TOTAL BUDGET PRESSURES	1,600,640	758,761	400,000	425,000	450,000	450,000
 Changes to contributions to Earmarked Reserves						
Reduce the contribution from the New Homes Bonus Reserve (assumes a contribution of £564,143 in 2020/21 and contributions in future years equating to the legacy payments plus an estimated allocation for 2021/22 from NHB equating to £0.746m in 2021/22 and £0.546m in 22/23)	(64,143)	(181,857)	200,000	100,000	150,000	96,000
Dartmouth Ferry - increase annual contribution to reserve (except in 21/22 and 22/23)	30,000			30,000	30,000	30,000
Transformation Project (T18) - Approved at 11 December 2014 Council <i>Contribution to Strategic Change Reserve to meet pension strain costs</i>	(90,000)	(30,000)				
Funding from the Economic Regeneration (Business Rates Pilot Gain) Earmarked Reserve (one-off in 2020-21)		(127,000)				
Repairs and Maintenance Reserve - reduce annual contribution of £55,000	(55,000)	80,000		25,000		
Cease making a contribution to the Planning Earmarked Reserve in 2020-21	(50,000)	50,000				
Funding from the Business Rates Retention Earmarked Reserve (one-off in 2020-21)		(343,000)				
Contribution from the Flexible Homelessness Government Grant for three housing posts (SHDC share of costs)	(48,700)					
Total changes in contributions to Earmarked Reserves (as per Appendix D)	(277,843)	(551,857)	200,000	155,000	180,000	126,000

BUDGET PROPOSALS 2021/22
(This shows the changes to the existing Base Budget)

APPENDIX A

SAVINGS AND INCOME GENERATION IDENTIFIED

	BASE 2020/21	Yr1 2021/22	Yr2 2022/23	Yr3 2023/24	Yr4 2024/25	Yr 5 2025/26
Savings from re-procurement of contracts (e.g. leisure contract)	(165,000)		(186,000)			
Procurement of waste collection, recycling and cleansing contract (Note - The employer's pension costs of £290,000, the depot annualised costs of £22,200 and the increase to the Vehicle Earmarked Reserve of £60,000 are deducted from this figure to show the total net annual saving as per the report to Council on 6th December 2018)	(129,674)	(129,672)				
Income from economic regeneration projects within the District			(40,000)	(58,000)		
Public Conveniences - Pay on Entry, contributions and transfer to Parish Council/ closure 1.9.2019 where agreement has not been reached for transfer - Includes rate relief from 2021 - Savings as set out in the Executive report 22nd November 2018. Figures have been updated to reflect the proposals set out within the Public Conveniences update report to the Executive on 19th December 2019	(55,203)	(54,537)				
Senior Leadership Team - Interim arrangement (£34,000) - Restructure (£60,000) as per July 2019 Council report - a total of £94,000	(60,000)					
Review ICT contracts	(6,300)					
Digital Downloads of Planning applications	(3,500)					
Implement e-billing for Council Tax	(2,100)	(2,100)	(2,100)	(2,100)	(2,100)	(2,100)
Council Tax Support Grant - proposal to reduce by 50% per annum over two years	(37,000)	(37,000)				
Car parking pay & display fees - increase by 4%	(80,000)					
Commercial Investment Strategy	(75,000)					
Employment Estates income	(25,000)	(10,000)				
Treasury Management income	(20,000)					
Corporate Consultancy income	(10,000)					
Cancellation of the IEG4 Contract & implementation of the Northgate Citizen access portal	(12,000)	(12,000)				
Review of fees and charges - boat storage fees (£2,000) and S257 footpath diversion orders (£2,100)	(4,100)					
Dartmouth Lower Ferry income	(20,000)					
Triennial Pension Revaluation - no secondary pension contributions payable due to the pension Deficit being Nil at 31.3.2019	(200,000)					
3rd tranche of COVID funding received from the Government (one-off in 20-21)	(121,000)	121,000				
Cease the 2020-21 annual contribution towards building up a budget for future years for the Follaton Roof and Follaton Lift (one-off in 20-21)	(80,000)	80,000				
Use of New Burdens Government grant funding received for the administration of the Business Rates Grants (one-off in 20-21)	(170,000)	170,000				
TOTAL SAVINGS AND INCOME GENERATION	(1,275,877)	125,691	(228,100)	(60,100)	(2,100)	(2,100)

Line	Appendix B - Council Tax is increased by the higher of £5 or 1.99% each year	BASE	Yr 1	Yr 2	Yr 3	Yr 4	Yr 5
		Amended 2020/21 Budget £	2021/22 £	2022/23 £	2023/24 £	2024/25 £	2025/26 £
No.	Modelling for the financial years 2021/22 onwards						
1	Base budget brought forward	8,832,752	9,410,672	9,605,396	9,493,671	9,587,981	9,780,272
2	Budget pressures (as per Appendix A)	1,600,640	758,761	400,000	425,000	450,000	450,000
	One-off budget shortfall identified for 2020-21 (as per Amended Budget report)	1,313,000					
3	Savings already identified (as per Appendix A)	(1,275,877)	125,691	(228,100)	(60,100)	(2,100)	(2,100)
4	Changes in contributions to Earmarked Reserves (App A)	(277,843)	(551,857)	200,000	155,000	180,000	126,000
5	Funding from Economic Regeneration Earmarked Reserve (£127,000) and Business Rates Retention Earmarked Reserve (£343,000)	(470,000)					
6	Funding from Unearmarked Reserves (Amended Budget 2020-21) (£200,000 plus £112,000 Statement of Accounts for 2019-20 Accounts)	(312,000)					
7	Projected Net Expenditure:	9,410,672	9,743,267	9,977,296	10,013,571	10,215,881	10,354,172
	Funded By:- (See Note 1 below regarding New Homes Bonus funding)						
8	Council Tax income - Modelling a £5 increase in 2021/22 onwards	6,562,617	6,722,341	6,949,671	7,178,981	7,410,272	7,643,542
9	Collection Fund Surplus	60,000	0	0	0	0	0
10	Localised Business Rates (estimate of business rates resources received in the year)	2,155,000	2,350,000	2,398,000	2,344,000	2,387,000	2,320,000
11	Tariff/Top Up Adjustment amount (negative RSG - phased in from 2022/23)		0	(270,000)	(360,000)	(450,000)	(500,000)
12	Business Rates Pooling Gain	225,000	125,000	0	0	0	0
13	Rural Services Delivery Grant	408,055	408,055	416,000	425,000	433,000	445,000
14	Total Projected Funding Sources	9,410,672	9,605,396	9,493,671	9,587,981	9,780,272	9,908,542
	Budget Gap per year						
13	(Projected Expenditure line 7 - Projected Funding line 14)	0	137,871	483,624	425,590	435,609	445,630
	Actual Predicted Cumulative Budget Gap	0	137,871	621,496	1,047,086	1,482,695	1,928,325
	Aggregated Budget Gap (if no action is taken in each individual year to close the budget gap annually)	0	137,871	759,367	1,806,453	3,289,148	5,217,474
	Modelling Assumptions:						
	Council Tax (Band D) (Modelling the higher of £5 or a 1.99% increase)	170.42	175.42	180.42	185.42	190.42	195.42
	Council Tax Base (Assumes an increase in Band D Equivalent properties of 200 per annum)	38,508.49	38,708.49	38,908.49	39,108.49	39,308.49	39,508.49

Note 1 - New Homes Bonus Funding

The modelling for 2021/22 includes a contribution of £746,000 from New Homes Bonus (NHB) funding to fund the Base Budget. This reduces to £0.546m in 2022/23 and a phased reduction in 2023/24 onwards. Although the NHB scheme is due to be replaced, it is assumed that a successor scheme will be implemented that will also be based on housing growth.

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South Hams Earmarked Reserve Balances				APPENDIX C
	31.3.2019	31.3.2020	Budgeted reserve contribution agreed for 20/21	Notes
	£000	£000	£000	
Specific Reserves - General Fund				
Affordable Housing	988	706		£666k has been committed for the Capital Programme and £40k set up costs of the Community Benefit Society, Wholly Owned Company (E.78/19)
Beach Safety	14	14		Nil commitments
Business Rates Retention	5,114	6,192	343	This relates to a timing issue on the accounting adjustments required for the localisation of business rates. This reserve also deals with any volatility in Business Rate income e.g. due to appeals. Commitments mainly relate to (a) £3.5m ringfenced for Employment for the creation of local jobs (Council Feb 2018) (b) the acquisition of 10 acres of employment land at Sherford and (c) on 31 October 2019 the Executive recommended to Council to use up to £200k to fund the cost of extending the lease of the starter units at Langage from 21 years to 125 years, funded from this reserve. The uncommitted balance is at least £900,000. As part of the Amended Budget for 2020-21, it was agreed to use £343,000 from this reserve towards the 2020-21 budget shortfall of £1.3million. In addition, at Council in September 2020, it was approved to use £243,000 from this Reserve for further financial support for Fusion (the Council's leisure operator), so as to deliver improved health and wellbeing outcomes.
Capital Programme	84	26	181.6	An annual contribution of £181,600 is paid into the Capital Programme Reserve from the Revenue Budget. This contribution is used annually to fund the Capital Programme and this reserve is fully committed in 2020/21.
Community Housing Fund	1,285	493		This reserve holds the Community Housing Fund grant received in 2016/17 of just under £1.9m (Government grant). £300k has been committed to date for 2020/21. The Reserve is for Community Housing Schemes.
Community Parks and Open Spaces	107	38	16.9	£17k has been committed in respect of South Devon Tennis Courts
District Elections	78	0	10	This reserve was fully utilised in 2019/20 to fund the cost of District Elections.
Economic Initiatives	27	6		Commitments amount to £4,000 in 2020/21
Economic Regeneration (Business Rates Pilot Gain)	379	319	127	This reserve was created to hold the 2018/19 Business Rates Pilot Gain. This was additional business rates income that was generated in 2018/19 due to the Devon area having Pilot status for Business Rates. Commitments total £192,000 including £65,000 for the Ivybridge Regeneration project (Executive 18/6/20) and £88,000 for Leisure for July, August and September (Council July 2020). The uncommitted balance is £127,000 and this was approved as part of the Amended Budget for 2020-21 to be used to fund the 2020-21 shortfall of £1.3 million.
Emergency Climate Change Projects	0	0	400	Set up of this reserve for £400,000 in 2020/21 approved by Executive on 6/2/20 E74/19 and Council (Feb 20), funded by a contribution from New Homes Bonus Reserve
Environmental Health Initiatives	20	20		Commitment of £11k in 2020/21 relates to the employment of an Environmental Health student specialist for 12 months
Ferry Repairs & Renewals	455	446	117	Commitments include fleet refurbishment £24k and engineering works at Dartmouth Lower Ferry Workshops (health & safety urgent works) £94k
Homelessness Prevention	112	112		This reserve has been created following underspends on Homelessness Prevention Costs in previous years.
ICT Development	126	122	50	Commitments of £103,000 in 2020/21 include £83,000 towards the Future IT Procurement, Council 13/2/20 E75/19
Innovation Fund (Invest to Earn)	17	9		Nil commitments
Joint Local Plan	31	21		This is a new reserve for Joint Local Plan Funding
Land and Development	94	210	7	Commitments include £103.5k Fusion Leisure monthly support for April, May and June and £55k Follaton House Arboretum & Wedding Venue works
Leisure Services	57	57		Commitment for £13K for Playing Pitch Strategy
Maintenance, Management and Risk Management (MMRM)	0	8		This is a new reserve set up to manage the ongoing maintenance costs of the Council's Commercial Property. The contributions to the reserve equate to 10% of the rental income, this is anticipated to be £29,000 in 2020/21.
Marine Infrastructure	210	268	58	£200k earmarked for Batson Harbour Workshops as per 19/20 Capital Programme (E.70/18). Annual contributions of £58K are made by Salcombe Harbour.
Members Sustainable Community Locality	6	28		This reserve holds the unspent balances.

South Hams Earmarked Reserve Balances				APPENDIX C
	31.3.2019	31.3.2020	Budgeted reserve contribution agreed for 20/21	Notes
	£000	£000	£000	
New Homes Bonus	1,155	1,697	-564.1	£1.199m will be received in NHB grant in 2020/21. Commitments in 2020/21 include £564k contribution to the base revenue budget, £400k to the Emergency Climate Change Projects Reserve and funding of the Capital Programme. At Council in February 2020, it was approved to transfer the unallocated balance of £235,016 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. The uncommitted balance is £235,016.
On-Street Parking	44	44		
Pay & Display Equipment Renewals	123	144	20.8	This reserve provides for the periodic replacement of Pay & Display machines.
Pension Fund Strain Payments	0	29	99	This reserve is used to fund pension strain costs
Planning Policy & Major Developments	125	187	-	This reserve is for all planning matters and is also to meet appeal costs.
Renovation Grants	7	7		Comprises proceeds from repayments
Repairs & Maintenance	45	203	-	£28,000 has been committed in 2020/21 for the Mobile Phone Signal improvement works at Follaton House
Revenue Grants	578	607	-48.7	This reserve comprises of government grants received for specific initiatives or new burdens and are held in the reserve for accounting purposes. The annual contribution of £48,700 from this reserve relates to the funding of three housing posts which were made permanent in the 2020/21 budget process and are funded from the Flexible Homelessness Support Grant.
S106 Monitoring	124	133		This reserve funds the cost of an officer to oversee the administration of S106 deposits and how they are spent
S106 Technical Support	20	16		To meet the salary costs of a S106 technical support officer.
Section 106 Deposits	38	38		This reserve comprises deposits with no repayment conditions - created as a result of IFRS
Strategic Change (Transformation Programme T18)	0	30	30	Reserve was created in 15/16 and funded T18 (Transformation Programme) set up costs. There are Nil commitments against this reserve. As part of the Amended Budget for 2020-21, a contribution of £30,000 was approved to be taken from this reserve.
Support Services Trading	43	43		Reserve was created from external work carried out in other Councils e.g. HR work with Councils also embarking on a Transformation Programme. Reserve maybe required in the future.
Sustainable Waste Management	29	54	25	Reserve was created for one-off waste management costs
Vehicles & Plant Renewals	1,264	1,183	550	Earmarked for the Fleet Replacement Programme as part of the Waste Contract. An annual contribution of £550,000 is made to this reserve. All committed.
Sub-Total	12,799	13,510	1,423	
Specific Reserves - Salcombe Harbour				
Pontoons	213	162	65	Annual contributions are made by Salcombe Harbour to enable the repairs/replacement of the pontoons
Renewals	117	136	40	Annual contributions are made by Salcombe Harbour to enable assets to be replaced on a rolling programme
Revenue Account	164	190		This reserve accounts for any surplus/deficit made by Salcombe Harbour and is also used to fund one off items that can't be funded from Salcombe Harbour's revenue account.
Sub-Total	494	488		
TOTAL - Earmarked Revenue Reserves	13,293	13,998	1,527.5	

ANALYSIS OF CONTRIBUTIONS TO/(FROM) EARMARKED RESERVES

Amended Budget 2020/21			Estimate 2021/22		Estimate 2022/23	
To	(From)		To	(From)	To	(From)
£	£		£	£	£	£
181,600		Capital Programme	181,600		181,600	
16,900		Community Parks & Open Spaces	16,900		16,900	
10,000		District Elections	10,000		10,000	
117,000		Ferry major repairs & renewals	117,000		117,000	
	(564,143)	New Homes Bonus (replacement scheme in 21/22)		(746,000)		(546,000)
	(48,700)	Flexible Homelessness Gov Grant		(48,700)		(48,700)
20,800		Pay & Display Equipment	20,800		20,800	
99,000		Pension Fund Strain Payments	99,000		99,000	
0		Repairs and maintenance	80,000		80,000	
30,000		Strategic Change Reserve	0		0	
550,000		Vehicles & Plant Renewals	550,000		550,000	
7,000		Land and Development Reserve	7,000		7,000	
50,000		IT Development Reserve	50,000		50,000	
25,000		Sustainable Waste Management	25,000		25,000	
0		Planning Policy and Major Development	50,000		50,000	
127,000		Economic Regeneration (Pilot Gain)	0		0	
343,000		Business Rates Retention Reserve	0		0	
2,000		Interest from Reserves	2,000		2,000	
1,579,300	(612,843)	TOTALS	1,209,300	(794,700)	1,209,300	(594,700)
966,457		GRAND TOTAL	414,600		614,600	

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NOT FOR PUBLICATION

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

Report to: **Executive**

Date: **22 October 2020**

Title: **Capital Programme Monitoring –
Cllr Bastone**

Portfolio Area: **Support Services**

Wards Affected: **ALL**

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

Author: **Angela Endean** Role: **Capital Accountant**
Pauline Henstock **Head of Finance Practice**

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Recommendations:

1. That the Executive notes the content of the Monitoring Report.
2. That the Executive notes that following the earlier consultation with the Executive, the decision of the Chief Executive and the S151 Officer, was to cease to pursue the Solar Investments, due to the risk exposure associated with the acquisitions, as set out in the report in 3.16 and Appendix C.
3. That the Executive recommends to Council that the anticipated underspend (£93,500) on Play Parks be used to set up a Play Area Renewals Revenue Earmarked Reserve to be used for replacement play area equipment as required, as per section 3.11.

1. Executive summary

1.1 The report advises Members of the progress on individual schemes within the approved capital programme, including an assessment of their financial position.

1.2 The monitoring of the capital programme at month 5 (end of August 20) has not highlighted any significant areas of overspend to report to Members. All of the capital projects are within the existing capital budgets approved by Members (Appendix A).

1.3 The report recommends to Council that the anticipated underspend (£93,500) on Play Parks be used to set up a Play Area Renewals Revenue Earmarked Reserve to be used for replacement play area equipment as required.

2. Background

2.1 The capital programme for 2020/21 was approved by Council on 13 February 2020 (72/19 and E.75/19 refer). This report provides an update on the Capital Programme and also on those schemes that remain outstanding from previous programmes.

2.2 A summary of the Capital Programme is shown in exempt Appendix A. The award of contracts is subject to the Council's procurement rules on competitive tendering and therefore the allocated budget is commercially sensitive.

3. Outcomes/outputs

3.1 Members are requested to endorse the following updates on the Capital Projects:

Capital Programme 2019/2020 and prior years

3.2 Langage Business Park

As part of the s106 agreement for the Langage Energy Park, the energy park operator, along with the owner of the land surrounding the park, jointly agreed a payment of £1,200,000 to SHDC towards the provision of 30,000ft² of industrial-use starter units. The Council is in receipt of this sum and is continuing discussion with the land owner (LEPL) to agree the timing, form and location of these starter units. The s106 also provides for LEPL to procure land and lease this to the Council on a peppercorn rent for the starter unit development, either on land surrounding the Energy Park or elsewhere within the South Hams.

The s106 agreement was prepared a number of years ago and many of the linked planning conditions are now being reviewed as the developer believes these should be discharged. The site developer is now progressing the planning application which will see these units through to fruition.

3.3 Affordable Housing Update

The table below gives an update on the various affordable housing capital budgets and schemes.

Affordable Housing Proposals 2013/14

Scheme	Budget	Narrative
Community Led Housing	£100,000	There is a balance of £50,000 remaining. This will be used as required for small top ups on schemes where viability is an issue. An application has been received from Newton & Noss CLT for £6,500.
Rural Affordable Housing	£400,000	There is a remaining balance of £78,654.
Existing Stock/Sustainability	£100,000	Available to reduce empty homes and make best use of the existing housing stock. £5,000 has been spent to date. Projects need to be worked up as part of the emerging housing strategy.

Affordable Housing Proposals 2014/15 – 2017/18

	Narrative	Budget for Scheme
BUDGET (4 years at £230,000 per annum)	An annual budget of £230,000 per annum was being made in the Capital Programme for Affordable Housing. This annual budget has now ceased due to the current uncommitted balance.	£920,000
Expenditure against the Affordable Housing Budget:		
6 Affordable Homes, Kingsbridge	This contribution has been made to Kingsbridge Feoffees to help with construction costs of these affordable homes.	£150,000

	Narrative	Budget for Scheme
Harberton Community Led Trust	The contribution has now been made to the Trust.	£104,500
Community Housing Scheme	Council Minute 88/19 from 30 th April 2020 – that £100,000 be allocated from the Affordable Housing Capital Programme Budget towards delivering St Ann’s Chapel Community Housing Scheme	£100,000
Set up costs of the Community Benefit Society (CBS) – Wholly Owned Company	As per the report to the Executive and approved at Council on 13 February 2020	£40,000
Funding set aside for the Tenants Incentive Scheme	Amount set aside from the Affordable Housing Earmarked Reserve	£30,000
Remaining Uncommitted Balance		£495,500*
*(This is the uncommitted balance on the Affordable Housing Earmarked Reserve)		

There is currently an uncommitted balance on the Affordable Housing Budget of £495,500. ***The developing Housing Strategy will identify the best approach to utilise this funding.***

There are a number of potential schemes that the Council is seeking to bring forward in the future. Where these are new initiatives, the Affordable Housing Team will be able to present these to the relevant Committees for approval. However, the schemes that could be implemented in a short timescale, subject to funding are:

Rural Housing Schemes: The Council can continue to provide small top up funding to our Community Housing team Registered Provider partners to increase the supply of affordable housing within the District. There are also likely to be other projects in the early

planning process that may need to also utilise this finance. The Council is starting to build its own community housing schemes and confidence for housing providers is starting to improve with the adoption of the Joint Local Plan and 'Made' neighbourhood plans which may require top up funding for projects to progress.

Downsizing Initiative: This initiative has been approved by Members and allows the Council to make payments to tenants in our current housing stock, to downsize to a smaller property. This then enables the larger property that they were moving from to be let to someone in housing need, thus reducing the Council's housing register. This scheme will be promoted again with the help of our Registered Provider partners to ensure that their tenants are aware of this. There have been a number of areas discussed which could be targeted and discussions have taken place with our main stock holder LiveWest about how we can raise awareness of this scheme in line with some of their other projects.

The schemes below are new initiatives that could also utilise some of the uncommitted balance, subject to Member approval.

Regeneration/Best use of stock – The Council will continue to work with our partners to improve the stock that currently exists in the South Hams. There are instances where the Council may be seeking to achieve an outcome which may be over and above what is required. Ultimately this could cost over and above what a Housing Association needs to achieve in terms of making the property suitable for occupation. Very early discussions are taking place regarding this.

Members will be aware of work on the Housing Strategy, updates to capital monitoring may be required in 6-12 months when Members have approved the emerging Strategy.

3.4 Market Square, Totnes

SHDC have been working with Totnes Town Council to identify the priority elements, specifications and programming. In order to control quality and minimise disruption there is a need to delay the procurement programme by 12 months.

3.5 Cemetery Expansion, Ivybridge

A budget of £30,000 was approved for this project as part of the 2018/19 capital budget. A contribution of £35,000 has recently been received by the Council from a s106 agreement related to a housing development in Ivybridge to put towards the cemetery expansion project and match fund our £30,000. Officers will commence preliminaries with the project in 2020/21 with the bulk of works and spend anticipated in 2021/22.

3.6 Ivybridge Depot

The project is currently in construction with hand over programmed for December this year.

3.7 Car Parks – Resurfacing

Officers have identified a number of car parks across the District which are in need of resurfacing.

3.8 Investing in Kingsbridge

The public consultation which concluded in February supported the provision of housing on the Ropewalk site. There was also some support for a hotel. Since then the economic consequences of Covid-19 have meant Members have yet to make a decision on the future of the site.

3.9 Dartmouth Health and Wellbeing Hub Development

A Collaboration Agreement has been now entered into with the NHS Trust. Initial surveys and the planning pre-application are completed. The Trust, through their Consultants, have submitted the planning application for the scheme. Further work is about to commence to enter into the required legal documents with the Trust. Subject to planning permission being granted, the Trust will procure a Contractor to build the Hub. Currently construction is expected to commence in early 2021.

3.10 Community Housing Schemes

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. At Council in September 2020, it was approved to build out the first two community schemes at South Brent and St. Ann's Chapel.

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

Capital Programme 2020/21

3.11 Play Parks (owned by SHDC) – replacement of play equipment in SHDC owned play parks

2020/21 is the final year of a three year programme as shown below:

Capital budget for Play Parks (2017/2018, 2019/20 and 2020/21)

2017/18	2018/19	2019/20	2020/21	Total
£190,000	Nil	£190,000	£140,000	£520,000

New/enhanced play areas have now been completed at eight play areas across the South Hams owned by SHDC:

- Woodburn Close, Ivybridge
- Lower Brook Park, Ivybridge
- Barn Close, Ivybridge
- Weatherdon Drive, Ivybridge
- Duncombe Park, Kingsbridge
- Montagu Road, Kingsbridge
- Cann Wood View, Woolwell
- Courtenay Park, Salcombe

Consultation with the community has been undertaken for Collapark and Westonfields in Totnes, and Ermington play area – a tender will be advertised in autumn 2020 for these three sites.

A transfer of play areas in Marlborough and Berry Pomeroy from SHDC to the Parish Councils are due to complete in October 2020 along with a capital contribution towards the Parishes improving these sites. A further Parish led scheme on the SHDC owned Yealmpton Stray Park is expected to be delivered in 20/21.

The final sites requiring consideration in 2021/22 are Icy Park (Aveton Gifford), Gidley's Meadow (Dartington), Crowder Meadow and St Michaels Close (South Brent) and Beesands (Stokenham).

It is anticipated that once all the work detailed above is complete there will be a potential underspend of approximately £93,500 against the original £520,000 allocation. In the most part this is due to success in securing match funding for projects undertaken to date and those which will be completed this financial year.

It is recommended that the anticipated underspend be used to set up a Play Area Renewals Revenue Earmarked Reserve to be used to fund the future replacement of equipment/play areas as they arise. Officers estimate that c£20,000 per annum might be called upon from this Earmarked Reserve for this purpose. Such an approach would reduce the likelihood of officers requesting a larger capital allocation in the future for more significant site renewals.

3.12 Coastal Assets

5 year programme 2015/16 – 2019/20

Approved budget and capital expenditure for Coastal Assets

	15/16 £000's	16/17 £000's	17/18 £000's	18/19 £000's	19/20 £000's	Total £000's
Budget	300	300	300	300	300	1,500
Expenditure (financed by SHDC)	64	161	80	507	230	1,042
Balance remaining in 2019/20						458

There is a balance of £458,000 brought forward from the previous 5 year programme as shown above.

5 year programme 2020/21 – 2024/25

2020/21 is the first year of a 5 year programme of planned Coastal Assets repairs. Capital budget and capital expenditure for Coastal Assets (2020/21 approved, 2021/22 – 2024/25 budgets to be confirmed)

	Balance b/f £000's	20/21 £000's	Total £000's
Budget	458	300	758
Expenditure (financed by SHDC)		-	-
Balance remaining in 2020/21			758

Work is currently taking place to finalise the 2020 Coastal asset condition report which will help to identify and prioritise a work schedule for the next 5 years.

3.13 Vehicle Fleet Replacement

As per the final accounts for 2019/20 the balance brought forward on the Vehicle and Plant Renewals Reserve is £1,183,148. The contribution into the Reserve in 2020/21 is £550,000 giving a total budget of £1,733,148.

The new recycling fleet is expected to be delivered in December along with other equipment such as a recycling bank lorry and the two telehandlers required for moving waste and recycling within the depots.

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

The budget for 2020/21 is £1.5m including budgets carried forward from the 19/20 programme. Expenditure to the end of August was £281,072 with a further £124,129 committed. Additional Statements of Need are also being progressed in the sum of £237,750. Due to the COVID-19 pandemic the number of DFG applications significantly reduced in the first part of the year. Following the relaxing of the lockdown measures the number of applications has started to increase.

Spend on DFG's is based on demand, over which the Council has no control, and at present the service is processing and approving applications in line with this demand.

The Council has a healthy budget as a result of good performance and astute negotiations. With a wider Private Sector Renewal (PSR) Policy which has been recently approved, the Council is able to spend the Better Care Fund on other areas such as home assistance and Energy Company Obligation top-ups. Some of these areas take a while to publicise and be put into action but progress is being made.

The Council is also looking at how the funding could be used to support wider fuel poverty interventions that would also have a positive impact on climate change by supporting lower income households to access Air Source Heat Pumps, Photovoltaic cells etc. in the future.

3.15 Ivybridge Regeneration (E.14/19)

Following a report to the Executive (18 June 2020) regarding the Ivybridge regeneration project at Leonards Road Car Park to boost footfall to the town, the following recommendation was approved:

To spend a further £65,000 from the Economic Regeneration Earmarked Reserve, on commissioning further work to provide advice in order to move the project forward in the following areas:

- Planning
- Ecology
- Automated Number Plate Recognition (ANPR) & car park lease structure to facilitate a pay on exit solution
- Agreement to lease documents
- Treasury management advice

By December 2020, it is anticipated there will be adequate information available in relation to key project risks to make a recommendation as to whether to proceed to the planning, tender and ultimate construction stage of the Ivybridge Regeneration Scheme.

At Council on 24 September 2020, it was resolved that further to the update provided by the report, to continue to support the project as it moves forward to planning and tender stage and make a decision on progressing the project further at a subsequent meeting of the Executive and Council.

3.16 Solar Parks Investment update

Appendix C sets out a report to the Informal Executive on the Solar Farm Investment update.

It is recommended that the Executive notes that following the earlier consultation with the Executive, the decision of the Chief Executive and the S151 Officer, was to cease to pursue the Solar Investments, due to the risk exposure associated with the acquisitions, as detailed in Appendix C.

The main reason it was recommended not to pursue the Solar investment was the proposed changes to the Public Works Loan Board (PWLB) lending terms set out in the Government consultation. This was a key consideration regarding the timing of the decision. It was clear from the consultation that investment out of area (the solar investment was not within the District area) and investments primarily for yield, were very unlikely to be allowable for borrowing from the PWLB in the future. The PWLB consultation was issued after the original consideration of the opportunity and had a major bearing on its suitability for the Council.

In addition, geopolitical factors outside of the Council's control continued to have a significant impact on oil pricing and as a result there was a significant degree of volatility in energy prices. Although energy prices were predicted to stabilise in the medium to long term, in June 2020 there was lower confidence in the short term prices on which the business case modelling had been based.

The impact of Covid19 on the Council's finances overall was also an important consideration. The Covid pandemic made investment at the time uncertain, within the timeframe within which the Council had to conclude a negotiation (due to other external market interest in the scheme) and the Council's exclusivity agreement reaching an end date. Therefore timing of the decision played a part too.

Appendix C sets out the position in more detail.

3.17 S106 Deposits

The list of S106 Deposits are shown in Appendix D. Some of these S106 Agreements have a clause within the S106 Agreement which states that the Council shall be entitled to use up to a five per cent (5%) part of the total payments and contributions payable pursuant to the provisions of the Agreement, towards the costs to be

reasonably and properly incurred by the Council in monitoring compliance with the S106 Agreement and in assessing the details submitted to the Council for approval pursuant to the S106 Agreement.

For clarity, the figures shown in Appendix D are before any monitoring fee has been deducted by the Council.

In 2015 a case against Oxford County Council held that a monitoring fee was an administrative function of the Council and could not be sought by the County Council. The Court accepted that there may be occasions where monitoring fees could be sought, for example, on large scale developments where obligations are phased. The Government is currently consulting on the Community Infrastructure Regulations reforming Developer Contributions. This includes an intention to clarify that local planning authorities can seek a sum as part of a section 106 planning obligation for monitoring planning obligations.

4. Options available and consideration of risk

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

5. Proposed Way Forward

This is considered on a project by project basis.

6. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance		<p>Statutory powers are provided by the S1 Localism Act 2011 general power of competence. The capital programme is implemented in line with the Council’s legal requirements, which are examined on a project-by-project basis. To date there are no undue legal concerns.</p> <p>Since there is commercially sensitive information in Appendix A, B and C regarding the budgets for individual projects, there are grounds for the publication of these appendices to be restricted, and considered in exempt session.</p>

		<p>The public interest 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>Accordingly this report contains exempt Information as defined in paragraph 3 of Schedule 12A to the Local Government Act 1972.</p>
Financial Implications to include reference to Value for Money		<p>The monitoring of the capital programme at month 5 (end of August 20) has not highlighted any significant areas of overspend to report to Members. The majority of capital projects are within the existing capital budgets approved by Members.</p> <p>That the Executive notes that following the earlier consultation with the Executive, the decision of the Chief Executive and the S151 Officer, was to cease to pursue the Solar Investments, due to the risk exposure associated with the acquisitions, as set out in the report in 3.16 and Appendix C.</p> <p>The report recommends to Council that the anticipated underspend (£93,500) on Play Parks be used to set up a Play Area Renewals Revenue Earmarked Reserve to be used for replacement play area equipment as required.</p> <p>The regular monitoring of the Capital Programme ensures the Council has arrangements in place to secure economy, efficiency and effectiveness in its use of resources.</p>
Risk		<p>There is a risk that the Capital Programme does not meet the Council's corporate priorities in line with the Council's Asset Strategy and the opportunity to assess emerging projects, which could contribute to the Council's priorities. The mitigation is that there is a project appraisal for each proposal.</p>

		<p>This is taken into account when assessing possible implementation timescales. Complex capital programmes have a relatively long lead-in period.</p> <p>The Council demonstrates that capital investment contributes to corporate priorities, provides value for money and takes account of the revenue implications of the investment. Regular monitoring of the capital programme and consideration of new pressures enables Members to control the programme and secure appropriate mitigation where problems arise.</p> <p>There is regular quarterly monitoring of the Capital Programme to Members where any cost overruns are identified at an early stage.</p>
Supporting Corporate Strategy		<p>The Capital Programme supports all six of the Corporate Themes of the Council, Homes, Enterprise, Communities, Environment and Wellbeing.</p>
Climate Change - Carbon / Biodiversity Impact		<p>A climate change action plan was presented to Members at the Council meeting on 19th December, 2019.</p> <p>Following this report, a strategy will be implemented as to how the Council could finance the items within the Action Plan, whether that is from external grant sources or some funding from the Council's own resources.</p> <p>The Council has Earmarked £400,000 in a Climate Change Earmarked Reserve as part of the 2020-21 Budget.</p> <p>A further update report 'Climate Change and Biodiversity Strategy and Action Plan Update was presented to Council on 24 September 2020.</p>

		With regards to future fleet provision further reports will be presented to Members containing a business case.
Comprehensive Impact Assessment Implications		
Equality and Diversity		This matter is assessed as part of each specific project.
Safeguarding		This matter is assessed as part of each specific project.
Community Safety, Crime and Disorder		This matter is assessed as part of each specific project.
Health, Safety and Wellbeing		This matter is assessed as part of each specific project.
Other implications		

Supporting Information

Appendices:

EXEMPT - Appendix A – Summary of the approved programme plus allocated budget

EXEMPT - Appendix B – Details of capital projects that are commercially sensitive

EXEMPT - Appendix C – Solar Farm Investment Update

Appendix D - Summary of S106 Deposits

Background Papers:

Climate Change and Biodiversity Strategy and Action Plan Update – Council 24 September 2020

Capital programme for 2020/21 – Council 13 February 2020

Capital programme for 2020/21 – Executive 6 February 2019

(72/19 and E75/19 refer)

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

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SECTION 106 DEPOSITS as at 30.09.2020						
BALANCE SHEET CLASSIFICATION: LONG TERM LIABILITIES - REVENUE						
Classif. Code	SITE	Date Received	Current Stage	Restriction/Committed End Date	Conditions	TOTAL S106 DEPOSITS as at 30.09.2020 £
REVENUE						
Langage Energy Centre (9/49/1020/98/1)						
1007	- Landscape Fund (PG01)			25 years, interest (rate not specified)	Reduce the landscape and visual impact of power station	(51,458.77)
1008	- Local Liaison Group (PG02)			25 years, interest (rate not specified)	Funding of local activities in the electoral wards of the Council immediately surrounding the Phase 1A and the wards of SHDC and/or PCC	(6,349.23)
1009	- Public Art (PG03)			25 years, interest (rate not specified)	Public art in or in the vicinity of the Phase 1A Land	(113,814.03)
1010	- Migrant Workers (PG04)			No restriction/committed end date	Provide information and advice relating to migrant workers employed in relation to the development	(1,520.16)
1012	- Ecology Park (PG06)			25 years, interest (rate not specified)	Laying out and planting of the Ecology Park	(34,144.21)
1013	- Ecology Park Mtc (PG07)			25 years, interest (rate not specified)	Maintenance of the Ecology Park	(34,144.21)
2020	- Construction of Starter Units (PG08)				Construction of the Starter Units and procure a site for the Starter Units on either the Energy Park or land within South Hams District	(1,195,047.08)
2021	- Bus interchange - Deep Lane junction (PG09)			25 years, interest (rate not specified)	Cost of establishing a bus interchange facility in the vicinity of the Ridgeway/Deep Lane junction	(28,453.19)
2022	- Enhanced bus services (PG10)			25 years, interest (rate not specified)	Securing and supporting enhanced bus services to the Phase 1A Land and the Energy Park	(227,628.54)
2118	Langage Consultants Fees (MP)				Master plan	(29,957.01)
2255	Land at Blackawton (New Parks Farm), Blackawton (06/2313/09/F)	05/09/11	PIF	25 years, no interest	Required as a result of the development - spent on Open Space Sport Recreation contribution within or directly relating to the parish of Blackawton or on such other Blackawton Community project as the Council shall see fit	(2,596.00)
2384	Land West of Ermington (21/1425/12/F)	12/02/2013 27/10/2017	Under Development	5 years, interest at NatWest base rate	£38900 - OSSR , 48k employment land and £5k retaining wall. £35K restrictive covenant .	(38,900.00)
2411	Maypool House Youth Hostel (30/2787/10/F) - Dwelling One	20/03/12	PIF	No restriction/committed end date	Affordable Housing contribution (£10,000.00) and Open Space (£4,868.75)	(32,415.54)
2806	Maypool House Youth Hostel (30/2787/10/F) - Dwelling Two	10/02/16	PIF	No restriction/committed end date	Affordable Housing contribution	(36,047.38)
2806	Maypool House Youth Hostel (30/2787/10/F) - Dwelling Two	10/02/16	PIF	No restriction/committed end date	OSSR	(5,386.40)
2428	Former Old Chapel Inn, St Anns Chapel, Bigbury (05/0227/11/F)	02/05/13	PIF	No restriction/committed end date	Affordable Housing contribution	(97,700.91)
2428	Former Old Chapel Inn, St Anns Chapel, Bigbury (05/0227/11/F)	02/05/13	PIF	No restriction/committed end date	Open Space Sport and Recreation contribution towards open public space	(12,075.39)
2429	Milzic Close (Underhay) Yealmpton (62/2948/11/O)	13/05/13	PIF	5 years, interest at BoE base rate +4%	Sport and Recreation contribution towards improved facilities for formal sport and recreation relating to the development	(2,464.48)
2429	Milzic Close (Underhay) Yealmpton (62/2948/11/O)	13/05/13	PIF	5 years, interest at BoE base rate +4%	SAC Contribution	(1,732.32)
2460	Loughrigg Coronation Rd,Salcombe (41/0652/11/F)	20/08/13	PIF	10 years, interest rate not specified	Affordable Housing contribution	(7,713.56)
2460	Loughrigg Coronation Rd,Salcombe (41/0652/11/F)	20/08/13	PIF	10 years, interest rate not specified	Open Space Sport and Recreation contribution	(11,389.85)
2652	Land Ven Farm Brixton (07/2022/12/F)	13/05/14	PIF	No restriction/committed end date	Sport & Recreation/Employment	(25,770.25)
2652	Land Ven Farm Brixton (07/2022/12/F)	13/05/14	PIF	No restriction/committed end date	Conservation of Tamar Estuaries Complex SPA	(967.30)
2652	Land Ven Farm Brixton (07/2022/12/F)	12/05/16	PIF	Capital spend, no interest specified	Open Space Sport and Recreation contribution - Open Space land commuted Sum	(8,466.00)
2691	Warland Garage (56/2793/11/F & 56/1520/12/F)	04/08/14	PIF	25 years, no interest specified	Affordable Housing contribution	(664.01)
2698	Boat House, Dartmouth Quay, Southtown, Dartmouth (15/2046/13/F)	17/08/14	PIF	5 years, no interest specified	Tree planting and management in Dartmouth	(1,581.79)
2705	Trennels, Herbert Road, Salcombe (41/0929/13/F)	21/10/14	Under Development	25 years, no interest specified	Open Space Sport Recreation contribution (£13,650)	(4,367.50)
2705	Trennels, Herbert Road, Salcombe (41/0929/13/F)	21/10/14	Under Development	25 years, no interest specified	Affordable Housing contribution (£93,001)	(88,780.95)
2714	Windward, Stoke Fleming (51/1437/14/F)	30/03/15	PIF	No restriction/committed end date	Open Space Sport Recreation contribution	(20,301.35)
2715	Harvey's Field (32/0844/12/F)	04/03/15	PIF	10 years, payable at 87.5% to owner and 12.5% payee of contribution, interest at 1% below Barclays base rate	Employment (Rural Growth Network) administered by LEP	(57,959.27)
2715	Harvey's Field (32/0844/12/F)	04/03/15	PIF	10 years, payable at 87.5% to owner and 12.5% payee of contribution, interest at 1% below Barclays base rate	Sports facilities contribution towards the provision of sports facilities required as a result of the development.	(472.47)
2716	Bonfire Hill, Salcombe (41/1915/13/F)	04/03/15	Under Development	5 years, interest at 1% below Barclays base rate	Ecology contribution	(58,401.25)
2716	Bonfire Hill, Salcombe (41/1915/13/F)	09/2016 & 09/01/20	Under Development	5 years, interest at 1% below Barclays base rate	Open Space and Play contribution	(14,595.20)
2716	Bonfire Hill, Salcombe (41/1915/13/F)	09/2016 & 09/01/20	Under Development	5 years, interest at 1% below Barclays base rate	Sports Provision contribution	(93,186.52)
2716	Bonfire Hill, Salcombe (41/1915/13/F)	09/2016 & 09/01/20	Under Development	5 years, interest at 1% below Barclays base rate	Open Space and Play maintenance contribution	(19,189.84)
2717	Old Grist Mill 53/1706/07/F	12/01/15	PIF	No restriction/committed end date	Open Space Sport Recreation contribution	(1,303.08)
2718	Sawmills Field, Dartington 14/1744/13/F	11/12/14	PIF	7 years, interest at 1% below Barclays base rate or 0% (whichever is higher)	Open Space and Play	(19,553.69)
2718	Sawmills Field, Dartington 14/1744/13/F	11/12/14	PIF	7 years, interest at 1% below Barclays base rate or 0% (whichever is higher)	Sports	(78,825.26)
2749	Alston Gate, Malborough 33_46/1890/11/F	29/03/15	Pre Commencement	5 years, interest at 1% above Lloyds base rate	Public Open Space contribution	(30,000.00)
2789	Marridge Farm, Ugborough (57/0633/07/F)	25/09/15	PIF	No restriction/committed end date	Open Space Sport Recreation contribution	(13,650.00)
2802	Riverside, Totnes (03_56/0447/12/O)	07/12/15	PIF	No restriction/committed end date	Open Space Sport Recreation contribution	(85,414.44)
2802	Riverside, Totnes (03_56/0447/12/O)	07/12/15	PIF	No restriction/committed end date	Affordable Housing contribution, Open Space Sport Recreation contribution	(27,384.45)
2808	Leyford Close, Wembury (58/0176/13/O)	09/02/16	PIF	5 years, interest at NatWest base rate	Sports and Recreation contribution and Tamar Estuaries SAC	(1,215.98)
2819	Churchstow (11/0046/14/F)	29/04/16	PIF	No restriction/committed end date	Affordable Housing contribution - deposit deed	(19,689.00)
2820	Follaton Oak, Totnes (56/2346/10/O)	15/04/16	PIF	7 years, interest at 1% below Barclays base rate	Open Space, Sport and Recreation contribution (£60k)	(13,172.10)
2835	S106 Deposits as at 30.09.20 Sara Rock Hill, East Portlemouth (20/2104/13/F)	17/05/16	PIF	No restriction/committed end date	Affordable Housing contribution	(318,406.87)

2835	Gara Rock Hotel, East Portlemouth (20/2104/13/F)	17/05/16	PIF	No restriction/committed end date	Open Space Sport Recreation contribution	(4,255.54)
2838	Treetops, St Dunstons Road, Salcombe (41/3063/13/F)	30/06/16	PIF	5 years, interest at Lloyds base rate	Affordable Housing	(13,665.79)
2838	Treetops, St Dunstons Road, Salcombe (41/3063/13/F)	30/06/16	PIF	5 years, interest at Lloyds base rate	Open Space Sport Recreation contribution	(35.43)
2850	Sorley Tunnel (11/2425/07/F)	28/07/16	PIF	No restriction/committed end date	Open Space Sport Recreation contribution	(12,195.27)
2860	Plot 2 Godwell Lane, Ivybridge (27/1758/11/F)	07/10/16	Under Development	No restriction/committed end date	Open Space Sport Recreation contribution (OSSR £195 to spend and Affordable housing £1335)	(1,530.00)
2861	Barn Conversions at Butlas Farm (07/1601/08/F)	14/12/16	PIF	No restriction/committed end date	Open space, sport and recreation contribution within or directly related to the parish of Brixton	(16,254.51)
2862	Lutton Farm Barns, Ivybridge (12/0953/07/F)	23/11/16	PIF	No restriction/committed end date	Public Open Space contribution	(8,965.15)
2863	Land at SX 8638 5117, Ivatt Road, Dartmouth (15/0587/13/F)	08/11/16	PIF	No restriction/committed end date	Open Space, Recreation and/or sports facilities within Dartmouth	(16,995.10)
2868	Venn Barn, Venn Lane, Stoke Fleming (51/1771/07/F)	29/11/16	PIF	25 years, no interest specified	Open Space, Sport and Recreation within, or directly related to, the Parish of Dartmouth	(3,434.25)
2869	Waddeton Barton Farm (52/1249/10/F)	14/09/17	PIF	Not specified	Open space, sport and recreation on sports and recreation facilities within the District - £6337.50	(6,020.64)
2869	Waddeton Barton Farm (52/1249/10/F)	14/09/17	PIF	Not specified	AH contribution of £52313.00	(49,697.35)
2894	Land at Ashburton Road (Meadowside), Totnes (14_56/2246/1)	27/03/17	Under Development	5 years, interest at NatWest base rate	Sports Pitch contribution in the vicinity of the development	(11,430.86)
2944	Land at Moorview, Maridon (34/2184/13/O)	07/07/14	PIF	10 years, interest at 1% below Barclays base rate	Sports and Recreation Contributions	(103,850.07)
2944	Land at Moorview, Maridon (34/2184/13/O)	07/07/14	PIF	10 years, interest at 1% below Barclays base rate	Offsite play Contribution	(66,324.41)
2945	Knighton Road, Wembury (58/1352/12/F)	19/05/17	Under Development	5 years, interest at NatWest base rate	Marine Contribution towards the maintenance of Plymouth Sounds SAC	(1,158.00)
2945	Knighton Road, Wembury (58/1352/12/F)	28/06/19	Under Development	5 years, interest at NatWest base rate	Footpath Contribution	(109,600.00)
2946	Higher Hatch Farm, Kingsbridge (32/0215/11/F)	15/06/17	PIF	25 years, no interest specified	Open Space, Sport and Recreation contribution	(5,700.00)
2972	Home Field, West Alvington (59/2482/14/F)	05/09/17	Under Development	No restriction/committed end date	Play Contribution	(26,678.00)
2972	Home Field, West Alvington (59/2482/14/F)	05/09/17	Under Development	No restriction/committed end date	Sport and Recreation contribution	(43,527.17)
2973	Land off Palm Cross Green, Modbury (35/0059/15/F)	23/08/2017 & 15/08/19	Under Development	No restriction/committed end date	Open Space, Sport and Recreation contribution	(201,530.55)
2974	Holywell Stores, Bigbury (05/2557/13/F)	11/06/18	Under Development	25 years, no interest specified	Affordable Housing contribution	(65,193.00)
2974	Holywell Stores, Bigbury (05/2557/13/F)	11/06/18	Under Development	25 years, no interest specified	Open Space, Sports and Recreation Contribution	(9,155.33)
2993	Land at Fairfield, South Brent (0354/14)	10/08/17	PIF	No restriction/committed end date	Off-site Public open Space Contribution	(0.50)
2994	Land SE of Torhill Farm, Ivybridge (27_57/1347/14/F)	30/07/2017 & 21/09/18	Under Development	No restriction/committed end date	Air Quality	(5,724.64)
2994	Land SE of Torhill Farm, Ivybridge (27_57/1347/14/F)	19/07/2017 & 21/09/18	Under Development	No restriction/committed end date	Tamar Estuaries	(7,918.23)
2994	Land SE of Torhill Farm, Ivybridge (27_57/1347/14/F)	19/07/2017, 21/09/18 & 28/06/19 & 17/01/20	Under Development	No restriction/committed end date	Filham Park Contribution instalments 1, 2 & 3 + BCIS	(489,503.15)
3000	Land at Woodland Road, Ivybridge (27/1859/15/F)	31/10/17	Under Development	10 Years no interest specified	Tamar SAC Contribution	(2,459.73)
3000	Land at Woodland Road, Ivybridge (27/1859/15/F)	31/10/17 & 04/12/18	Under Development	10 Years no interest specified	1st Instalment OSSR & 2nd Invoiced	(154,947.89)
3000	Land at Woodland Road, Ivybridge (27/1859/15/F)	04/12/18	Under Development	10 Years no interest specified	1st & 2nd Instalment Open Space and Play	(44,126.45)
3001	Land adjacent to Elwell House, Totnes (56/1214/14/F)	12/04/18	PIF	25 years, no interest specified	OSSR - £1596 to spend	(1,669.99)
3001	Land adjacent to Elwell House, Totnes (56/1214/14/F)	12/04/18	PIF	25 years, no interest specified	Affordable Housing contribution £11704 to spend	(626.01)
3028	Stowford Mill, Harford Road, Ivybridge (27/1336/15/F)	04/05/18	Under Development	No restriction/committed end date	Ivybridge Mill Group Archives Contributions	(10,000.00)
3081	Webbers Yard Dartington (14/1745/13/O)	02/05/2018 & 19/09/18	Under Development	No restriction/committed end date	1st & 2nd instalment of Sports Provisions	(57,101.74)
3081	Webbers Yard Dartington (14/1745/13/O)	02/05/2018 & 19/09/18	Under Development	No restriction/committed end date	1st & 2nd instalment of Open Space and Play Contribution	(28,078.15)
3082	Venn Farm, Brixton (07/1196/15/F)	08/05/18	Under Development	10 years	Brixton Play Provision Contribution	(46,450.90)
3082	Venn Farm, Brixton (07/1196/15/F)	08/05/18	Under Development	10 years	Sports and Recreations Contribution	(0.22)
3082	Venn Farm, Brixton (07/1196/15/F)	08/05/18	Under Development	10 years	Open Space Contribution	(13,182.59)
3082	Venn Farm, Brixton (07/1196/15/F)	08/05/18	Under Development	10 years	Tamar SAC	(662.73)
3094	Land Noss Marina Kingswear (2266/17/FUL)	12/06/18	Under Development	5 years	New Interpretation panel Contribution	(60.00)
3101	Land at Pendarves Loddiswell (S106 -32/1722/15/F)	31/07/18	PIF	10 Years	Affordable Housing Contributions	(13,016.73)
3116	Gara Rock Hotel (3586/16/FUL)	07/11/18 & 22/02/19	Under Development	No restriction/committed end date	1st, 2nd and 3rd instalment of Affordable Housing	(200,000.00)
3132	Former Gas Works, Salcombe (0362/16/FUL)	24/01/19	PIF	25 Years	Affordable Housing	(53,611.32)
3132	Former Gas Works, Salcombe (0362/16/FUL)	24/01/19	PIF	10 Years	OSSR - £14,280 towards The Berry	(15,752.46)
3149	Land East of Allern Lane, Tamerton Foliot (04/1129/15/F)	27/02/196 & 14/03/19	Under Development	5 years	Tamar European Marine Site contribution	(2,274.99)
3149	Land East of Allern Lane, Tamerton Foliot (04/1129/15/F)	13/02/20	Under Development	5 years	Sports and Recreation OSSR - £44752.50 towards either Gidley Meadows, Dorothy Elmhirst Recreation Field or provide a games area at Meadowbrook	(103,029.56)
3160	Brimhay Bungalows, Dartington - 14/0142/15/F	19/03/19	Under Development	None	Open Space and Recreation	(44,752.50)
3199	Land at The Fairway, Newton Ferrers - 1372/16/FUL	19/09/19	Under Development	10 Years	Affordable Housing Contribution	(19,211.11)
3224	Cornwood Road, Ivybridge - 2208/16/FUL	03/10/19	Under Development	5 years	Off-Site Open Space	(167,200.00)
3224	Cornwood Road, Ivybridge - 2208/16/FUL	03/10/19	Under Development	5 years	50% Bridge Town Corridor Contribution	(46,539.85)
3233	Great Court Farm - 03/2163/14/O	04/10/19	Under Development	None	80% Sports and Recreation Contribution	(72,613.44)
3233	Great Court Farm - 03/2163/14/O	04/10/19	Under Development	10 years	1st Instalment of OSSR	(75,631.18)
3256	Land at Marlborough Park (0549/17/OPA)	09/03/20	Under Development	7 years	Sports and Recreation Contribution	(62,769.69)
3258	Land at Rivermaid Marine - (4140/16/Ful)	17/02/20	Under Development	10 Years	Open Space Contribution	(18,050.00)
3262	West Palm Cross Phase 2 (S106 -1391/18/F)	17/02/20	Under Development	10 Years	Public Play Space	(54,943.93)
3262	West Palm Cross Phase 2 (S106 -1391/18/F)	17/02/20	Under Development	10 Years	Sport Contribution	(50,773.23)
3271	Land at the Royal British Legion Club, Brixton - 1884/18/FUL & 2771/16/FUL	15/05/20	Under Development	5 Years	£13,337.58 for pitches at Horsham Playing Fields	(12,670.70)
3271	Land at the Royal British Legion Club, Brixton - 1884/18/FUL & 2771/16/FUL	15/05/20	Under Development	5 Years	£8,518.12 for play facilities on the Brixton Play Trail	(8,092.21)
3282	Land at Cornwood Road, Ivybridge (Phase 2) -3954/17/Ful	15/05/20	Under Development	10 Years	50% Open Space, Sport and Recreation Contribution	(97,231.11)
3287	Land at Town Farm - French Furze - 06/0992/14/F		Under Development		50% Sports pitch and Community Facilities	(32,739.51)

3380	Land Adj Sea View Heybrook bay (1165/20/VAR)	22/06/20	Plymouth sounds and Estuaries EMS recreation mitigation and management scheme	(36.76)
3385	Paignton Road Stoke Gabriel - 52/1503/15/F		100% OSSR Contribution to improve football facilities in Stoke Gabriel	(104,775.65)
				(5,869,682.10)
	Subtotal ccS0500			
				0.00
	Sherford			0.00
2600	Sherford Review Panel Set up Contribution			0.00
2601	SRP Annual Contribution			(66,267.10)
2602	Fees - Parish Council			(24,219.84)
2603	Fees - Monitoring			0.00
2604	Economy - Economy & Training			
2893	Sherford Delivery Team			(90,486.94)
	Subtotal ccS0501			(90,486.94)
				(5,960,169.04)
	TOTAL S106 DEPOSITS (WITH CONDITIONS)			
				(7,312.50)
				(7,372.00)
PG28	Rathvendon, Bigbury (1023)		No conditions	
PG36	Sedgewell Sands, Marine Drive		No conditions	(23,000.00)
2726	St Johns Ambulance, Dartmth 15/1389/12/F		Affordable Housing - provision, enhancement, management	(37,684.50)
	TOTAL S106 DEPOSITS (NO CONDITIONS) ccS0842			
				(87,124.50)
	Capital Grant Unapplied (Cost centre S0803)			(30,000.00)
	Fallapit House, East Allington		Affordable Housing	
	Tesco Site, Kingsbridge			(117,124.50)
	TOTAL CAPITAL GRANTS UNAPPLIED			
				(84,000.00)
	Capital Grants Receipts in Advance (Cost Centre S0510)			(84,000.00)
				(84,000.00)
	Penn Torr, Salcombe		Affordable Housing	
	TOTAL CAPITAL GRANTS RECEIPTS IN ADVANCE			
	Notes:			
	1. The amounts shown above are before any monitoring fee has been deducted, where this is set out in the S106 Agreement. (See Section 3.20 of the covering report which explains this in more detail)			
	2. The deposits as at 30th September 2020 reflect income already received by the Council or where a debtor has recently been raised to a third party.			

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Report to: **Executive**

Date: **22 October 2020**

Title: **Housing Strategy: Progress Update**

Portfolio Area: **Cllr Hilary Bastone**
Executive Lead: Homes

Wards Affected: **All**

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

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

Author: **Isabel Blake** Role: **Head of Housing, Revenues & Benefits Practice**

Contact: **01822 813551 email:Isabel.blake@swdevon.gov.uk**

RECOMMENDATION:

That the Executive:

- 1. note the progress of the Housing Strategy to date;**
- 2. support the 'better homes, better lives' strapline;**
- 3. note that the results of the consultation exercise are to be reported back to a future meeting of the Overview and Scrutiny Panel; and**
- 4. endorse the proposed way forward and the need for all Members to continue to contribute to the development of this key policy.**

1. Executive summary

1.1 South Hams District Council has adopted a Corporate Strategy which includes the theme of 'Homes- Enabling homes that meet the needs of all' and at the Executive meeting on 17th September 2020, the Leader set out as part of her future priorities, that we will Sustain and support our vibrant towns and villages, through the delivery of the JLP, and by putting housing for the community first.

1.2 In supporting these priorities, the Council is preparing a five year Housing Strategy (jointly with West Devon Borough Council) for

adoption by April 2021. The Strategy will set out the Council's vision and priorities for Housing until March 2026.

- 1.3 This report seeks endorsement of the approach to date, and of Members emerging priorities.
- 1.4 It is anticipated that a draft Strategy will be presented to Executive in December 2020, with a recommendation to undertake a public consultation. The public consultation will be active over December/January, before returning to Executive in February with adoption (subject to all necessary approvals) by full Council in March 2021.
- 1.5 A version of this report was also considered by the Overview and Scrutiny Panel at its meeting held on 8 October 2020 and the following resolution was made at this meeting:

'That the Overview and Scrutiny Panel:

- 1. note the progress of the Housing Strategy to date;*
- 2. support the 'better homes, better lives' strapline;*
- 3. request that the results of the consultation exercise be reported back to a future Panel meeting; and*
- 4. endorse the proposed way forward and for all Members to continue to contribute to this key policy development.'*

2. Background

- 2.1 The Council currently has a number of housing related policies and strategies that set delivery priorities. These include the Homelessness Strategy, Community Housing Strategy and a Rough Sleeper Strategy. The Council does not however currently have a Housing Strategy to bring all of these strands together.
- 2.2 South Hams District Council already has a Joint Local Plan (JLP) with West Devon Borough Council and Plymouth City Council. The JLP is demonstrating, through our monitoring, that it is already delivering the required 30% of affordable housing of our overall supply on an annual basis. The Housing Strategy will not replace the JLP, instead it will exist to enhance it, with a focus not only on new affordable housing but across all areas of the Council's responsibilities in meeting housing need.
- 2.3 Since the Council last adopted a Housing Strategy there have been vast changes to national policy, including primary legislation and more locally we have seen adoption of our own local plan, jointly with West Devon & Plymouth.
- 2.4 In order to facilitate the development of the Housing Strategy, Members were asked to complete a survey setting out what they consider to be the priorities. The survey ran for two weeks with

twenty-one responses being received. The full results of the survey are attached to this report at Appendix 1.

- 2.5 In order to further explore Members priorities, a full member workshop was held on 17th September 2020. The session was attended by 19 Members who were provided with the opportunity to ask Officers questions to understand current activity and future challenges.

3. Outcomes/outputs

- 3.1 During the workshop, Members were presented with the results of the survey and supported developing the Strategy under two broad themes:
- **Housing for Place** which will concerns itself with actions around the built environment, quality and type of housing and;
 - **Housing for People** which will focus on the housing needs of our residents and how we might contribute to improving these the proposal to develop a Strategy along two key themes;

- 3.2 The survey and workshop highlighted Member priorities under each of these themes as:-

Housing for Place

- Maximising affordable housing delivery according to need
- Promoting balanced and sustainable communities
- New Housing developments that reduce our carbon footprint and fuel poverty
- Council as a developer of new housing
- Planning for future health needs

Housing for People

- Reducing fuel bills through better designed and/or insulated homes
- Reducing fuel poverty through retrofitting existing housing stock
- Improving Health and Wellbeing
- Reducing Anti-Social Behaviour in Neighbourhoods
- Addressing under occupation and overcrowding

- 3.3 Having explored the priorities in more detail, Members were asked to consider an overall 'strapline' for the Strategy. "**Better Homes, Better Lives**" was put forward as this encapsulates the priorities Members have so far indicated they wish to include. It is also a clear and succinct statement of the strategy aims.
- 3.4 A short summary of outputs from the workshop is attached at Appendix 2 to this report. This, along with the results of the Member survey will now be used for Officers to engage with

partner organisations in order to ensure that the final strategy is aligned to their priorities and where common aims are identified, these are captured in the Strategy.

3.5 The Housing Strategy will also have clear links to the Council’s Covid-19 Recovery Plan which was considered by Council on 24th September 2020. Through developing of the Recovery Plan, Members set a number of actions to be explored including:-

- a. Action 1.14 – Consider the benefits of the Council becoming a social landlord
- b. Action 2.1 Raise awareness of Community and Affordable Housing Schemes

These will both be considered through delivery of the Strategy.

3.6 The timeline for the next stages of Strategy Development is as follows:

22 nd October 2020	Executive consideration of draft strategy priorities
23 rd October – 11 th November 2020	Officer engagement with partners on draft strategy priorities
3 rd December 2020	Executive consideration of draft strategy and agreement to commence public consultation
4 th December 2020 – 15 th January 2021	Public consultation
March 2021	Executive consideration of public consultation results and recommendation to Council for adoption of final strategy. Council – Adoption of Housing Strategy 2021- 2026

Strategy Development Governance

3.7 The development of the strategy is being undertaken by officers from across the Council.

3.8 The project team includes:-

- Strategic Director Place and Enterprise (SLT Lead)
- Head of Housing, Revenues and Benefits (Project Lead)
- Housing Specialists
- Assets Specialists
- Placemaking Specialists
- EH Specialists

3.9 The project team meet on a weekly basis to ensure that the strategy is being developed in line with existing policy and

strategy (JLP, Community Housing etc) but to also ensure that we draw on innovative practices from across the Country in shaping our strategy.

- 3.10 The Head of Housing, Revenues and Benefits regularly engages with the Senior Leadership Team and Deputy Leader (as Lead Executive Member) to ensure that progress is maintained.

4. Options available and consideration of risk

- 4.1 The Strategy is being developed at a time when there is a fast moving national policy agenda. The upcoming planning white paper could have implications for the future deliverability of the Strategy not least because of the proposed changes to the threshold for affordable housing.
- 4.2 We have also yet to fully understand the long term impacts that the Covid-19 pandemic will have on the Council and South Hams communities. We know that there will be increased financial challenges for individuals and families which will have an impact on the housing options available to them.
- 4.3 Given the uncertainties currently faced, it will be important that the Strategy provides enough flexibility so that the Council can adapt to meet future demands but also to develop any possible opportunities that may present.
- 4.4 It is anticipated that a strategy will be considered for adoption by Council in March 2021. This is however dependent on future impacts of Covid-19 as many of the officers required to support the development of the Strategy are the same officers that have the knowledge and skills to support our communities should this be needed.

5. Proposed Way Forward

- 5.1 While there are a number of uncertainties at this moment in time (as set out in Section 4), it is still considered that the Council should take the positive step of creating and adopting a five year Housing Strategy.
- 5.2 Between this report and December, Officers will be working with the Lead Member in developing Member's priorities and formulating the strategy on how we will deliver them. We will also consult with statutory and voluntary organisations to ensure where possible the strategy can be delivered using a multi-agency partner approach.
- 5.3 It is anticipated that when formal public consultation commences in December 2020, it will be carried out in line with the best practice for consultation and engagement currently being identified by the O&S Consultation and Engagement Task & Finish Group.
- 5.4 In order to ensure the Strategy remains relevant and responsive to the changing situation, it will be accompanied by a delivery plan

which will be reviewed and refreshed each year with annual Member workshops informing the updates.

5.5 The proposed way forward is therefore that officers continue to develop the Housing Strategy along the timescales suggested in this report and the timeline in section 3.5

6. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance	Y	Whilst not a legal requirement to have a Housing Strategy, the Council has a range of statutory duties relating to housing conditions, housing, and homelessness. This strategy will assist the Council in meeting these duties.
Financial implications to include reference to value for money	Y	As part of the strategy all housing related budgets will be collated. Any additional activity, identified as part of any emerging delivery plan will be considered for feasibility within normal yearly budgeting activity.
Risk	Y	The risk of not delivering the strategy, or subsequent aspects of a delivery plan relate to <ul style="list-style-type: none"> • Potential changing factors (eg covid-19) could lead to an increased demand for statutory services • Future changes to national policy (in particular the planning white paper, which sets out for consultation fundamental changes to the thresholds for affordable housing)
Supporting Corporate Strategy	Y	Homes & Wellbeing
Climate Change - Carbon / Biodiversity Impact	Y	The climate change strategy will be a key document and Members have already indicated their priorities for greener homes & energy, whilst balancing fuel poverty.
Comprehensive Impact Assessment Implications		
Equality and Diversity	Y	There will be an Equality Impact Assessment completed as part of the process.
Safeguarding	Y	There are no direct safeguarding implications arising from this report.
Community Safety, Crime and Disorder	Y	It is anticipated that the Housing Strategy will impact positively on social cohesion.

Health, Safety and Wellbeing	Y	The focus of the strategy is to improve wellbeing by a range of measures to address housing need.
Other implications		

Supporting Information

Appendices:

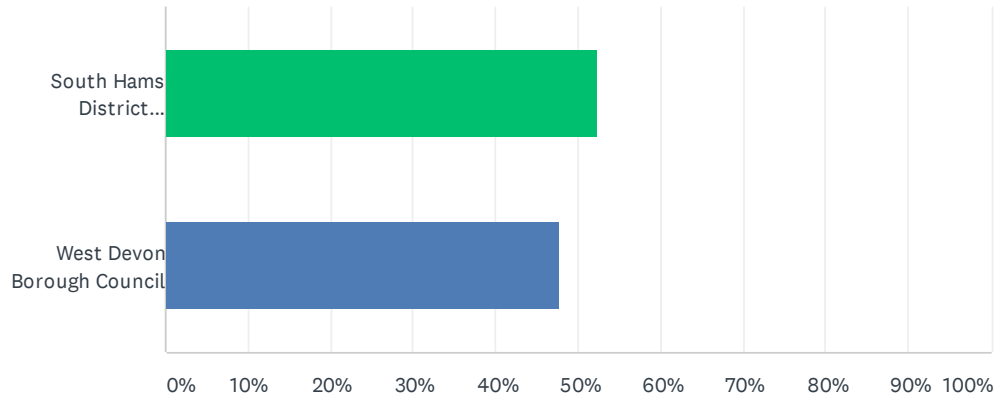
Appendix 1 – Member Survey Responses

Appendix 2 – Summary of Member workshop outputs

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Q1 Which Council do you represent

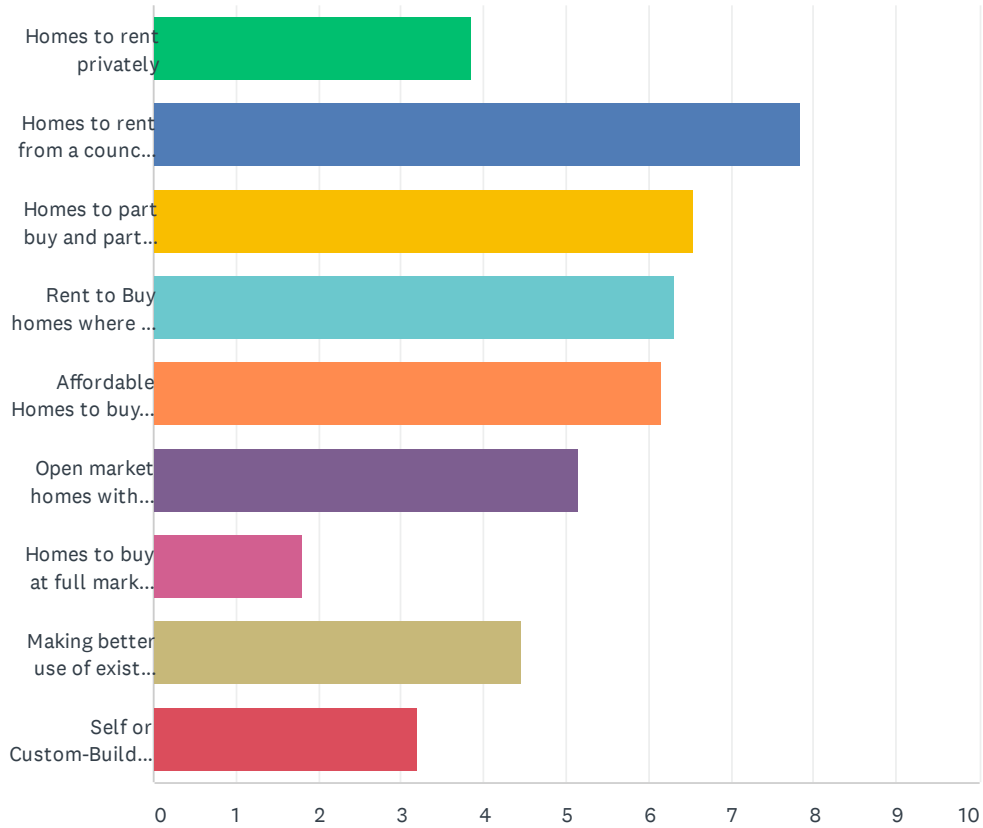
Answered: 21 Skipped: 0



ANSWER CHOICES	RESPONSES	
South Hams District Council	52.38%	11
West Devon Borough Council	47.62%	10
TOTAL		21

Q2 In your own experience as an elected representative and in the context of the fact file provided, please prioritise the following types of housing tenures (1 being top priority, 9 being lowest priority)

Answered: 20 Skipped: 1

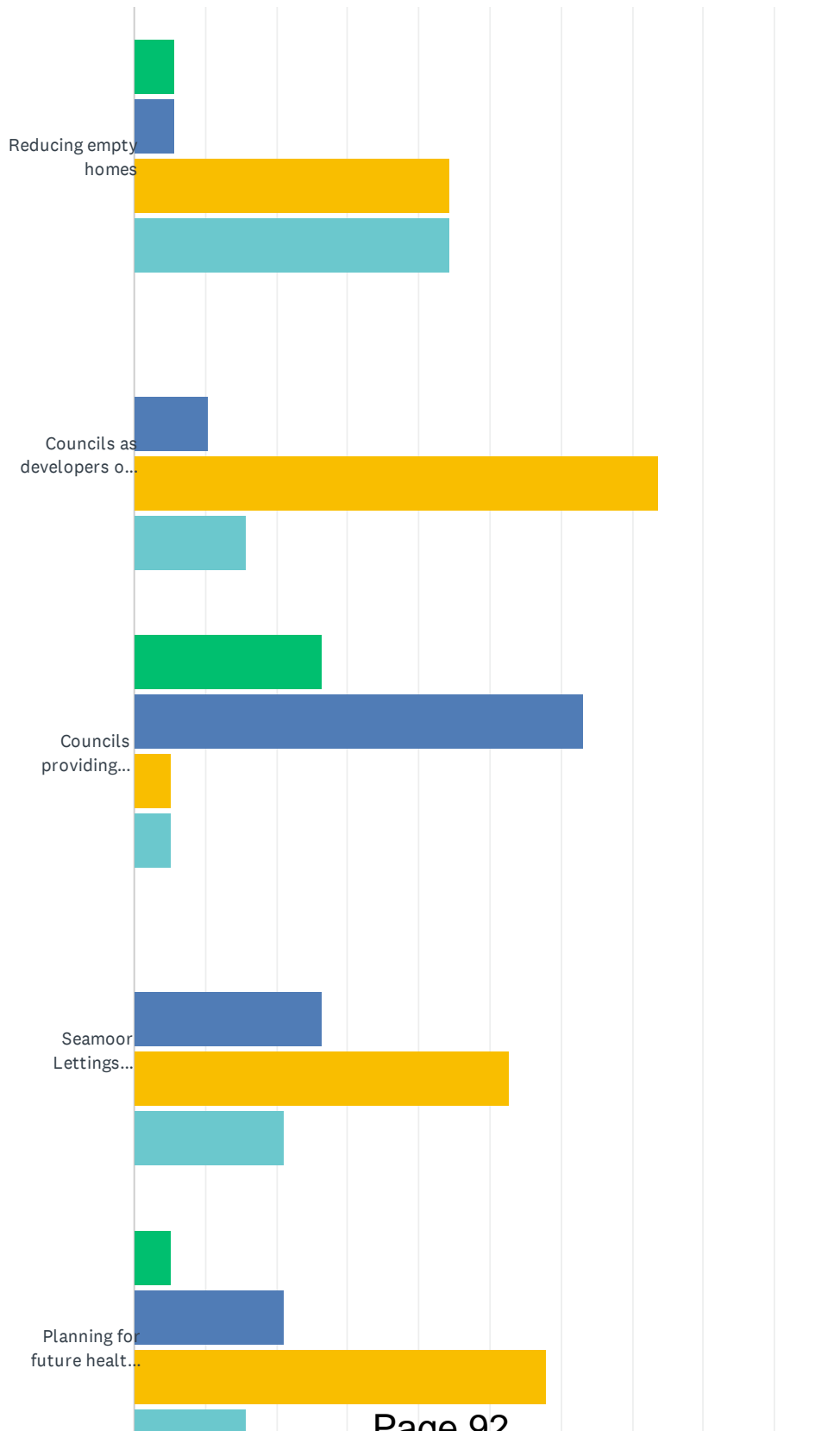


Housing Strategy Priorities Survey

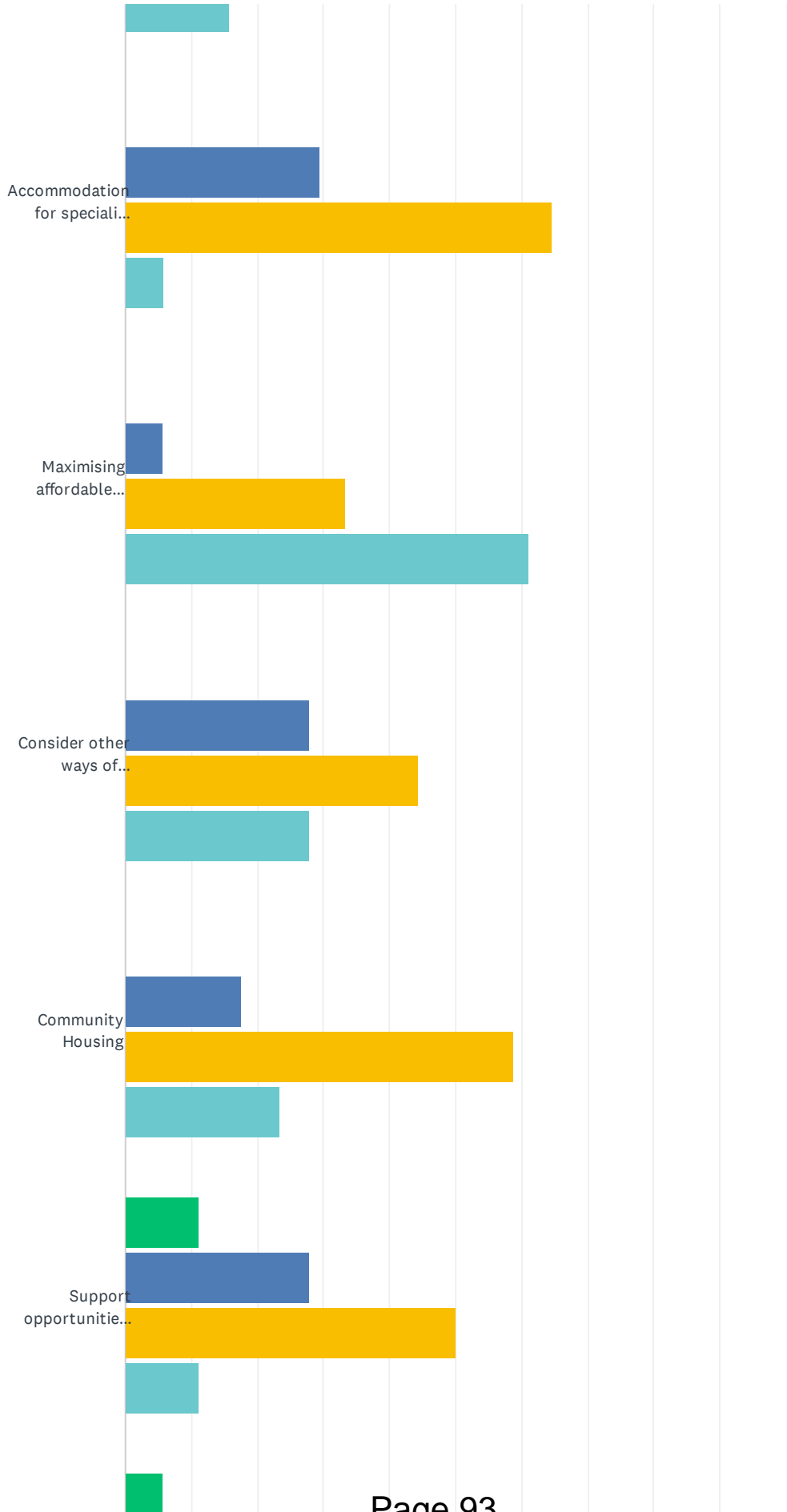
	1	2	3	4	5	6	7	8	9	TOTAL	SCORE
Homes to rent privately	10.53% 2	0.00% 0	10.53% 2	5.26% 1	10.53% 2	5.26% 1	5.26% 1	42.11% 8	10.53% 2	19	3.8
Homes to rent from a council or housing association at rents which are lower than market rents	70.00% 14	10.00% 2	5.00% 1	0.00% 0	5.00% 1	0.00% 0	0.00% 0	5.00% 1	5.00% 1	20	7.0
Homes to part buy and part rent (also known as shared ownership) helping people to get on the home ownership ladder	0.00% 0	40.00% 8	30.00% 6	10.00% 2	5.00% 1	5.00% 1	5.00% 1	0.00% 0	5.00% 1	20	6.5
Rent to Buy homes where you rent your home with the intention of buying it within a set period of time	5.26% 1	15.79% 3	31.58% 6	26.32% 5	5.26% 1	5.26% 1	10.53% 2	0.00% 0	0.00% 0	19	6.5
Affordable Homes to buy at a discount of the open market value (typically 55%-65%)	5.00% 1	20.00% 4	10.00% 2	30.00% 6	25.00% 5	5.00% 1	5.00% 1	0.00% 0	0.00% 0	20	6.0
Open market homes with restricted ownership/occupation to local people (within the JLP area)	5.00% 1	10.00% 2	5.00% 1	10.00% 2	30.00% 6	25.00% 5	15.00% 3	0.00% 0	0.00% 0	20	5.0
Homes to buy at full market price with or without a mortgage	0.00% 0	0.00% 0	0.00% 0	0.00% 0	0.00% 0	5.26% 1	21.05% 4	21.05% 4	52.63% 10	19	1.7
Making better use of existing housing stock (regeneration & retrofitting)	5.00% 1	5.00% 1	5.00% 1	15.00% 3	10.00% 2	30.00% 6	15.00% 3	5.00% 1	10.00% 2	20	4.4
Self or Custom-Build housing plots (both market and affordable)	0.00% 0	0.00% 0	5.00% 1	5.00% 1	10.00% 2	20.00% 4	20.00% 4	25.00% 5	15.00% 3	20	3.0

Q3 Thinking about Housing for Place, how important do you consider the following to be?

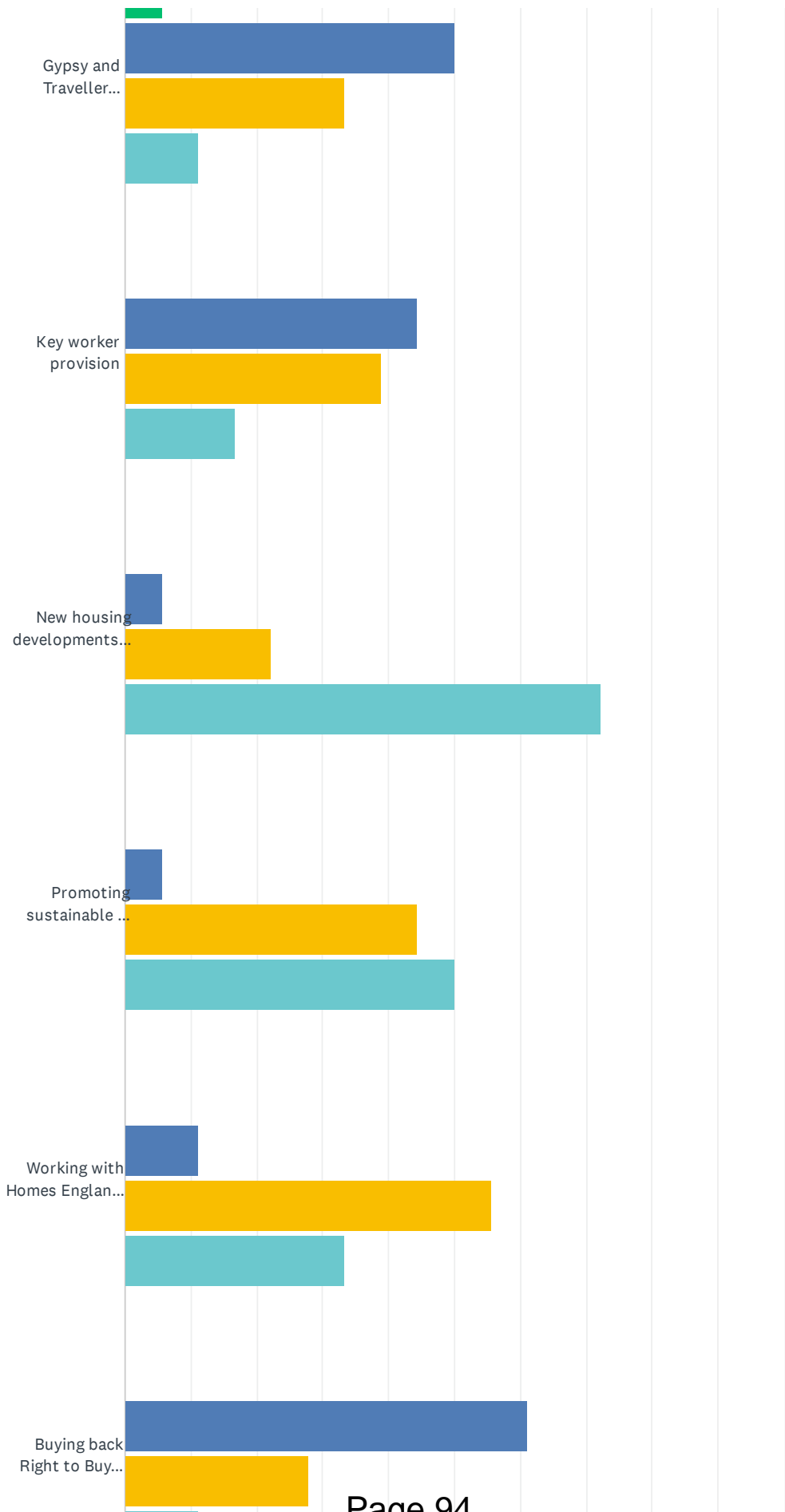
Answered: 19 Skipped: 2



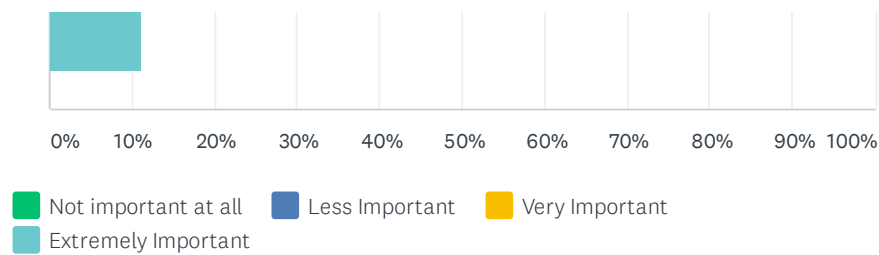
Housing Strategy Priorities Survey



Housing Strategy Priorities Survey



Housing Strategy Priorities Survey



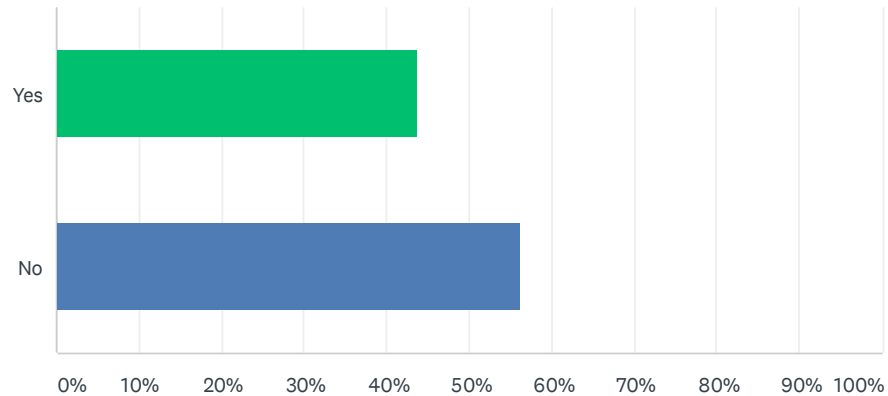
	NOT IMPORTANT AT ALL	LESS IMPORTANT	VERY IMPORTANT	EXTREMELY IMPORTANT	TOTAL	WEIGHTED AVERAGE
Reducing empty homes	5.56% 1	5.56% 1	44.44% 8	44.44% 8	18	3.72
Councils as developers of new housing	0.00% 0	10.53% 2	73.68% 14	15.79% 3	19	3.79
Councils providing finance/mortgages to new homeowners	26.32% 5	63.16% 12	5.26% 1	5.26% 1	19	1.95
Seamoor Lettings (Councils rental Property Management Service)	0.00% 0	26.32% 5	52.63% 10	21.05% 4	19	3.47
Planning for future health needs	5.26% 1	21.05% 4	57.89% 11	15.79% 3	19	3.42
Accommodation for specialist needs i.e those with learning disabilities, extra care needs or hostel type accommodation	0.00% 0	29.41% 5	64.71% 11	5.88% 1	17	3.41
Maximising affordable housing delivery according to need	0.00% 0	5.56% 1	33.33% 6	61.11% 11	18	3.89
Consider other ways of building affordable homes such as co-operatives, community land trusts, live/work spaces and others	0.00% 0	27.78% 5	44.44% 8	27.78% 5	18	3.44
Community Housing	0.00% 0	17.65% 3	58.82% 10	23.53% 4	17	3.65
Support opportunities for self-build	11.11% 2	27.78% 5	50.00% 9	11.11% 2	18	3.11
Gypsy and Traveller provision	5.56% 1	50.00% 9	33.33% 6	11.11% 2	18	2.83
Key worker provision	0.00% 0	44.44% 8	38.89% 7	16.67% 3	18	3.11
New housing developments that reduce our carbon footprint and fuel poverty	0.00% 0	5.56% 1	22.22% 4	72.22% 13	18	3.89
Promoting sustainable and balanced communities	0.00% 0	5.56% 1	44.44% 8	50.00% 9	18	3.89
Working with Homes England to encourage more Grant Funding into the Council	0.00% 0	11.11% 2	55.56% 10	33.33% 6	18	3.78
Buying back Right to Buy Resales	0.00% 0	61.11% 11	27.78% 5	11.11% 2	18	2.78

Housing Strategy Priorities Survey

#	ANY WE HAVE MISSED?	DATE
1	ensuring any housing build meets local needs and takes local views into account	8/25/2020 8:29 AM
2	Providing homes of a better quality, e.g. the Parker Morris standards on space and storage etc.	8/19/2020 3:16 PM
3	1. Retrofitting existing housing to as close to passive house specification as possible 2. Build high quality, low carbon council housing to meet local needs	8/17/2020 2:06 PM
4	Homeworking facilities. Relationship to public transport. Infrastructure and route planning a a basic plan underpinning the whole of the South Hams. Lobbying government to support 'affordable' to mean housing costs to be 3.5 multiplier on average salary.	8/13/2020 8:48 PM
5	We need to decide whether we are a bank and competing with other financial institutions or about helping local people who need assistance with their housing needs, i.e. rentals tenancy agreements.	8/10/2020 2:57 PM
6	Difficult to be very subtle with only four choices!	8/8/2020 9:44 AM

Q4 Would you support a reduction in Affordable Housing to bring forward more specialist accommodation where a local need exists. For example, more disabled adapted accommodation?

Answered: 16 Skipped: 5

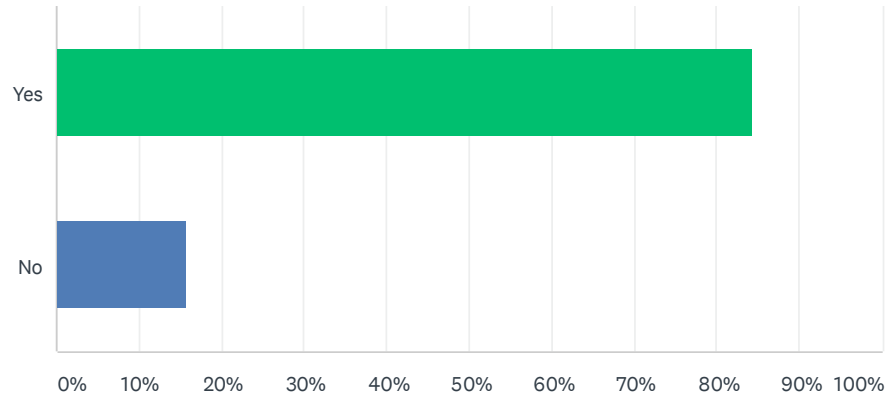


ANSWER CHOICES	RESPONSES
Yes	43.75% 7
No	56.25% 9
Total Respondents: 16	

#	OTHER (PLEASE SPECIFY)	DATE
1	'affordable housing' is not truly affordable on local wages so is a misnomer. All housing needs to be designed and built to be adaptable, initial planning for this is crucial.	8/25/2020 8:29 AM
2	These should be complementary, not a question of either/or. Both are urgently needed.	8/19/2020 3:16 PM
3	that need should be met in addition to affordable housing provision - 30% affordable is already a very low requirement	8/17/2020 2:06 PM
4	Dependant on location and application details	8/17/2020 9:59 AM
5	You don't specify what reduction - in numbers of affordable houses? - No; in reduction of the cost from 80% of standard pricing to 55% - Yes. Should disabled adapted accommodation be provided by this fund - No, but by increasing Community Charge on unoccupied houses.	8/13/2020 8:48 PM
6	A bit of a don't know, as I remember homes being specifically developed and fitted out for a certain family for it to be turned down on completion. The house ended up going to the next person on the top of the list who were able bodied. A house for a disabled person gone.	8/10/2020 2:57 PM
7	Where local needs exist (when established by a housing needs assessment only)	8/10/2020 10:30 AM
8	Depends on the adaptation, but all affordable housing should be to lifetime homes standards because such a high proportion of Affordable housing tenants are disabled.	8/8/2020 9:44 AM

Q5 Do you think the Council should consider buying new homes 'off the shelf' from developers if the price was right?

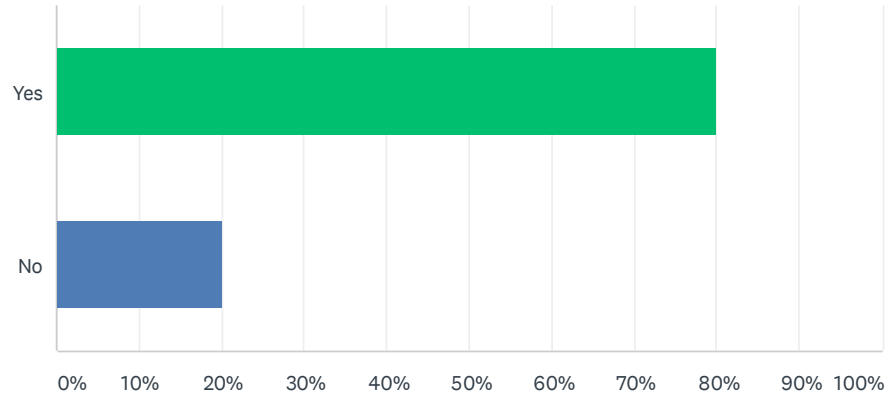
Answered: 19 Skipped: 2



ANSWER CHOICES	RESPONSES
Yes	84.21% 16
No	15.79% 3
Total Respondents: 19	

Q6 As you feel that the Council should consider buying new homes 'off the shelf' from developers, do you think that this should be focused around town and local centres where there are employment opportunities?

Answered: 15 Skipped: 6

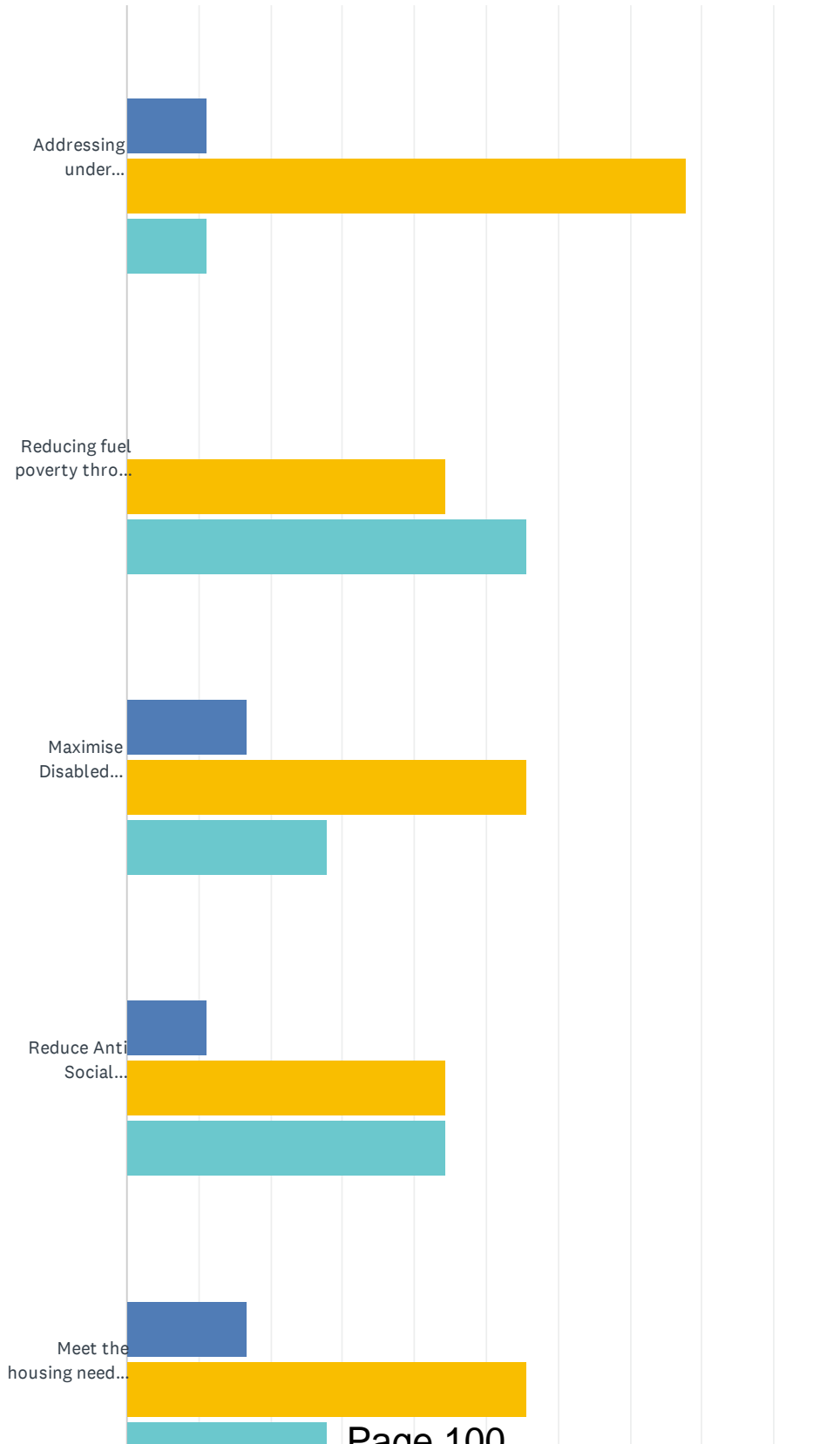


ANSWER CHOICES	RESPONSES
Yes	80.00% 12
No	20.00% 3
TOTAL	15

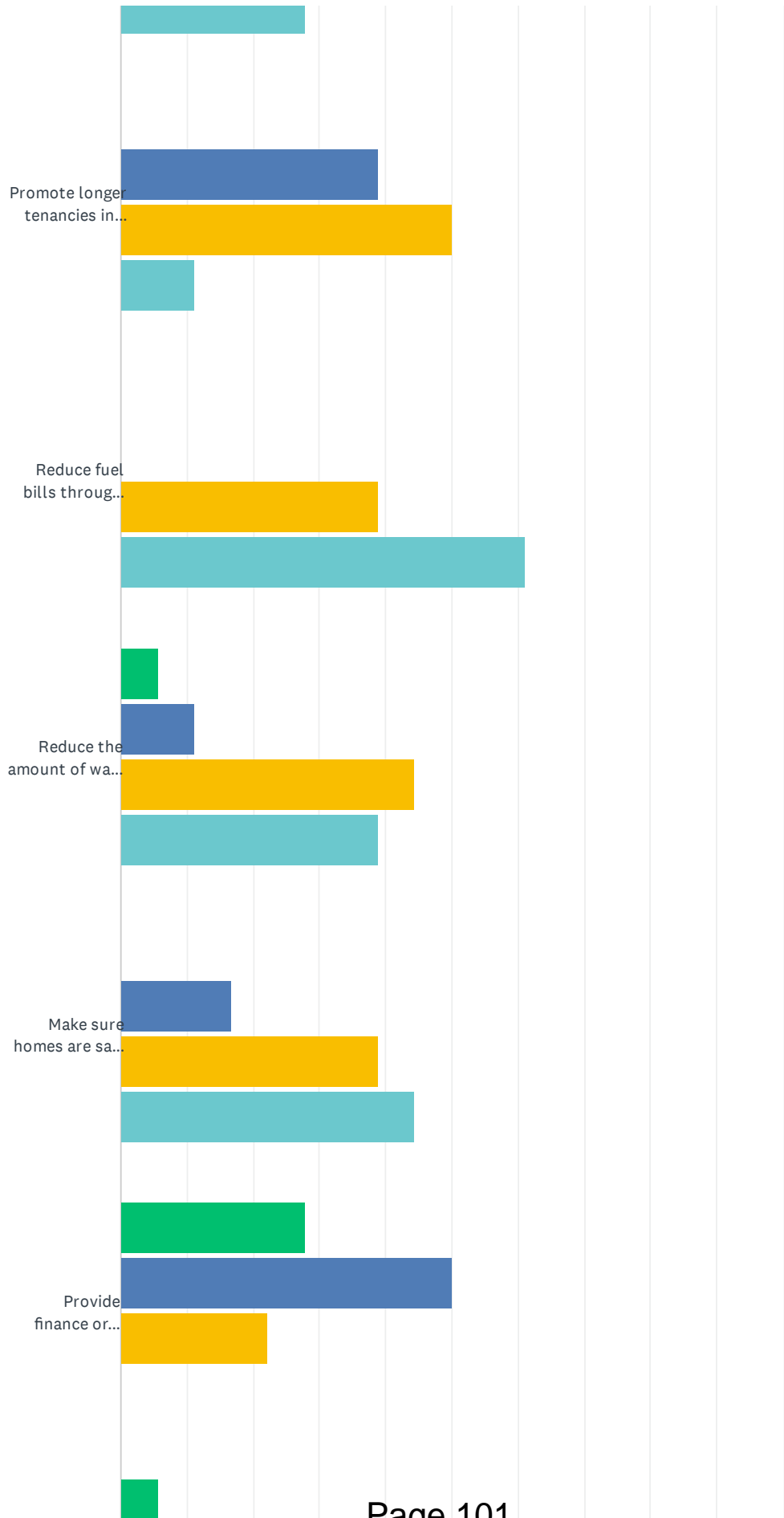
#	OTHER (PLEASE SPECIFY)	DATE
1	yes, depending on circumstances and environmental considerations	8/25/2020 8:30 AM
2	With our geography we need housing both in towns and rural areas. There are employment opportunities in both.	8/19/2020 3:18 PM
3	we live in a rural area where we need to stimulate people working in agriculture and local food production. the distorted focus on town centre development is leading to endless suburbia	8/17/2020 2:08 PM
4	However some support should be considered in rural areas if there is a need.	8/17/2020 10:00 AM
5	Again a don't know, as there are villages with small developments where we could have people on the housing list, who may be agricultural workers who desperately need housing. Farming wages aren't great so they can't usually afford to buy in the village or privately rent.	8/10/2020 3:02 PM
6	Wherever the price is right	8/10/2020 1:20 PM
7	Assuming that this would be for the purposes of 'affordable rents' in the area that the council serves only. Not as a 'speculative' activity to simply generate revenue.	8/10/2020 10:33 AM
8	House builders unlikely to sell unless they get 'caught out' by economic events - RPs can always buy them too.	8/8/2020 9:45 AM

Q7 Thinking about Housing for People, how important do you consider the following to be?

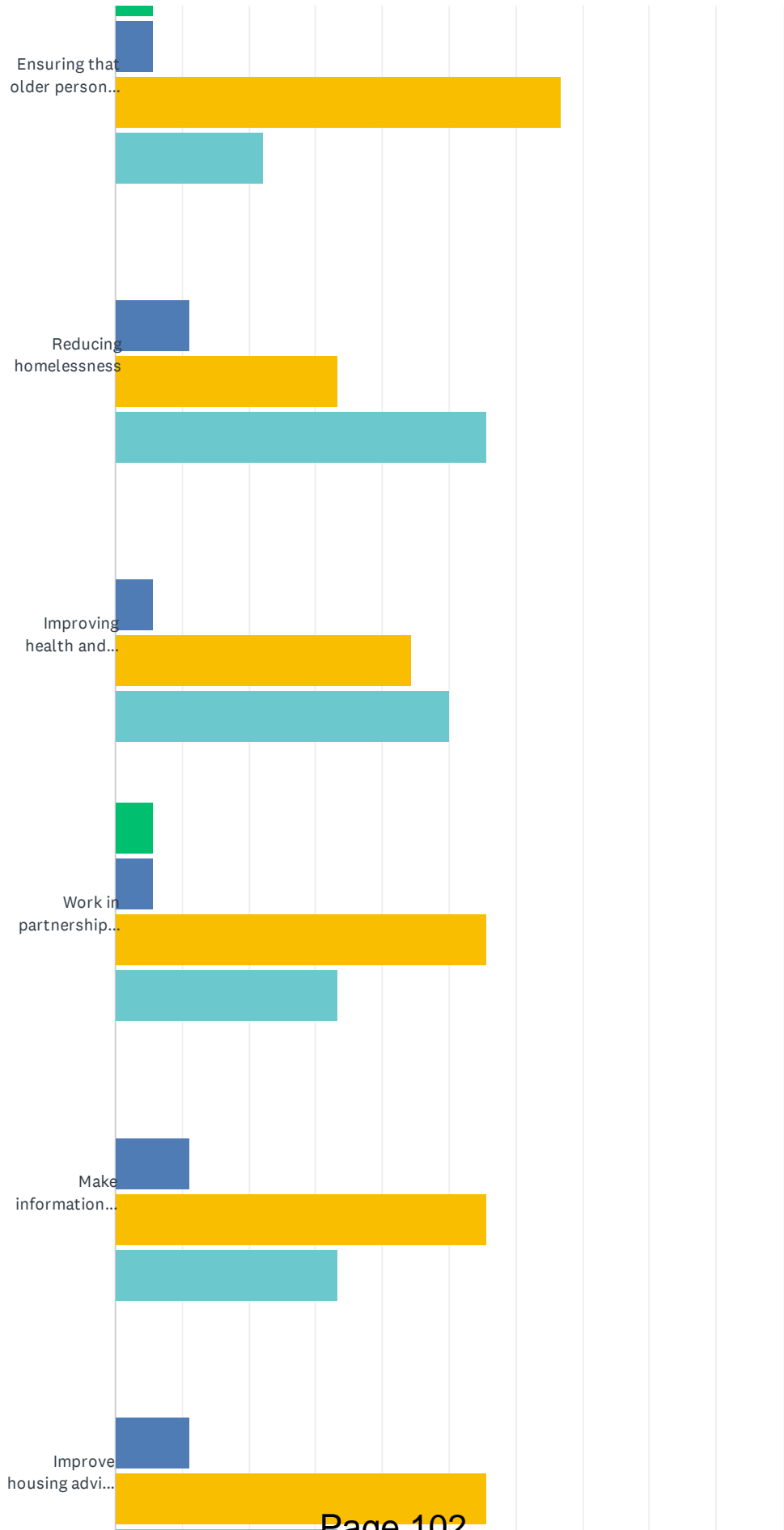
Answered: 18 Skipped: 3



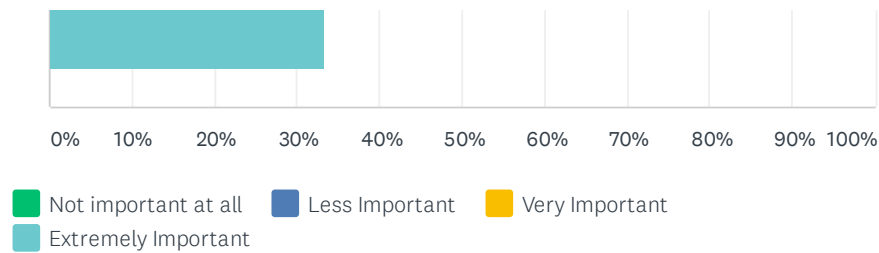
Housing Strategy Priorities Survey



Housing Strategy Priorities Survey



Housing Strategy Priorities Survey



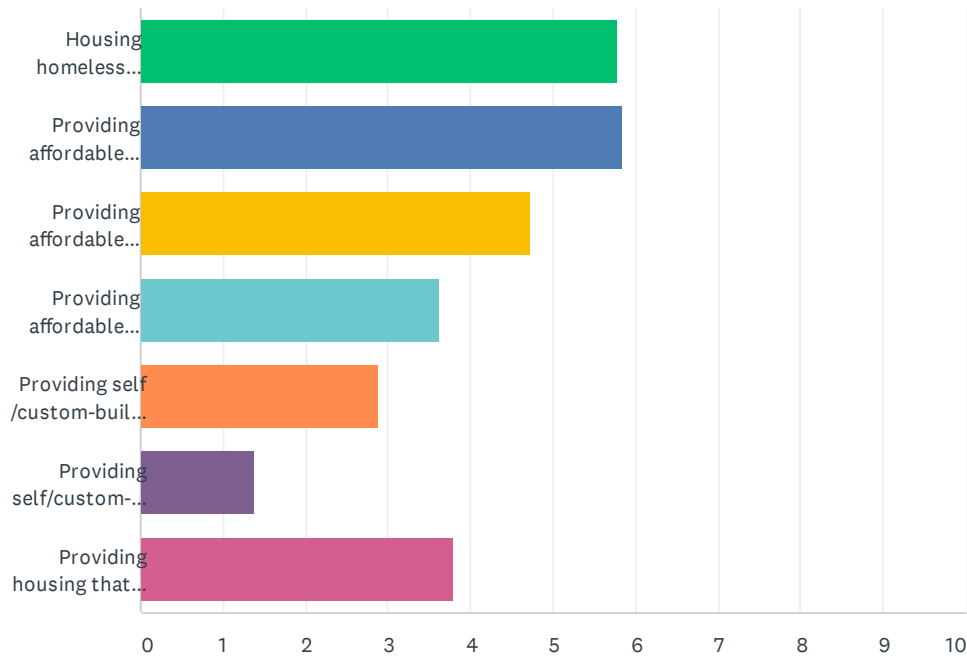
	NOT IMPORTANT AT ALL	LESS IMPORTANT	VERY IMPORTANT	EXTREMELY IMPORTANT	TOTAL	WEIGHTED AVERAGE
Addressing under occupation & overcrowding in Social Housing	0.00% 0	11.11% 2	77.78% 14	11.11% 2	18	3.78
Reducing fuel poverty through retrofitting of existing housing stock (whilst responding to climate change)	0.00% 0	0.00% 0	44.44% 8	55.56% 10	18	4.00
Maximise Disabled facilities grant uptake leading to reduction in hospital admissions & requirement for residential care	0.00% 0	16.67% 3	55.56% 10	27.78% 5	18	3.67
Reduce Anti Social Behaviour in our neighbourhoods	0.00% 0	11.11% 2	44.44% 8	44.44% 8	18	3.78
Meet the housing needs of disabled people	0.00% 0	16.67% 3	55.56% 10	27.78% 5	18	3.67
Promote longer tenancies in the private rented sector so that people can stay in their homes for longer	0.00% 0	38.89% 7	50.00% 9	11.11% 2	18	3.22
Reduce fuel bills through better designed and/or insulated homes	0.00% 0	0.00% 0	38.89% 7	61.11% 11	18	4.00
Reduce the amount of water wasted in our homes	5.56% 1	11.11% 2	44.44% 8	38.89% 7	18	3.61
Make sure homes are safe and secure	0.00% 0	16.67% 3	38.89% 7	44.44% 8	18	3.67
Provide finance or mortgages to individuals looking to buy	27.78% 5	50.00% 9	22.22% 4	0.00% 0	18	2.17
Ensuring that older persons housing meets the needs of an ageing population	5.56% 1	5.56% 1	66.67% 12	22.22% 4	18	3.72
Reducing homelessness	0.00% 0	11.11% 2	33.33% 6	55.56% 10	18	3.78
Improving health and wellbeing	0.00% 0	5.56% 1	44.44% 8	50.00% 9	18	3.89
Work in partnership with Registered Providers to improve standards in their existing stock	5.56% 1	5.56% 1	55.56% 10	33.33% 6	18	3.72
Make information easy to understand, increase self-service and listen to customers	0.00% 0	11.11% 2	55.56% 10	33.33% 6	18	3.78
Improve housing advice services to help people remain independent	0.00% 0	11.11% 2	55.56% 10	33.33% 6	18	3.78

Housing Strategy Priorities Survey

#	ANY WE HAVE MISSED?	DATE
1	aim to reduce the high/unaffordable rents asked by the private sector that lead to poverty and homelessness by providing affordable, sustainable, good standard rentals.	8/25/2020 8:33 AM
2	work in partnership with CLT groups to help them deliver community based housing and different forms of housing such as Co-housing to meet needs and community development	8/17/2020 2:11 PM
3	Increase availability of bungalows for older people who are selling the family home and downsizing. People in that position don't want to move into a flat as they have been accustomed to their own space, however, do need single floor living to allow them to live independently for as long as possible.	8/17/2020 10:44 AM
4	On this and other questions I am sending an email.	8/13/2020 8:54 PM
5	Younger people finding housing, to reduce sofa surfing, break down of family relationships and young people having to move out. Big community housing projects in Manchester are being looked at, which are fine for a city but would need careful adaption for West Devon, although Spring Hill development will be able to fulfil some of the needs of young people.	8/10/2020 3:06 PM
6	Making sure, where possible that all housing developments (both existing and new) have a proportion of land solely dedicated as 'accessible' green space for the immediate community surrounding them, to promote physical health and mental wellbeing amongst residents. Community gardens, small wildlife reserves or allotments or for example.	8/10/2020 10:39 AM
7	- Working up better 'crisis management' systems so NHS does not discharge irresponsibly back to unfit homes. - Doing a lot more PR work to encourage older people to downsize to suitable accommodation early so they are not forced into it in a crisis - i.e. encourage everyone to 'remain in control' of their own housing needs.	8/8/2020 9:50 AM

Q8 Please rank how important the following are to you (from 1 most important to 7 least important)

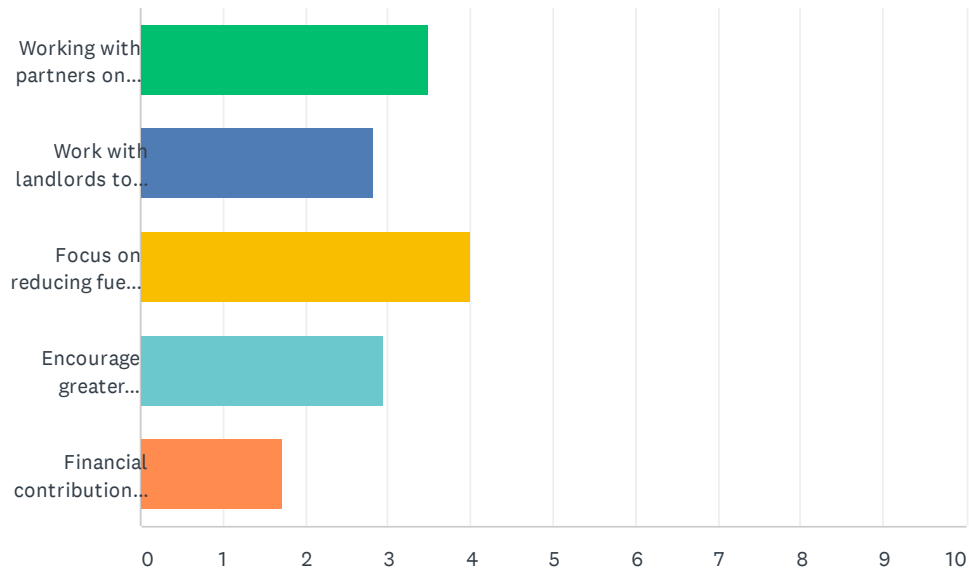
Answered: 18 Skipped: 3



	1	2	3	4	5	6	7	TOTAL	SCORE
Housing homeless families	61.11% 11	11.11% 2	5.56% 1	0.00% 0	16.67% 3	0.00% 0	5.56% 1	18	5.78
Providing affordable housing (to rent or buy) for local people in communities where they have a family or work connection	22.22% 4	50.00% 9	16.67% 3	11.11% 2	0.00% 0	0.00% 0	0.00% 0	18	5.83
Providing affordable housing to rent	5.56% 1	22.22% 4	33.33% 6	27.78% 5	5.56% 1	0.00% 0	5.56% 1	18	4.72
Providing affordable housing to buy	0.00% 0	5.56% 1	22.22% 4	22.22% 4	33.33% 6	11.11% 2	5.56% 1	18	3.61
Providing self /custom-build plots for affordable housing	5.56% 1	0.00% 0	5.56% 1	22.22% 4	11.11% 2	44.44% 8	11.11% 2	18	2.89
Providing self/custom-build plots for market rate housing	0.00% 0	0.00% 0	0.00% 0	0.00% 0	5.56% 1	27.78% 5	66.67% 12	18	1.39
Providing housing that is affordable to run	5.56% 1	11.11% 2	16.67% 3	16.67% 3	27.78% 5	16.67% 3	5.56% 1	18	3.78

Q9 Thinking about the following, please prioritise the actions the Council should undertake to improve the existing housing stock

Answered: 18 Skipped: 3



	1	2	3	4	5	TOTAL	SCORE
Working with partners on regeneration programmes for existing stock	27.78% 5	22.22% 4	27.78% 5	16.67% 3	5.56% 1	18	3.50
Work with landlords to improve the private rented housing stock	11.11% 2	22.22% 4	22.22% 4	27.78% 5	16.67% 3	18	2.83
Focus on reducing fuel poverty through improving the energy efficiency of existing housing	38.89% 7	33.33% 6	16.67% 3	11.11% 2	0.00% 0	18	4.00
Encourage greater flexibility from registered providers to adapt to changing local needs	22.22% 4	5.56% 1	27.78% 5	33.33% 6	11.11% 2	18	2.94
Financial contributions from the Council to support regeneration of existing stock	0.00% 0	16.67% 3	5.56% 1	11.11% 2	66.67% 12	18	1.72

Q10 As an elected Member for your ward, what is your single biggest priority that you feel we should deliver under the Homes Strategy?

Answered: 17 Skipped: 4

#	RESPONSES	DATE
1	To improve the local housing stock to reduce fuel poverty, damp, fossil fuel use and increase the availability of affordable homes for local people.	8/25/2020 8:50 AM
2	More social housing at a truly affordable rent for local families.	8/19/2020 3:28 PM
3	Providing decent home for the homeless that are suitably equipped to minimise fuel poverty.	8/17/2020 2:59 PM
4	Stop promoting / supporting large scale carbon heavy housing that is creating suburbs of market housing and fails to meet local housing needs (and simply enriches the developers). Provide council housing and better policies that support the provision of low carbon housing that supports and meets local housing needs, prioritising those on a low income	8/17/2020 2:20 PM
5	Improving the quality of existing housing stock in terms of energy efficiency.	8/17/2020 10:50 AM
6	Ensure that the right housing stock is provided for the communities they are in.	8/17/2020 10:06 AM
7	Work to get rid of viability (Central Gov't) so we can get the required proportion of affordable homes and developers pay accordingly for the land.	8/16/2020 10:05 PM
8	Affordable Housing.	8/16/2020 6:42 PM
9	Firstly having homes available for first time buyers but then we need the next step up to be more available and affordable. There does not seem to be enough houses for the second step for families which are often the ones they stay in the longest. Perhaps because these houses have gone to second home/holiday home owners!!	8/16/2020 8:05 AM
10	Affordable homes for rent.	8/14/2020 4:53 PM
11	Infrastructure including an improved road network, new cycle ways, doctors' surgery, bridges over the Erme, a hotel, a museum. Housing types to support those on low incomes.	8/13/2020 9:04 PM
12	Homes that are affordable to families to move up the housing ladder and the C.L.T.	8/13/2020 7:59 PM
13	Provision of affordable homes to rent/buy especially for people with a local connection.	8/10/2020 1:55 PM
14	build houses that we need at genuinely affordable prices	8/10/2020 1:26 PM
15	Affordable social housing for local people	8/10/2020 1:21 PM
16	Local 'affordable' for people with a local connection (family etc) that is energy efficient and affordable to run.	8/10/2020 11:07 AM
17	Improvements to local current RP stock through working with them to achieve this. They are charging top whack rents, the stock is all paid for and they are not reinvesting to keep it up to scratch.	8/8/2020 10:00 AM

Q11 We want the new Homes Strategy to be exciting and innovative in responding to local issues. Do you have any ideas that haven't already been covered or examples of innovative projects that you would like the team to explore? If so please detail below

Answered: 13 Skipped: 8

#	RESPONSES	DATE
1	Housing Strategy must be for Environmentally sustainable homes. Look for modular builds using recycled and carbon neutral materials. Plan for the whole life of the build, carbon emissions, end of life and longevity. Housing to have no fossil fuel heating, be cheap to run, generate its own electricity, adaptable and with good local amenities to reduce car usage. Deprioritise cars for cycle ways and pedestrian access, public transport access. Planning for green spaces and family friendly plots, allotments, community buildings and shared communal spaces. Small work shops for local businesses. Build whole communities not tightly packed housing miles from amenities. Inclusivity and adaptability to be a priority for all needs and age groups. Really look at the area, try to image that housing in 50 years time, is it really sustainable? small self sufficient communities are the answer.	8/25/2020 8:50 AM
2	Use some of our investment funds to provide social housing rather than hotels for example. The returns may be comparable and this would be of greater benefit to the local community.	8/19/2020 3:28 PM
3	Community energy schemes. Heat pumps using waste water systems as a source.	8/17/2020 2:59 PM
4	about 5 years ago I provided a ppt that demonstrated examples of low cost Council developed and owned passive housing being delivered that cost about £100k per unit (excl land cost). If SHDC started delivering this kind of housing, we could require developers to do the same	8/17/2020 2:20 PM
5	Provision of Almshouses	8/17/2020 10:50 AM
6	Use of solar panels for electric/water heating should be the norm on new build and restored properties.	8/17/2020 10:06 AM
7	Nothing new but I would like more emphasis on helping Community Land Trusts to provide homes that will always change hands for a given proportion of the open market price.	8/16/2020 10:05 PM
8	I think we need affordable bungalow sites for the older population. Not glorious ones that look over the sea, just sensible possibly one bedroom bungalows in local settings for locals to retire to hence releasing these family homes.	8/16/2020 8:05 AM
9	Ensure new homes are developed with climate change and biodiversity to be a priority.	8/14/2020 4:53 PM
10	Opening up new land south of the A38. Support for the innovative proposal by SDCE and an encouragement for others to bring along similar schemes.	8/13/2020 9:04 PM
11	single dwelling exception sites should be encouraged	8/10/2020 1:26 PM
12	Perhaps already mentioned - Community Land Trusts to stop local people being priced out by wealthier people moving in and raising the price. Also - in response to growing pressure on local services and infrastructure from more and more developments on the edge of existing towns and villages, why not simply pick areas of land next to major transport routes (such as A30, or A38) and build whole villages/towns to meet housing needs. These should be designed as whole communities - with all required infrastructure built FIRST (GP surgeries, school, community centres, shops, pub, recreation grounds) then built out one estate at a time within walking distance of the centre. Basically a smaller version of the Garden Cities of the thirties that could serve as 'model' new villages. This could only be done with Local Authority leadership.	8/10/2020 11:07 AM
13	We have a much older profile than many areas. A trial of younger people living at reduced or no rent in exchange for helping older people live independently would help both groups with their housing needs.	8/8/2020 10:00 AM

South Hams Housing Strategy

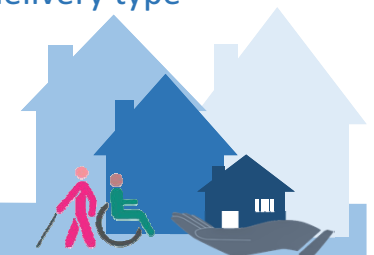
Member Workshop views 17 September 2020

Strategy Development considerations

- Need to consider impact on Strategy of planning reform changes and potential future local government reorganisation
- Infill sites as Exception sites? (phil to do a bit more)
- Strategy split in two – homes for people / homes for place
- Strategy to raise quality standards of new homes (for example in line with Parker Morris standards)
- Mixed tenure developments
- Define what is 'Affordable' for the South Hams
- Could we look to encourage development of shared office / business spaces within residential developments (policy in JLP that does apply to major developments that requires employment sites)
- Make more efficient use of the stock we already have – not always building more
- Key worker provision – should work with partner agencies to identify ways of funding more

Other comments / good practice / training

- Officers to circulate definition of affordable housing to Members and affordable home delivery programme
- One Planet Development Policy – if you can prove that you're living sustainably you can live on agricultural land (aka Low Impact Dwelling Policy) – beyond scope of this strategy but could be included in next JLP review
- Co-Housing (self contained private home as well as shared communal areas) as a different delivery type / model
- Bid submitted for £0.5m for additional insulation projects etc (across sh/wd)
- Need to find ways of speeding up developments



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Report to: **Executive Committee**
Date: **22 October 2020**
Title: **Waste & Cleansing Contract Performance**
Portfolio Area: **Environment – Cllr K Baldry**

Wards Affected: **All**

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

Date next steps can be taken: Immediately

Author: **Jane Savage** Role: **Head of Contracts & Commissioning**

Contact: **Telephone/email: jane.savage@swdevon.gov.uk**

Recommendations: that the Executive

1. Acknowledges the overall success of the performance of the waste and cleansing contract as measured by the key contractual objectives, including a significant reduction in the number of missed collections since the contract began.
2. Acknowledges that there were also opportunities for improvement in some areas and these have already been, or will be addressed by the plan to improve performance in areas of street cleansing.
3. Notes the new recycling (Devon aligned) service update.
4. Notes the progress of the commercial waste review with an outcome report to be presented to the Executive next spring

1. Executive summary

- 1.1 The waste and cleansing services for the district were outsourced to FCC Environment (UK) Limited on 1 April 2019. This report summarises the how the contract is monitored and measures performance against the key objectives as set out by the Council in the contract documentation during the first 18 months of the contract.
- 1.2 The key objectives have all been met in the main although there were opportunities for improvement in some areas early on in the contract. These areas included toilet cleansing, litter and dog bin emptying and recycling bank servicing.

- 1.3 These areas have been reviewed with enhancements made to improve standards. Further improvements will be incorporated into the street cleansing appraisal mentioned in 1.4.
- 1.4 The report also comments on how the services fared during the changed circumstances brought about by the COVID-19 pandemic and how the lessons learned during this time are being used to develop a more responsive street cleansing service for the future.

2. Background

- 2.1 FCC Environment (UK) Limited are the waste and cleansing services contractor for South Hams District Council. The contract includes recycling and refuse collection, street cleansing and toilet cleaning services. The contract started on 1 April 2019 and operates for 8 years. The appointment of FCC followed a comprehensive and detailed competitive dialogue procurement with Council approval obtained in December 2018.
- 2.2 Waste collection and street cleansing services are statutory services that affect residents, businesses and visitors to the district.
- 2.3 The Waste Partnership Board, comprising 3 Members from South Hams, 3 Members from West Devon, 3 contractor representatives and 3 officers, oversees the contract performance and development of services as detailed within the contract documents. The Board meets on a quarterly basis and is presented with performance indicators, health and safety information, partnership activities and service development updates.
- 2.4 This report details the performance of the contract to date, the effects of COVID-19 on the services, and the progress on the development of the services including the new recycling service and the current reviews being undertaken around street cleansing and commercial waste.
- 2.5 This report has been prepared at the request of the Executive Committee.
- 2.6 The provision of these services aligns with the Council themes of:
 - Council
 - Communities
 - Environment

3. Performance

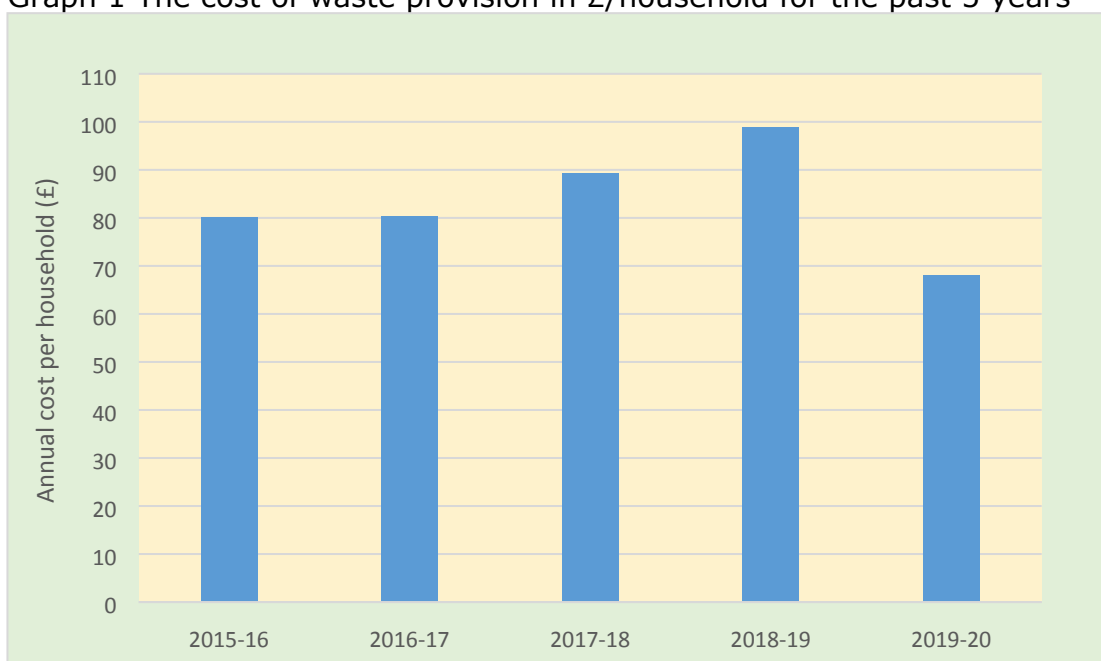
- 3.1 The Council's key objectives, as written into the contract agreement, are to employ waste minimisation, reuse and recycling schemes which will:
 - A. Improve upon the cost of household waste collection per household at the contract commencement date, during the life of the Contract.
 - B. Improve the quality of service through greater use of technology which better meets the requirements of customers and integrates with existing systems where necessary, subject to affordability;
 - C. Achieve the current and future aims of The Waste and Resource Management Strategy for Devon including working towards the 'Aligned Service' for Devon;
 - D. Minimise carbon emissions;

- E. Provide Services that are flexible enough to meet the changing needs of evolving waste legislation;
- F. Improve on the current recycling rate;
- G. Reduce the amount of residual waste per household;
- H. Ensure the number of missed collections per one hundred thousand (100,000) potential collections, is within the Council's target of eighty (80); and
- I. Aim to maintain and incrementally improve customer satisfaction.

These points are addressed below in 3.2 – 3.9.

3.2 **A. Cost** - The cost of the base contract is in line with tender expectations and the predicted annual savings of £286,000 per annum before the change to the Devon aligned service increasing to £424,000 per annum on moving to the new service. These savings are against the previous service costs as outlined in the Council report of 6 December 2018. The graph below details the cost of the recycling and waste services per household over the past 5 years. Since the contract started in April 2019, the relative cost of the waste services has reduced significantly even when compared with 4 years previously.

Graph 1 The cost of waste provision in £/household for the past 5 years



3.3 **B. Technology** - In partnership, the Contractor and South Hams and West Devon Councils have implemented a new web platform, Milestone. The platform allows customers to see real time data reported against their collection and passes customer requests direct to the in-cab system, Whitespace, without manual intervention. To the customer the platform appears as part of the Councils' websites allowing for a seamless experience. 'Find my collection day' and 'Report a Missed Collection' processes have already be moved to the platform with other processes set

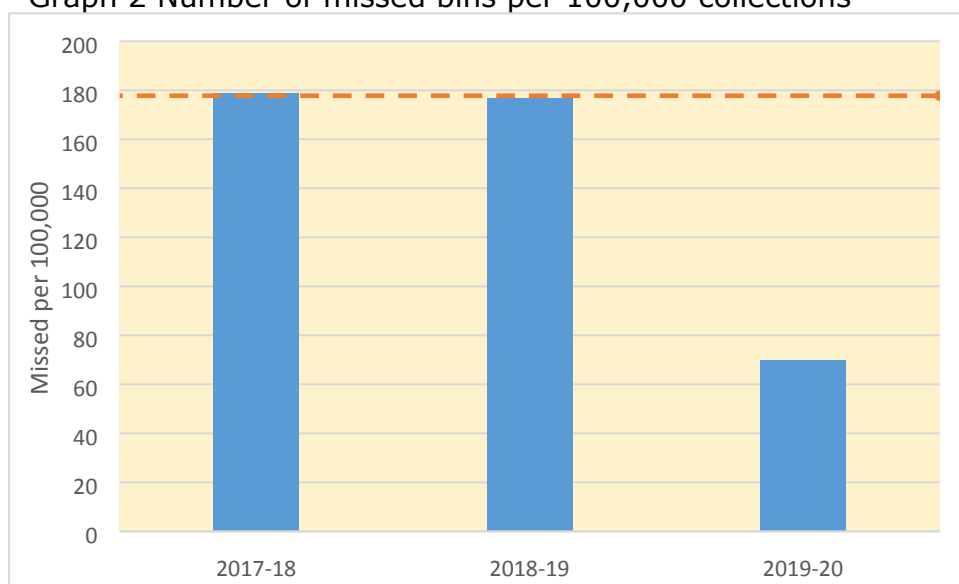
to go live in 2020/21. Greater integration between All on Mobile, the reporting software used by Localities, and Whitespace is also planned for 2020/21 which will allow for real time reporting. One example of this will be that reports of full bins can be sent from Localities and received immediately (subject to signal) by FCC. FCC will report back exactly at the time of emptying providing a quicker resolution and a more robust way of monitoring performance. In addition, this will allow for a further review of bin rounds and will result in a more efficient service overall.

- 3.2 C. The Aligned Service for Devon - FCC are working closely with officers to bring in the new 'Aligned Service' in March 2021. The new service will increase the frequency of dry recycling collections and food waste from fortnightly to weekly. Residents will be able to put out a greater range of materials including glass and mixed rigid plastics and further details are included at 7.1.
- 3.3 A new facility is being constructed at Ivybridge depot to house the recyclable materials before onward haulage to reprocessors. The construction of this building, which will become an asset of the Council, is overseen by FCC who provide monthly reports on progress. Construction is on schedule and will be completed by late October.
- 3.4 A round review which will facilitate most of the day changes required in order to launch the new recycling service has already been undertaken, with new rounds going live on 5 October 2020. The review takes into account the new recycling fleet, material streams and time required to sort at the kerbside, and will reduce significantly the day changes that will be required at the start of the service in March.
- 3.5 D. Minimise carbon emissions - The round review has improved the overall efficiency of the collection rounds by reducing annual fleet mileage by 13,000 miles and diesel use by 14,000 litres, equating to over 35t of CO² emissions per year. The new service will eliminate the need to supply single-use plastic sacks by replacing these with more sustainable re-usable boxes and sacks.
- 3.6 E. Provide services that are flexible enough to meet the changing needs of evolving waste legislation -The Waste and Resource Management Strategy for Devon is currently being reviewed by the Devon Authorities Strategic Waste Committee. The South Hams Lead Member for Environment is a member of this committee. The review is taking into account any changes in legislation brought about by the English waste strategy consultations and the Environment Bill which is still progressing through Parliament. Due to delays brought about by Covid-19, the consultations are yet to be concluded, however there are strong indications that the new recycling service changes will meet the needs of future waste legislation.
- 3.7 F & G. Improve on the current recycling rate and reduce the amount of residual waste per household - In the first year of the contract, the recycling rate has risen from 53.9% in 2018-19 to 54.4% in 2019-20. At the same time, the amount of residual (grey bin) waste per household has

reduced by approximately 587 tonnes. The recycling rate is expected to further improve significantly when the new service is introduced.

3.8 H. Missed collections - The contract includes around 3.5 million scheduled collections from domestic properties in the South Hams each year. Missed collections are measured by the actual number recorded per potential 100,000 collections. To improve performance, the contract limit was set at 80 missed collection in every 100,000 collections. The graph below shows the number of missed collections per 100,000 for the past 3 years. The dotted red line shows the contract target limit of 80. The number of missed collections has fallen significantly since the service was outsourced in April 2019.

Graph 2 Number of missed bins per 100,000 collections



3.9 Customer satisfaction - At the beginning of the contract there were issues with the cleanliness of some of the public toilets. In response to these concerns, the Localities team carried out 1135 inspections during the first year of the contract and officers worked closely with the contractor to improve the standard overall. In the past few months however, there have been very few issues regarding the toilets reported to us and these have not been about inadequate cleaning. There was an issue with the frequency of emptying of litter and dog bins at the start of the service, and a limited review was carried out which took into consideration the size, location and state of the bins in certain areas and whether the service overall was adequate to meet the needs of the peak holiday season. There are still pockets where more work is needed and this is being addressed by a wider ranging review. Please refer to 4.5 - 4.7 for more details.

4.0 **Effects of COVID-19**

- 4.1 The first quarter of 2020-21 has been heavily impacted by the effects of COVID-19. As lockdown came into force, FCC saw a 20% reduction of staff available for work due to self-isolation or shielding. At the same time, there was a rise in domestic waste being presented due to the combination of people being confined mainly to the home and a change in shopping habits. More meals were prepared at home and more time was available for residents to clear out lofts and garages and tidy gardens. As all but essential shops closed, there was a significant increase in online purchases and a corresponding increase in packaging waste from bulky card.
- 4.2 To cope with these issues and ensure collections continued, some workers were redeployed from other duties and rounds were supplemented heavily by additional agency staff.
- 4.3 The business continuity plan details a prioritisation of services in these conditions. Bulky waste collections were suspended due to the decision by Devon County Council to close the Household Waste Recycling Centres where these items are tipped. Nationally, 24% of authorities had recycling collections impacted to some degree and over half suffered disruption to garden waste collections. Of the latter, 28% of councils withdrew garden collections completely. However, in the South Hams, bulky waste aside, all other waste services continued as scheduled.
- 4.4 The toilets were closed soon after lockdown was announced to comply with government guidelines. During June and July as the toilets were reopened, extra hygiene measures were introduced to ensure the safety of the public and the cleaners.
- 4.5 The easing of lockdown brought a set of trials for street cleansing. With a rapid influx of visitors and many eating establishments switching to take away services, the pressure on litter and dog bins and recycling banks, particularly in the coastal towns, increased as their use rose significantly. Waste from litter bins increased by up to 4 times as much compared with similar periods the previous year whilst tonnages from recycling banks increased by 60% in June. Illegal makeshift campsites also brought challenges for cleansing crews.
- 4.6 In response, additional measures, such as extra bin and bank rounds were mobilised as soon as possible. One of the major challenges in the South Hams is the travel time between towns, exacerbated by heavy holiday traffic, which can mean a disproportionate amount of time is spent travelling rather than working. To counter this, additional support focussed in certain towns was introduced. This was supplemented by re-training of Environmental Protection and Localities officers who prioritised compliance enforcement with the public and businesses.
- 4.7 The street cleansing service was considered not fit for purpose in certain geographical areas in 2019 and was reviewed with success during that year. However, during the exceptional year of 2020, the service struggled to meet the demands outlined in 4.5 above. It is impossible to predict what will happen next year but to ensure the service is as prepared and robust as possible, a further review is being undertaken. This review will

examine in more detail the balance between the summer and winter resources and take into account the lessons learnt in 2020.

5.0 Added Value

- 5.1 The Council Report of 6th December 2018 listed areas where the outsourcing would add value to the services and this has been realised in a number of areas including, but not restricted to the following:
- a) Use of specialist software to plan new collections routes for the new recycling vehicles
 - b) Detailed specification support for the new recycling fleet
 - c) Access to more competitive markets for the new fleet and other items such as recycling sacks
 - d) FCC's materials marketing team have helped to identify best value outlets for recyclable materials
 - e) Dedicated specialist communications support
 - f) Offered the addition of printer cartridges to the list of items that will be recycled in the new service

6.0 Partnership Arrangements & Service Flexibility

- 6.1 The contract works as a partnership arrangement and FCC has demonstrated swift action and flexibility in responding to major issues such as during and after the COVID-19 lockdown cited in 4.4 - 4.6 above. One of the effects of the pandemic was the breakdown in the supply chain which led to the delay of the aligned service introduction. FCC demonstrated their adaptability as they worked with officers to agree the optimum March date for the new service. One noticeable area was in bringing in the round changes before the start of the new service change. This has eased pressure on other Council services during March which is traditionally a time when public contact is high as council tax demands go out.
- 6.2 The contractor is supporting the street cleansing review detailed in 4.7 and is offering expert advice with the current commercial waste review as detailed in 6.3.
- 6.3 In October 2019, the Overview & Scrutiny Committee approved the following:
- “The pricing model for Commercial Waste charges requires consideration of budget performance, disposal charges and market factors. A large scale review is soon to commence that will determine the best way forward for the service and will include proposals for suitable fees and charges. Given the timing of this review, it is requested that the Commissioning Manager for Waste along with the CoP Lead for Waste are given delegated authority for setting Commercial Waste charges in consultation with the Portfolio Holder.”
- 6.4 A review of commercial waste is overdue and the service requires a comprehensive appraisal. A range of options are possible and FCC have offered assistance in the form of dedicated support with expert knowledge in both private and council owned commercial waste services. Further details and options for the service will be the subject of a future report to the Executive and this is expected to be presented in spring next year.

6.5 The market for textiles has deteriorated dramatically over the past year and is unlikely to pick up for some time. The price for this commodity has fallen from a previous high of around £350 per tonne to around £20 per tonne at the time of writing. Once haulage to reprocessors is taken into account, it is likely that the Council would have to pay, rather than receive and income, for this material. From an environmental point of view, the outlook is worse - some authorities are now stockpiling this material as they cannot find outlets for it and this is likely to result in some being ultimately disposed of rather than recycled. In light of this, the decision was made by the Partnership Board to delay collecting textiles as part of the new aligned service in March. However, FCC have agreed to remain flexible about introducing this service at a later date if conditions become suitable.

7.0 Aligned Service Update

7.1 The change to the Devon aligned service, was approved by Members at the Council meeting of 26 July 2018 and forms part of the contractual obligations. The reason for the change is to meet public demand to recycle more from home and increase the amount of domestic waste recycled within the district. It is called the aligned service as it harmonises the waste services with the rest of Devon. It is also worth noting that this style of service is now the predominant one offered by South West Councils and has been adopted by the Welsh Government.

7.2 The scale of the change is significant and will affect all households. The delay in delivering the change necessitated the round review in October. This will be followed by the new recycling service introduction in March.

7.3 A comprehensive project plan and risk log has been developed and progress is overseen by the Partnership Board. The full project plan, complete with the risk register and comprehensive communications strategy has been reviewed independently by external experts White Young Green who supported the Council through the procurement. Regular informal Member briefings are carried out to keep all Members up to date on progress with the next taking place in October. Members will also receive further briefing notes, Bulletin updates and copies of the information sent to residents.

8. Proposed Way Forward

Members are recommended to note the contents and approve the recommendations of this report.

9. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance		The Authority has a duty to arrange for collection and disposal of household waste. The legislative framework is to be found in the Environmental Protection Act 1990, Waste Framework Directive

		2008, and Controlled Waste (England and Wales) Regulations 2012.
Financial implications to include reference to value for money		Not applicable as this is an update report on the contract performance and aligned service update.
Risk		Not applicable in terms of contract performance update. The aligned service plan encapsulates the full risk register for this project.
Supporting Corporate Strategy		The provision of these services aligns with the Council themes of: <ul style="list-style-type: none"> • Council • Communities • Environment
Climate Change - Carbon / Biodiversity Impact		This report is for the purpose of updating Members on the performance of the contract and therefore the recommendations will have no direct impact on our climate change programme. However, moving to the aligned service will lower carbon emissions from the more efficient round structure, the discontinued use of single use plastic recycling sacks, the increase in recycling collected and the quality of the collected materials.
Comprehensive Impact Assessment Implications		
Equality and Diversity		None
Safeguarding		None
Community Safety, Crime and Disorder		None
Health, Safety and Wellbeing		None
Other implications		None

Supporting Information

Appendices:

Background Papers:

26 July 2018 Council Report

6 December 2018 Council Report

Approval and clearance of report

Process checklist	Completed
Portfolio Holder briefed/sign off	Yes
SLT Rep briefed/sign off	Yes

Relevant Heads of Practice sign off (draft)	Yes
Data protection issues considered	Yes
Accessibility checked	Yes

Report to: **Executive**

Date: **22nd October 2020**

Title: **Gypsy & Traveller Report**

Portfolio Area: **Customer first – Cllr Bastone**

Wards Affected: **All Wards**

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

Date next steps can be taken:

Author: **Alex Rehaag** Role: **Senior Specialist Placemaking (Affordable Housing)**

Contact: **01822 813722/email: alex.rehaag@swdevon.gov.uk**

Recommendations: That the Executive

- 1) Endorses a strategy of engagement with Devon County Council, to work towards identifying a Gypsy and Traveller site in South Hams.
- 2) Endorses a strategy of engagement with Registered Provider partners to identify and manage a Gypsy and Traveller site in South Hams.
- 3) Requests that the Senior Specialist Placemaking (Affordable Housing) reports back to Executive in Spring 2021 setting out progress and seeking approval to proceed with any site that has been identified.

1. Executive summary

- 1.1 South Hams District Council has seen a significant rise in the number of Unauthorised Encampments (UEs) around the District in recent years. This is an increase in both traditional Gypsy groups and the New Age Nomadic traveller groups. The Council does not have an authorised site that travellers can be directed

towards which makes the move on and eviction process complicated.

- 1.2 The Council has an adopted planning policy for dealing with sites that come forward for Gypsy & Travellers and this can be viewed in DEV10 of the JLP. This does not dictate how we deal with encampments that occur, or the people, only the way that we deal with sites that come in through planning process.
- 1.3 If the Council had access to a site, this would make the process of dealing with occupants who are parked illegally on land quicker and easier to deal with. Evictions could be dealt with immediately subject to bailiff availability, likely within the week.
- 1.4 As the Council does not have access to a site, it can prevent the Council from dealing with issues swiftly. This report sets out the benefits of identifying and setting up a managed site for Gypsies and Travellers, and seeks Executive endorsement of a strategy of engagement with Devon County Council and our Registered Provider partners to resolve this issue.
- 1.5 The costs associated with acquisition and maintenance / management of any identified site would need to be considered and a further report would need to be presented to members for a decision. Management costs could be recouped from the occupants in full or part, and this has proven to be successful in other LA areas.
- 1.6 The traditional travelling season is coming to an end and traditional travelling groups will settle for the winter. Due to Covid-19 there is unlikely to have been a travelling season as such, but there is a high risk of another unauthorised encampment. This will be costly to the authority in terms of potential fly tips and staff resource and more importantly will continue to impact on the wider community and local businesses.
- 1.7 Government guidance was provided in March 2020 about what Local Authorities should do with regard to travellers and providing sites throughout the pandemic. As the Council did not have any suitable sites the unauthorised encampment at Steamer Quay became a tolerated site throughout the pandemic.
- 1.8 As soon as the Council deemed it appropriate, in terms of Covid restrictions being lifted, the Council took legal action under section 77 of the Criminal Justice and Public Order Act 1994. Section 77 gives a local authority the power to order any person living in a vehicle within its area to move off any land that:
 - Forms part of a highway
 - Is unoccupied or occupied where permission has not been given to reside there.

- 1.9 Steamer Quay and other public car parks in the South Hams are not deemed to be appropriate for a future authorised stopping place, albeit temporary. Members will be aware of the implications that this had on the authority in terms of anti-social behaviour and complaints from the public in Totnes.
- 1.10 The Council does not have any other land holdings deemed appropriate for this use. Therefore other solutions need to be sought to prevent car parks and other landholdings being used for this purpose.

2. Background

- 2.1 The Council is in need of an updated process for dealing with unauthorised encampments for both Traditional Gypsy groups and New Age Travellers. This needs to be reviewed and communicated operationally.
- 2.2 The Council does not have a plan to address the recurring issues, such as traveller occupation on land at Langage. This will require partnership working between the Council, Devon County Council and the local businesses to identify solutions.
- 2.3 New Age Travellers and Gypsy groups have different values and traditions and do not co-habit on the same sites; they will require different types of sites and rules for each of the sites would need to be adhered to. Therefore project plans will need to be developed for sites once identified. The traditional Gypsy group needs to be the priority due to the impact on the wider community and the associated problems and cost implications we have experienced at Langage.
- 2.4 The settled community could be a lot more accepting to Gypsy & Traveller groups if they were on a managed site where they paid for services such as waste collection, rent and council tax. There needs to be an awareness by all involved of this emotive topic.
- 2.5 In terms of unauthorised encampments the costs to the authority are rising year on year and tensions within the community are additionally rising. There is significant pressure on the authority to resolve unauthorised encampments as soon as possible.
- 2.6 A clear understanding for communities, council staff and members of the legal and internal process needs to be reviewed and communicated.

- 2.7 Should transit sites be identified this would significantly reduce the costs the Council and Devon County Council incurs.

The immediate problem

- 2.8 The Council experiences a minimum of 3 – 4 encampments per year on the Devon County Council's land at Langage Business Park. This is the highest used unauthorised encampment location in Devon.
- 2.9 This figure is likely to be higher this year and it is not clear whether the Covid-19 pandemic has impacted on this or whether there are other reasons. Many of the festivals and events have been cancelled as a result of Covid-19 and this could be linked to the higher use of Langage as a stopping place.
- 2.10 There is the need for an urgent plan of action from both the Council and Devon County Council to identify land that could be identified as a transit site. The Council does not have land that could be utilised for this purpose.

3. Outcomes/outputs

- 3.1 It is clear that the Council will need assistance from Devon County Council in seeking a piece of land to be used for this purpose only.
- 3.2 There would need to be a charging fee to the occupants of that site. This would not generate a profit for the Council as waste collection and toilets would need to be provided. This would be collected as a management or service charge.
- 3.3 With the benefit of an available site, an encampment would be moved on swiftly with minimal input from staff and other agencies. It would enable either the Council or Devon County Council to use their powers to evict the unauthorised occupiers.
- 3.4 This will be easier if the authority can show that there is a reasonable and suitable alternative, ie transit site.

The courts will always ensure that the health and wellbeing of the occupants has been considered. By providing a suitable site, will mean that access to health and schooling can be provided on a temporary basis. In addition to this, the ability to provide specialist advice and support can be provided if required. It is well documented that Gypsies are more disadvantaged than

other groups and struggle to gain access to health and social care services which impacts on mortality rates. This will be more important with the risks associated with Covid-19.

- 3.5 The time spent by officers would be significantly reduced with a clear project plan and procedure. Each encampment is resource intensive but savings will be seen, particularly around clear up costs of a site once vacated either voluntarily or through the eviction process.

4. Options available and consideration of risk

- 4.1 The Council has made a request to Devon County Council for it to consider making available land for this use as there are no other options that can be sought in a reasonable period of time. In 2017/18, officers made contact with landowners of all of the SHLAA sites that were submitted to the Council. There was not one single response to the request to bring forward the land for this use. Second letters were also sent and again a response was not forthcoming. Therefore the options of using 'other' landowners apart from Devon County Council is not a solution to consider.
- 4.2 There are implications and costs associated with the Council initiating legal processes when an encampment occurs on Devon County Council land.
- 4.3 There are cost savings to other authorities in terms of health and wellbeing if this group were provided with a temporary semi-serviced site.
- 4.4 If the Council chooses not to move forward with the plan, there would be a continued impact on the wider community, staff time and costs around legal fees to the Council particularly in relation to clean up costs of fly-tipping and removing hazardous substances. By not adopting a process there will be continued issues with the public and the perception that the authority is not doing anything to assist business's and members of the community that are impacted by unauthorised encampments.
- 4.5 Discussions have taken place between Council and Devon County Council officers at both an operational level and senior level to identify solutions for the provision of a site and the benefits to the authorities and communities involved.
- 4.6 Officers will also work with our Registered Provider partners to consider solutions for all Gypsy & Traveller groups. Previously officers met with a housing provider who has experience in managing Gypsy and Traveller sites. At that time they were willing to consider the possibility of managing a Gypsy & Traveller site in the South Hams area. This would provide the expertise involved in

management of the site, in addition to rent and service charge collection.

- 4.7 Should an RP partner be identified this could potentially assist with site acquisition costs and potentially provide access to funding through the affordable homes programme.
- 4.8 In January 2020, members received a presentation from officers about gypsies and travellers and what can and can't be done in terms of evictions. This is included in Appendix A for reference.
- 4.9 In February 2020, the Council hosted the first Gypsy and Traveller forum which was attended by over 25 people from the travelling community as well as some elected members. This has started conversations between the Councils and that community which appeared to be very positive.

5. Proposed Way Forward

- 5.1 That the Council continues to engage with Devon County Council to seek a site for Gypsies and Travellers.
- 5.2 That Officers bring back a policy for dealing with Gypsies and Travellers to Executive, which will give Members clarity and confidence on the issue. The policy will include a flow chart setting out the decision making process and legal steps required, for both the scenario when an alternative site has been identified and when it hasn't.

6. Implications

Implications	Relevant to proposals Y/N	
Legal/Governance		<p>Although the Council does not have a legal duty to provide sites, it does have the power to do so and it has duties to provide advice and assistance to homeless people and where appropriate, to accommodate them. A person is homeless if they live in a caravan or other moveable structure but there is no place where he is entitled or permitted both to place it and to live in it.</p> <p>duty to provide health and social care to Gypsy and traveller groups</p> <p>Powers of eviction are set out in Section 77 of the criminal Justice and Public Order Act 1994</p>
Financial implications to		The cost of officer time dealing with Gypsies and Travellers in 2020 is estimated to be 0.5 x FTE at

include reference to value for money		Level 4, localities time is 0.5 FTE at level 7. The costs associated with managing a traveller site will be set out in a future report when such site becomes available.
Risk		Cost Disruption to business (Langage) Reputation
Supporting Corporate Strategy		Health and Wellbeing
Climate Change - Carbon / Biodiversity Impact		N/A
Comprehensive Impact Assessment Implications		
Equality and Diversity		The Equality Act 2010 makes it unlawful to treat someone less favourably because of a range of protected characteristics, including race, nationality or ethnic or national origins. Romany Gypsies and Irish Travellers are defined as a racial group in law. A Public Sector Equality Duty places a duty on the Council to have due regard to the need to eliminate unlawful discrimination, advance equality of opportunity and foster good relations between persons of different groups.
Safeguarding		Considered through the individuals welfare assessment
Community Safety, Crime and Disorder		Police involvement on most UE and associated anti-social behaviour
Health, Safety and Wellbeing		Each family will have a welfare assessment and this is considered as well as safeguarding
Other implications		

Supporting Information

Appendices:

Appendix A – Members presentation on Gypsy and Traveller Legislation and the role of the Council

Background Papers:

None

Approval and clearance of report

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

Accessibility checked	Yes
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Gypsy and Traveller Workshop

South Hams District Council

30/01/2020

Sabrina Thomas

Project and Policy Coordinator (Travelling and Vulnerable
Communities)

Alex Rehaag – Senior Specialist

Introduction

- Purpose of the workshop
- Aims
- Legal responsibilities
- Needs
- Terminology
- Outcomes

Description:

Gypsies and Travellers are very diverse groups of people who have a nomadic or semi nomadic heritage or a nomadic or semi nomadic lifestyle.

Can you name all the different groups which come under the umbrella term '**Gypsies and Travellers**'?

- Romany Gypsies
- Irish Travellers
- New Travellers
- Showmen
- Circus
- Roma
- Bargees
- Caravan Dwellers

Legal responsibilities

- Equality Act 2010: public sector equality duty
- Build positive relationships with and between local Gypsy and Traveller and settled communities and work effectively with them
- Understand Gypsy and Traveller cultures

- Crime and Disorder Act 1998: legal responsibility to work with other agencies to improve quality of life, create a safer living and working environment. Ensure effective partnership working between local authority and other related agencies to deliver services that improve health, education and well-being of Gypsy and Traveller communities.
- Understand high levels of social exclusion that Gypsies and Travellers experience

- Housing and Planning Act 2016: legal responsibility to provide accommodation: Addressing the accommodation needs of Gypsy/Travellers/Caravan dwellers in South Hams
- Understand existing provision, lack of provision and required provision of accommodation for this group.

Overview

Gypsy and Traveller/caravan dwellers vary in their needs

Some require permanent pitches for various reasons e.g. education, health but can travel for part of the year for economic purpose.

Others require transit pitches, those who travel into Devon during the travelling season:
April-October

What does/planning enforcement say?

- JLP context – DEV13
- Enforcement – Chris and Dave

Impact of Unauthorised Encampments

- Requirement on LAs and Police to manage tensions on all sides
- Pressure to take action
- High eviction costs – LAs and private landowners
- High clear up costs
- Negative impact on all our communities and primarily people

Impact of enforcement

- Cost to health and well being in terms of moving on. Move from one LA to another as limited provision in SH
- Education issues for children who are moved on
- Not a quick solution – process for notice and limitation equality act and reasonableness

What's Needed?

- Pitches; permanent and transit
- Interim solution: Negotiated stopping for highly mobile groups we see across the area in travelling season. Areas of land identified and used part of the year; working in partnership with County and all LAs across Devon to offer an alternative to those people turning up at unsuitable locations

Reality

- Gypsy Travellers make up less than 5% of the population in Devon
- Their health outcomes are very poor
- Similar to other communities; the few cause problems for the many
- Ultimately we need a clear protocol and process to promote to customers and communities

Housing Need

- Pitches both permanent and transit are needed
- Pitches are classed as affordable housing, occupants are required to pay rent and council tax and these can be claimed within the normal HB rules, pitches are eligible for the new homes bonus scheme
- Community Led Housing can also offer a way forward – more so in the South Hams due to the low pitch need identified in assessments

Accommodation surveys and assessments

- Gypsy, Travellers and caravan dwellers are members of your community
- Housing surveys need to include all needs to provide a true picture of need; Equality and Human Rights Commission Research Report 128. Sept 2019,
- Pitch provision reduces unauthorised encampments
- Update the needs assessment by opening up communication with those communities in your area. FORUM! Forum due to take place on 27th February.

Consultation

- ‘Strengthening Police powers to tackle unauthorised encampments’ (UEs)
- Criminalising the act of trespassing when setting up UEs
- Amend Police powers s61 and s62A, giving Police more powers to move people on quicker
- A power for Police to remove homes and vehicles

Possible outcomes from Consultation

- More stand off with Police, increasing community tension
- Doesn't address the root cause of unauthorised encampments
- People who have local ties, will be continually displaced.
- Impact on LAs budget and resource collectively

Reality check

- Not enough police to do the day job, will this be top of their priority list?
- Will enforcement just move the problem on to the next verge/carpark?
- Impact on temporary accommodation in terms of cost to LA and cost to Health & Wellbeing

Conclusion

- Engage with communities locally to assess the need
- Caravan dwellers and GTs who don't meet the definition still need to be assessed and their needs accounted for as part of that engagement
- 'Outside the box' thinking; Community Led initiatives be explored

Conclusion

- Interim solutions for highly mobile GTs who travel into area in the travelling season; negotiated stopping
- Any Questions?

Suggestions

- Have a clear work plan for officers - thoughts
- Create a clear message to communities
- Should a site be purchased – call for sites have ability to direct G/T/C dwellers to

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Report to: **Executive**

Date: **22 October 2020**

Title: **Track and Trace Hardship Payments – Use of Urgency Powers Provisions**

Portfolio Area: **Leader of the Council**

Wards Affected: **All**

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

Date next steps can be taken: A noting report – decision has already been made.

Author: **Darryl White** Role: **Democratic Services Manager**

Contact: **Telephone: 01803 861247 email: darryl.white@swdevon.gov.uk**

RECOMMENDATION

That the Executive notes the urgency action taken by the Head of Paid Service, in consultation with the Chairman and Vice-Chairman of the Executive, to approve the Discretionary element of the Track and Trace Support Payment.

1. Executive summary

- 1.1 The Council has recently been informed that Track and Trace Support Payments were to be introduced by Central Government and administered through local authorities;
- 1.2 At the same time, Central Government has also made it a requirement for a scheme to administer these payments to come into effect from 12 October 2020;
- 1.3 Due to the time constraints associated with this requirement, it has been necessary for the Head of Paid Service to exercise his urgency powers in accordance with the Council Constitution;
- 1.4 When exercising these urgency powers, it is a requirement for a report to then be presented to the next meeting of the Executive.

2. Background

- 2.1 Track and Trace Payments have been introduced by Central Government to support people on low incomes who will be financially impacted when they are required to self-isolate;
- 2.2 To overcome the incredibly tight timescales to ensure that a Scheme was in place by 12 October 2020, the decision was taken for the following Constitutional provision to be utilised:

Urgent Items

Matters of urgency, as determined by the Head of Paid Service (or in his/her absence another Senior Officer) shall be delegated to the relevant officer in consultation with the Chairman and Vice-Chairman of the appropriate Committee / body subject to a report being made to the next meeting of the appropriate Committee / body.

- 2.3 A covering report and a copy of the draft Standard and Discretionary Schemes (as attached at Appendix A) were presented by officers to the Informal Executive Briefing on Thursday, 8 October. At this Briefing, Executive Members expressed their support for both the approach being taken and the draft Schemes and were grateful for the swift action that had been taken by officers to ensure that there was no delay in commencement;
- 2.4 Following this Briefing, the Head of Paid Service has re-consulted with the Chairman and Vice-Chairman of the Executive and has now used his urgency powers to formally adopt the draft Scheme as set out at Appendix A.

3. Outcomes/outputs

- 3.1 This report has been produced in accordance with the Council Constitution which requires a report to be considered at the next meeting of the Executive following the use of the urgency powers provision.

4. Options available and consideration of risk

- 4.1 In the event of the Head of Paid Service not using his urgency powers, then any delays could have contributed to further hardship on residents who urgently required this payment.

5. Proposed Way Forward

- 5.1 The Executive is asked to formally note that the Head of Paid Service has utilised his urgent powers to formally adopt the draft Scheme as set out at Appendix A.

6. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance		It is a requirement of the Council Constitution for a report to be presented to the next meeting of the 'appropriate Committee / body' following the use of the urgency powers provisions.
Financial implications to include reference to value for money		There are no direct financial implications arising from this report.
Risk		The risks of financial hardship to residents has been mitigated by the Head of Paid Service utilising his urgent powers provisions.
Supporting Corporate Strategy		Communities and Wellbeing
Comprehensive Impact Assessment Implications		
Equality and Diversity		There are no direct equality and diversity implications arising from this report.
Safeguarding		There are no direct safeguarding implications arising from this report.
Community Safety, Crime and Disorder		There are no direct community safety, crime and disorder implications arising from this report.
Health, Safety and Wellbeing		There are no health, safety and wellbeing implications arising from this noting report.
Other implications		

Supporting Information

Appendices:

A1: Copy of the report presented to the Head of Paid Service;

A2: The draft Policy Standard Scheme; and

A3: The draft Policy Discretionary Scheme.

Background Papers:

Council Constitution; and

Test and Trace Implementation Guide

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Report to: **Chief Executive under delegated Authority of Urgency Powers**

Date: **3 October 2020**

Title: **£500 Track and Trace Hardship Payments, discretionary element**

Portfolio Area: Wellbeing

Wards Affected: **All**

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

Author: **Isabel Blake** Role: **Head of Housing, Revenues & Benefits**

Contact: **Telephone/email: Isabel.Blake@swdevon.gov.uk**

Recommendations:

That, after consulting the Chairman and Vice-Chairman of the Executive in accordance with the Council's Scheme of Delegation, the Chief Executive exercises his urgency Powers to:

- 1. approve the discretionary element of the Track and Trace support payment;**
- 2. make any further changes to the draft Policy (attached as Appendix A) that are required before the mandatory deadline of 12th October 2020, with the Policy then being kept under regular review; and**
- 3. note that a report be made to the next meeting of the Executive.**

1. Executive summary

- 1.1 Track & Trace Support Payments have been introduced by central Government to be administered through local authorities. There is a requirement to have a scheme in place and able to take applications from the 12th October 2020

- 1.2 The scheme includes the ability for local authorities to make discretionary payments to a small minority of applicants who have a low income, but for whatever reason are not in receipt of one of the benefits for automatic qualification. It is this criteria around the discretionary element that requires a local decision.
- 1.3 Due to the deadline of the 12th October to have an operational scheme, it is essential that the scheme is approved before this date, as any delays may contribute to further hardship on residents urgently requiring this payment. Hence the request for the exertion of urgency powers.
- 1.4 From an operational perspective, there is every confidence that the scheme will be ready to go live on or before the 12th October. Officers have designed the form, payment method and website information and have commenced testing.

2. Background

- 2.1 Track and Trace payments have been introduced by central Government to support people on low incomes who will be financially impacted to self-isolate when they are required to do so. This in turn will help reduce the transmission of Covid-19 and avoid further social and economic restrictions.
- 2.2 The Test and Trace Payment Scheme needs to be live by 12 October 2020 in order to meet the government deadline. The scheme includes the ability to make discretionary payments to a small minority of applicants who have a low income but for some reason are not in receipt of a qualifying benefit.
- 2.3 We have been advised that the funding allowance is as follows

South Hams Standard element	£28,500	West Devon Standard element	£21,500
South Hams Discretionary element	£17,272.06 (34 claims)	West Devon Discretionary element	£12,764.09 (equates to 25 claims)
South Hams admin	£24,240	West Devon admin	£23,199.20

The guidance suggests the Council can claim more than its allocation on the standard scheme, but not on the discretionary

scheme, and monitoring will be robust so as not to overspend on this. Whilst the discretionary scheme is limited, it is our intention to ensure officers dealing with these claims do as much signposting as possible to alternative funding (discretionary housing payment, homeless prevention, Covid welfare support scheme) The Track and Trace scheme currently is due to end on the 31st January 2021.

- 2.4 The Government expects payments to be made within 3 days of an eligible claim being received. This means that unless authorities implement a manual faster payment process they will need to allow two clear days for the payment to reach their bank account which means claims will need to be assessed and verified the same day. In order to be able to do this the discretionary scheme needs to be relatively simple to administer.

2.5 Government guidance on the discretionary scheme

The following criteria must be met which is the same as the standard scheme:

Local authorities can make a £500 payment to individuals who:

- have been asked to self-isolate by NHS Test and Trace, on or after 28 September but not before that date, because:
 - they have been notified that they have tested positive for Coronavirus, or
 - they have been notified that they have recently been in close contact with someone who has tested positive
- be employed or self-employed
- be unable to work from home and will lose income as a result,

2.6 In addition to the above the discretionary payment is for individuals:

- who **are not** currently receiving Universal Credit, Working Tax Credit, income-related Employment and Support Allowance, income-based Jobseeker's Allowance, Income Support, Housing Benefit or Pension Credit; and

- who are on **low incomes** and will face financial hardship as a result of not being able to work while they are self-isolating

2.7 Local authorities can introduce additional criteria to determine eligibility for discretionary payments in their area, as long as these operate in addition to, rather than instead of, the criteria set out above

3. Outcomes/outputs

Collectively acting Devon-wide, utilising the skills and knowledge of all the local Benefit Managers in the County, a discretionary scheme has been designed which has been recommended for approval to all the individual Councils. This ensures there is not a local postcode lottery of who receives support and who does not.

In addition to the Government eligibility criteria we are proposing that the following conditions are also included in our discretionary scheme:

1. A maximum gross earnings threshold of £372 per week. (This equates to 40 hours x £9.30 Real Living Wage). This means that if someone has earnings above this level then they would not normally be eligible unless there was an exceptional circumstance.
2. A minimum number of hours that an individual will need to be working is 16 hours per week. Anyone normally working less than that would not be eligible.
3. Maximum capital threshold of £6,000. Anyone with capital above that level would not be eligible.
4. University students or those in higher education would normally be excluded from applying
5. Individuals who have applied for a qualifying benefit but have not yet received a decision or have appealed against a decision not to award a qualifying benefit and are awaiting the outcome of the appeal will be eligible to claim.
6. Individuals who are excluded from qualifying benefits by the "Persons from Abroad" provisions will be eligible to claim
7. We will allow multiple claims in line with the Government's standard scheme
8. Where more than one individual in a household meets the conditions they will each be eligible to claim.
9. An individual will need to demonstrate that they will suffer financial hardship by having to self-isolate.

10. Support will be capped to reflect the level of government funding, which will support 34 applications in South Hams and 25 in West Devon.

Rationale

Criteria	Reason
Earnings threshold	This provides a very simple way to determine quickly that the individual is on low pay in order to avoid having to carry out a full means test assessment.
Number of hours	The standard working week tends to be either 37.5 hours or 40 hours. We have gone for the higher number of hours in order to not exclude anyone working a 40 hour week.
The Real Living Wage (UK living wage)	This is a more generous rate than the national living wage and therefore will enable more people to access support but still meets the scheme aims of supporting those on low pay.
16 hours per week that an individual needs to work.	This is the threshold that applies in Tax Credits and Housing Benefit. This supports those in gainful employment and not aimed at those in casual work.
Capital threshold of £6,000	This scheme is aimed at those who will face financial hardship. Anyone with savings above this threshold would not be considered to be facing financial hardship. This capital threshold is what all Devon authorities have within their Council Tax Reduction Schemes. It also mirrors the level that DWP use before applying tariff income.
University students/ those in higher education	The scheme is focussed on low income workers. Students are principally students even where they have some part time work. Vulnerable student groups (with children or disabilities for example) would be eligible for welfare benefits and therefore supported under the main scheme.
Applied for one of the qualifying benefits but not yet had a decision or appealing against a decision.	The Government have identified this group in their advice to local authorities as individuals the discretionary fund needs to support.
Persons from abroad provision	The payment is intended to reinforce the public health message to self-isolate where instructed to. Welfare benefits exclude many overseas nationals from entitlement but they would equally need to self-isolate to support the public health strategy.

Multiple claims	Where someone has to self-isolate more than once it's important that we treat individuals in-line with the government scheme and that they are not disadvantaged.
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4. Options available and consideration of risk

4.1 It is important to recognise that we may need to adjust our Test and Trace Scheme Payment Policy in order to take account of experiences from administering the scheme which we may not have identified or been able to fully consider when developing this policy including the actual level of funding we will have. The Test and Trace Payment Scheme has had to be put in place under extremely tight timelines which has involved a significant amount of work in not only developing policy but also setting up the administration process (online forms, system processes, communications, etc.).

5. Proposed Way Forward

- 5.1 That, in accordance with the Council's Scheme of Delegation, subject to consultation with the Chairman and Vice-Chairman of the Executive, the Chief Executive exercises his urgency powers to approve the draft Policy and that a report is brought back to the next meeting of the Executive (to be held on 22 October 2020) to formally note that the urgency powers have been exercised.
- 5.2 Making the decision in this way minimises any hardship to local residents brought about by delaying commencing the scheme

6. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance	Y	Because of the extraordinary requirement of this policy, and the extremely short timetable it has not been possible for full Member agreement and adoption. In light of this, the Head of Housing, Revenues & Benefits has requested the Chief Executive exercise his urgency powers subject to

		consultation with the Chairman and Vice-Chairman of the Executive to agree the policy and to make amendments to it. All Members will be briefed on the policy at their existing meetings.
Financial implications to include reference to value for money		Funding and administrative costs are included in Section 2.2 of this report.
Risk		If we do not have a scheme in place by the 12 th October, we have missed the Government target and be at risk of causing hardship to our local residents.
Supporting Corporate Strategy		Wellbeing
Climate Change - Carbon / Biodiversity Impact		<ul style="list-style-type: none"> No direct carbon/biodiversity impact arising from the recommendations'
Comprehensive Impact Assessment Implications		
Equality and Diversity		
Safeguarding		
Community Safety, Crime and Disorder		
Health, Safety and Wellbeing		
Other implications		

Supporting Information

Appendices:

Appendix 1 Draft Policy standard scheme

Appendix 2 Draft Policy Discretionary Scheme

Background Papers:

Test & Trace Implementation Guide

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South Hams District Council

Test and Trace Support Payments

Scheme

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Definitions

The following definitions are used within this document:

- ‘Applicant’**; means the individual making an application for a payment under this scheme;
- ‘Contact Tracing and Advice Service (CTAS)’**; means the web-based system used by Public Health England to contact and trace individuals who are required to self-isolate;
- ‘CTAS Account ID’**; means the unique number provided by Public Health England through the Contact Tracing and Advice Service (CTAS);
- ‘COVID-19’**; means the infectious disease caused by the most recently discovered coronavirus;
- ‘Housing Benefit’**; means the benefit administered by local authorities under either the Housing Benefit Regulations 2006 or the Housing Benefit (Persons who have attained the qualifying age for state pension credit) 2006;
- ‘income-related Employment and Support Allowance’**; means the means-tested Employment and Support Allowance administered by the Department for Work and Pensions under the Welfare Reform Act 2007;
- ‘income-based Jobseeker’s Allowance’**; means the means-tested Jobseekers Allowance administered by the Department for Work and Pensions under the Jobseekers Act 1995;
- Income Support’**; means the means-tested Income Support administered by the Department for Work and Pensions under the Income Support (General) Regulations 1987;
- ‘NHS Test and Trace’**; means the service provided to the National Health Service in England, established in May 2020 to track and help prevent the spread of COVID-19;
- ‘Pension Credit’**; means the means-tested Guarantee or Savings Credit administered by the Department for Work and Pensions under the State Pension Credit Regulations 2002;
- ‘Qualifying benefit’**; means any of the following benefits: Housing Benefit, Income support, income-based jobseeker’s Allowance, income-related Employment and Support Allowance, Working Tax Credit or Universal Credit;
- ‘Self-isolation, Self-isolate’**; means the legal requirement for an individual to self-isolate when told to by NHS Test and Trace or the NHS COVID-19 app and the legal duty to self-isolate under the Health Protection (Coronavirus, Restrictions) (Self-Isolation) (England) Regulations 2020 which came into force on 28th September 2020;
- ‘Test and Trace Support Payment Scheme’ (‘Standard Scheme’)**; means the Standard Scheme introduced by Government on 28th September and administered by Local Authorities;
- ‘Test and Trace Discretionary Payments Scheme’ (‘Discretionary Scheme’)**; means the Test and Trace Discretionary Payments Scheme which has been agreed by the Council and which may be available for individuals who are unable to access the ‘Standard Scheme’.
- ‘Universal Credit’** means the means-tested Universal Credit administered by the Department for Work and Pensions under the Universal Credit Regulations 2013;

'Working Tax Credit'; means the means-tested benefit administered by Her Majesty's Revenues and Customs under the Working Tax Credit (Entitlement and Maximum Rate) Regulations 2002.

1. Background to Self-Isolation and Test and Trace Support Payment Scheme

- 1.1 From 28th September 2020, Government has changed the legislation so that certain people will have to self-isolate due to the current COVID-19 crisis.
- 1.2 A package of legislative measures has been introduced both to ensure that those who are required to self-isolate, do so and, that those on a low income, receive a payment to assist their finances and to encourage compliance with the legislation.
- 1.3 The Council, together with Government, recognises that self-isolation is one of the most powerful tools for controlling the transmission of the Covid-19 virus and this scheme document details who will be eligible and how the Test and Trace Support Payment will be made. It also outlines the approach the Council will take in determining whether a payment will be made or not.
- 1.4 This document, which covers the **Standard Scheme**, should be read alongside the Council's Test and Trace Discretionary Support scheme which *may* be available to individuals who do not qualify a payment under this scheme.

2. An overview of the Test and Trace Payment scheme (the standard scheme).

- 2.1 From 28th September 2020, individuals will be entitled to a Test and Trace Support Payment of £500 from the Council if they meet the eligibility criteria listed below:
 - (a) Make an application to the Council in the prescribed form and provide all the evidence and verification required;
 - (b) Are a resident within the Council's area;
 - (c) Have been told to stay at home and self-isolate by NHS Test and Trace, either because they have tested positive for coronavirus or have recently been in close contact with someone who has tested positive;
 - (d) Are employed or self-employed;
 - (e) Are unable to work from home and will lose income as a result; and
 - (f) Are currently receiving any of the following 'qualifying benefit's:
 - Universal Credit;
 - Working Tax Credit;
 - income-related Employment and Support Allowance;
 - income-based Jobseeker's Allowance;
 - Income Support;
 - Housing Benefit; or

- Pension Credit.
- 2.2 This particular scheme is designed for those individuals (applicants) who:
- meet the standard conditions 2.1 (a) to (e) above;
 - are in receipt of one of the qualifying benefits listed in 2.1(f); and
 - comply with the self-isolation requirements laid down by Government;
- 2.3 Where individuals meet all the requirements but are **not in receipt of a qualifying benefit (2.1 (f))**, no payment can be made; however, they may be able to apply for a discretionary payment under the Council’s Test and Trace Discretionary Payments Scheme which is available on the Council’s website www.southhams.gov.uk/test-and-trace-payments
- 2.4 Individuals will **not** be entitled to apply for both a payment under the Standard Scheme and under the Council’s Discretionary Scheme.

3. Commencement of the scheme and scheme closure

Commencement

- 3.1 This scheme is available to all individuals who meet the eligibility criteria and who are told to self-isolate **on or after** 28th September 2020.
- 3.2 Individuals who are required to self-isolate **before** 28th September 2020 will not be eligible for a payment.

Scheme closure

- 3.3 At the present time, Government has stated that this Standard Scheme will be available until 31st January 2021.

4. Applying for a Test and Trace Support Payment (the Standard Scheme).

- 4.1 Individuals who are resident within the Council’s area will be entitled to make an application for a Test and Trace Support Payment under this scheme. In all cases, the ‘applicant’ will be required to answer **all** of the questions asked and provide the information required by the Council in the specified timescale.
- 4.2 In order to receive a payment, all applicants must meet the full eligibility criteria, details of which are shown within Section 6 of this scheme. The applicant will be required to self-verify certain criteria and also confirm that they will comply with the self-isolation requirements set by Government.

- 4.3 Where the applicant fails to meet the eligibility criteria, they will not receive a payment and will be informed of this by the Council, either at the point of application or as soon as practicable thereafter.
- 4.4 Where the applicant is successful, the Council will notify them accordingly and make payment in line with the timings and methods shown in Section 8.
- 4.5 Applications can **only** be accepted from individuals who are resident in the Council's area.
- 4.6 Applications will be accepted from a third party in respect of any individual who meets the eligibility criteria for a payment. However, the following should be noted:
- The person making the application will need to provide evidence of their identity and also the reason why they are applying on behalf of another person; and
 - That any payment **must** only be made by the Council to the person who is self-isolating. No payment will be made to a third party under any circumstance.
- 4.7 All applications shall be made online using the Council's dedicated webpage www.southhams.gov.uk/test-and-trace-payments. There are no paper or other types of application processes; however, should individuals experience difficulties in making any application, they should contact the Council on 01803 861234

5. Time limits for making an application for a payment

- 5.1 No application for a payment can be made before the 28th September 2020 or for any individual who has been required to self-isolate before 28th September 2020.
- 5.2 Eligible individuals can apply for a Test and Trace Support Payment at any time up to 14 days after their period of self-isolation ended. The Council will **not** accept any applications after this point.
- 5.3 Where an individual has been required to self-isolate on or after 28th September but before the Council's scheme opened on 12th October 2020, an application for a backdated payment must be made by 26th October 2020 (14 days after commencement of scheme).

6. Multiple claims within the household and from the same applicant

- 6.1 Individuals in the same household can each make an application to receive a Test and Trace Support Payment, if they each meet the eligibility criteria in full.
- 6.2 An individual may make an application more than once but only:
- If the individual is told to self-isolate multiple times; **and**
 - they meet the eligibility criteria for each individual application; **and**
 - the periods of self-isolation do not overlap.

- 6.3 The Council is mindful that this can be confusing for applicants and it will be essential, where multiple applications are made by an individual, to ensure correct eligibility. Therefore, a new application will need to be made for each distinct period of self-isolation.

7. The eligibility criteria and evidence required for the Test and Trace Support Payment (the Standard Scheme).

- 7.1 For payment to be made under this scheme, all of the criteria **must** be met. As with the application form itself, all evidence will need to be provided electronically. The Council provides facilities for all applicants to upload documents, evidence and photographs.
- 7.2 Where documentation is only held in 'hard copy' or paper form, the Council will accept digital images or photographs provided they show all the relevant information.
- 7.3 The Council will keep all information supplied by applicants, secure and in accordance with Data Protection legislation.

An individual must make a valid application to the Council in the prescribed form and provide the all evidence and verification required

- 7.4 As mentioned in Section 4, a valid application must be made via the Council's website www.southhams.gov.uk/test-and-trace-payments. All applicants will be required to provide details sufficient to identify themselves, their address and to allow the Council to contact them including:
- Full name;
 - Address;
 - National Insurance Number;
 - Telephone number; and
 - Email address.
- 7.5 In addition to the above, all applicants will be required to submit a copy of their current bank statement(s) in order to:
- Verify that their income has reduced due to having to self-isolate (see later); and
 - Provide details of the bank account number and sort code of the account into which a payment would be made.

That they are a resident within the Council's area

- 7.6 The applicant will be required to verify that they have their sole or main residence in the Council's area. The Council will check other records held (and make other enquiries where appropriate) to determine this.

7.7 Where necessary, the Council will ask the applicant to provide additional evidence of residence.

Have been told to stay at home and self-isolate by NHS Test and Trace, either because they have tested positive for coronavirus or have recently been in close contact with someone who has tested positive

7.8 A key requirement of the scheme is that the applicant has been instructed by the NHS Test and Trace to stay at home and self- isolate either because:

- they have tested positive for COVID-19 (coronavirus); or
- have recently been in close contact with someone who has tested positive.

7.9 All applicants will be required to provide the 8-digit unique ID number which has been provided to them by NHS Test and Trace.

7.10 For information, the NHS Test and Trace service uses the Contact Tracing and Advice Service (CTAS) to record information about people who have tested positive for COVID-19 and their contacts. The CTAS Account ID is an 8-digit identifier unique to each case (e.g. 3b1a305c). Most individuals who test positive for COVID-19 or are a contact of someone who has had a positive test, will receive a digital invitation from the CTAS system to undertake the contact tracing journey.

7.11 All cases and contacts who have completed the contact tracing journey (including those who were ineligible for the digital invitation such as children or individuals with a landline number only) will receive a citizen advice message upon completion of the NHS Test and Trace questionnaire. The citizen message (sent either via a text message/email or postal service for people with no access to mobile phone or email) contains the 8-character Account ID.

7.12 The Council will check that the applicant has a valid Account ID produced by the Contact Tracing and Advice Service. Only this number will allow an application to be processed.

7.13 The Council will not make payment to anyone who does not have a valid notification (Account ID) from NHS Test and Trace. It should be noted that there is a legal duty to self-isolate which only applies to people who have been told to self-isolate by NHS Test and Trace.

7.14 The Council will not accept a notification from the NHS Isolation Note service. Where the applicant has provided this only, they will be given an opportunity to provide a valid NHS Test and Trace notification if they have one.

- 7.15 This scheme does not cover people who are self-isolating after returning to the UK from abroad, unless they have tested positive for COVID-19 (coronavirus) or have been instructed to self-isolate by NHS Test and Trace.

All applicants must be currently employed or self-employed

- 7.16 Only those applicants who are currently employed or currently self-employed will be entitled to claim a Test and Trace Support Payment. For the sake of clarity, this scheme requires all applicants to provide sufficient evidence of their current employment or self-employment status. In the case of employed applicants, full details of their employer must be given on the application form including contact numbers.

- 7.17 The Council will also require applicants to provide proof such as listed below:

Employed

- Current wages or salary slips;
- Employment contract; or
- Letter from the employer confirming current employment.

Self Employed

- Self-assessment form;
- Details of HMRC registration as self-employed;
- Current accounts; or
- Current accounts and trading statements

- 7.18 The above list is not exhaustive.

- 7.19 As this is an essential requirement in order for a Test and Trace Support Payment to be made, the applicant must satisfy the Council that they meet this criterion.

Are unable to work from home and will lose income as a result

- 7.20 All applicants will have to certify on the application form that they are:

- Unable to work from home; and
- Will lose income as a result.

- 7.21 The Council will need to be satisfied that any applicants meet these conditions in full.

Unable to work from home

- 7.22 The Council will require applicants to give details about the nature of their work and whether they can undertake this work from home.

- 7.23 Only those applicants that cannot work from home whilst self-isolating will meet the criteria and therefore, each applicant will not only be required to verify the fact, but also provide details of the reasons why this is the case, together with details of the type of work that they would normally undertake.
- 7.24 This criterion applies whether an applicant is either employed or self-employed and Government has provided a number of examples as follows:
- An applicant with a single job whose employer continued to pay them a full wage while they self-isolated would not meet the criteria;
 - An applicant whose employer paid them a reduced wage while they self-isolated would meet the criteria (as they have lost income); and
 - An applicant with two part-time jobs who continued to be paid a full wage by one employer, but whose other employer did not pay them while self-isolating, would be eligible.

Are currently receiving any of the qualifying benefits.

- 7.25 The final criterion is that the applicant **must be in receipt** of one of the following qualifying benefits:
- Universal Credit;
 - Working Tax Credit;
 - income-related Employment and Support Allowance;
 - income-based Jobseeker's Allowance;
 - Income Support;
 - Housing Benefit; or
 - Pension Credit.
- 7.26 Applicants must be **actually** in receipt of the listed benefits. Each applicant will be required to verify that they are in receipt of one of the benefits and provide evidence of that to the Council. Evidence will need to be provided electronically but typically could be copies of bank statements showing the payments, confirmation of benefit entitlement or award /payment summaries (as in the case of Universal Credit). The Council will accept 'screenshots' of any online benefit account.
- 7.27 Where an applicant has yet to apply for a qualifying benefit; is awaiting a decision on a benefit; is currently appealing a negative decision; or is unable to apply for a qualifying benefit, they will not be entitled to a payment under the Standard Scheme and will be directed to apply for a payment under the Council's Test and Trace Discretionary Payment Scheme.
- 7.28 The Council will verify the current receipt of a qualifying benefit with the Department for Work and Pensions (DWP) and Her Majesty's Revenues and Customs (HMRC) as appropriate.

8. How much grant will be paid, methods of payment and timings.

- 8.1 Where an applicant meets all of the eligibility criteria, a single payment of £500 shall be paid for each period of self-isolation. Payments will be made direct to the applicant's bank account within 3 working days, starting with the date of application.
- 8.2 Where further information or evidence is required from the applicant, the Council will look to make payment within 3 working days starting with the date when all of the required information is received.
- 8.3 Full details of the applicant's bank account must be supplied on the application form and this will be cross checked with the copies of the bank statements provided as part of the verification process.
- 8.4 As required by Government, payments can only be made to the applicant's bank account. No payments can be made to third parties whatsoever.
- 8.5 The Council is aware that in some cases, applicants may be overdrawn and may not be able to gain access to the payment. In these cases, the applicant may apply for protection. This protection is called a 'first right of appropriation of funds order'. More details of this can be obtained from Citizens Advice.

9. Notification of Decisions

- 9.1 Applications will be considered by officers of the Council and all decisions made by the Council shall be notified to the applicant either in writing or by email.

10. Implications for other benefits and reductions

- 10.1 The Council has been advised by the Department for Work and Pensions (DWP) that the Test and Trace Support Payment will be disregarded for the purposes of all means-tested benefits.
- 10.2 The Council has decided that any payment made under this scheme shall not affect entitlement to Council Tax Reduction.

11. Review of Decisions

- 11.1 Whilst there is no statutory appeal process, the Council will operate an internal review process and will accept an applicant's request for an appeal of its decision by a senior officer.
- 11.2 All such requests must be made in writing to the Council, within 3 days of the Council's decision, and should state the reasons why the applicant is aggrieved with the decision of the Council. New information may be submitted at this stage to support the

applicant's appeal. The application will be reconsidered as soon as practicable, and the applicant informed in writing or by email of the decision.

12. Complaints

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

13. The Discretionary Test and Trace Payment Scheme and its relationship with the Standard Scheme

Standard Scheme

- 13.1 This 'Standard' Scheme has been determined by criteria set down by Government and is primarily aimed at all applicants who are working or self-employed; are unable to work from home and will therefore have a reduction in income and are in receipt of certain qualifying benefits (Universal Credit; Working Tax Credit; Income-based Employment and Support Allowance; income-based Jobseeker's Allowance; Income Support; Housing Benefit; or Pension Credit).
- 13.2 The receipt of one of those benefits is essential in order for a payment to be made.

Discretionary Scheme

- 13.3 The Council's Test and Trace Discretionary Payments Scheme is for any individual who meets all the required criteria **except** that they are not currently in receipt of a qualifying benefit. The reason for this could be, for example, that a claim for a benefit has not yet been made or that the individual, whilst normally resident in the UK, is unable to gain access to public funds.
- 13.4 Details of the Council's Test and Trace Discretionary Payment Scheme can be found at www.southhams.gov.uk/test-and-trace-policy.

Claiming from the schemes

- 13.5 Individuals who are entitled to a payment from the Standard Scheme are unable to make a claim from the Council's discretionary scheme.
- 13.6 However, an applicant who is refused a 'Standard Scheme' payment on the basis that they meet all the criteria **except** that they are not in receipt of a qualifying benefit, will be directed to make an application for a discretionary payment.

14. Funding of the scheme

- 14.1 Government has confirmed that it will reimburse the Council for all payments correctly made under this scheme.

15. Taxation and provision of information to HMRC

- 15.1 The Council has been informed by Government that all payments under this scheme are taxable. However, the payments will not be subject to National Insurance contributions.
- 15.2 The Council does not accept any responsibility in relation to an applicant's tax liabilities and all applicants should make their own enquiries to establish any tax position.
- 15.3 All applicants should note that the Council is required to inform Her Majesty's Revenue and Customs (HMRC) of all payments made to individuals.

16. Managing the risk of fraud

- 16.1 Neither the Council, nor Government will accept deliberate manipulation of the scheme and fraud. Any applicant caught falsifying information to gain payments will face prosecution and any payment issued will be recovered from them and this may also include other recovery costs.
- 16.2 Applicants should note that, where a Test and Trace Support Payment is paid by the Council, details of each individual applicant will be passed to Government. Applicants should also note that the Council utilises a number of databases and Government systems to verify information in connection with any applications submitted.

17. Recovery of amounts incorrectly paid

- 17.1 If it is established that any Test and Trace Support Payment has been made incorrectly due to incorrect information provided to the Council by an applicant or their representative(s), the Council will look to recover the amount in full.

18. The Council's duties in relation to self-isolation

- 18.1 The duty to self-isolate is an important one. Ensuring infected individuals and their close contacts isolate is one of our most powerful tools for controlling transmission.
- 18.2 We know that someone with the virus can remain infectious to other people for up to 10 days after developing symptoms. It can take up to 14 days for individuals to develop coronavirus symptoms after they catch the virus, and in this time, they can unknowingly pass it on to others, even if they don't have symptoms.

- 18.3 Self-isolating helps prevent family, friends and the community from contracting coronavirus, as well as helping to protect the health and care system.
- 18.4 The changes announced by Government on 20th September 2020 and brought into force on 28th September 2020 (as well as providing for the Test and Trace Support payments scheme):
- introduce a new legal duty on individuals to self-isolate if someone tests positive or is identified as a contact by NHS Test and Trace;
 - introduce penalties for those breaking the rules, including fines of at least £1,000 and up to a maximum of £10,000 for repeated or very serious offences; and
 - place a new legal obligation on employers that they must not knowingly enable or encourage their employees to break the law on self-isolation.
- 18.5 As part of this, the Council has a duty If it becomes aware, either through post-payment verification checks or through other means, that someone has not self-isolated, to refer the case to the police.
- 18.6 The Council has been informed by Government that, in order to ensure compliance with the new legislation NHS Test and Trace call handlers will be increasing contact with those self-isolating. Police resources will be used to check compliance in highest incidence areas and in high-risk groups, based on local intelligence including acting on instances where third parties have identified others who have tested positive, but are not self-isolating.
- 18.7 The Council will continue to focus on the principle of encouraging, educating and supporting self-compliance.

19. Delegated Powers

- 19.1 The Council has implemented this scheme in line with Government requirements and guidance.
- 19.2 Officers of the Council will administer the scheme and the Section 151 Officer is authorised to make technical scheme amendments to ensure it continues to meet the criteria set by the Council and, in line with Central Government guidance.

20. Data Protection and use of data

- 20.1 All information and data provided by businesses shall be dealt with in accordance with the Council's Data Protection policy and Privacy Notices which are available on the Council's website.

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South Hams District Council

Test and Trace Discretionary Payments Scheme

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Definitions

The following definitions are used within this document:

‘Additional Eligibility Criteria’; means the additional criteria decided by the Council that need to be met, in order to receive a payment under the Council’s Test and Trace Discretionary Payments Scheme. These will be in addition to the standard criteria and are allowable under Government guidance;

‘Applicant’; means the individual making an application for a payment under this scheme;

‘Contact Tracing and Advice Service (CTAS)’; means the web-based system used by Public Health England to contact and trace individuals who are required to self-isolate;

‘CTAS Account ID’; means the unique number provided by Public Health England through the Contact Tracing and Advice Service (CTAS);

‘COVID-19’; means the infectious disease caused by the most recently discovered coronavirus;

‘face financial hardship’; a key criterion of the Test and Trace Discretionary Payments Scheme is that all applicants will, if not for the payment, face financial hardship solely due to their need to self-isolate;

‘Housing Benefit’; means the benefit administered by local authorities under either the Housing Benefit Regulations 2006 or the Housing Benefit (Persons who have attained the qualifying age for state pension credit) 2006;

‘income-related Employment and Support Allowance’; means the means-tested Employment and Support Allowance administered by the Department for Work and Pensions under the Welfare Reform Act 2007;

‘income-based Jobseeker’s Allowance’; means the means-tested Jobseekers Allowance administered by the Department for Work and Pensions under the Jobseekers Act 1995;

Income Support’; means the means-tested Income Support administered by the Department for Work and Pensions under the Income Support (General) Regulations 1987;

‘NHS Test and Trace’; means the service provided to the National Health Service in England, established in May 2020 to track and help prevent the spread of COVID-19;

‘Pension Credit’; means the means-tested Guarantee or Savings Credit administered by the Department for Work and Pensions under the State Pension Credit Regulations 2002;

‘Qualifying benefit’; means any of the following benefits: Housing Benefit, Income support, income-based jobseeker’s Allowance, income-related Employment and Support Allowance, Working Tax Credit or Universal Credit;

‘Self-isolation, Self-isolate’; means the legal requirement for an individual to self-isolate when told to by NHS Test and Trace or the NHS COVID-19 app and the legal duty to self-isolate under the Health Protection (Coronavirus, Restrictions) (Self-Isolation) (England) Regulations 2020 which came into force on 28th September 2020;

‘Test and Trace Support Payment Scheme’ (‘Standard Scheme’); means the Standard Scheme introduced by Government on 28th September and administered by Local Authorities;

‘Test and Trace Discretionary Payments Scheme’ (‘Discretionary Scheme’); means the Test and Trace Discretionary Payments Scheme which has been agreed by the Council and which *may* be available for individuals who are unable to access the ‘Standard Scheme’.

‘Universal Credit’ means the means-tested Universal Credit administered by the Department for Work and Pensions under the Universal Credit Regulations 2013;

‘Working Tax Credit’; means the means-tested benefit administered by Her Majesty’s Revenues and Customs under the Working Tax Credit (Entitlement and Maximum Rate) Regulations 2002.

1. Background to Self-Isolation and the Test and Trace Payments

- 1.1 From 28th September 2020, Government has changed the legislation so that certain people will have to self-isolate due to the current COVID-19 crisis.
- 1.2 A package of legislative measures has been introduced to ensure that those who are required to self-isolate, do so and that those on a low income receive a payment to assist their finances and to encourage compliance with the legislation.
- 1.3 The Council, together with Government, recognises that self-isolation is one of the most powerful tools for controlling the transmission of the Covid-19 virus. The Government has set down the requirements for two payment schemes to be set up by the Council as follows:
 - (a) The **Test and Trace Support Payments Scheme (the Standard Scheme)** for those eligible applicants who are in receipt of Housing Benefit, Pension Credit, Income support, income-based jobseeker's Allowance, income-related Employment and Support Allowance, Working Tax Credit or Universal Credit (the qualifying benefits); and
 - (b) The **Test and Trace Discretionary Payments Scheme (the Discretionary Scheme)** for those applicants who are **not** in receipt of any of the qualifying benefits but who are on a low income and will face financial hardship as a result of not being able to work while they are self-isolating.
- 1.4 This document details who will be eligible for a payment under the **Test and Trace Discretionary Payments Scheme**.
- 1.5 Any applicant who is in receipt of a qualifying benefit, should apply for a payment under the standard scheme details of which are available at www.southhams.gov.uk/test-and-trace-payments.

2. An overview of the Test and Trace Discretionary Payments Scheme (the Discretionary Scheme).

- 2.1 From 28th September 2020, individuals will be entitled to a payment of £500 from the Council's Test and Trace Discretionary Payments Scheme if they meet the eligibility criteria listed below:
 - (a) Make an application to the Council in the prescribed form and provide all the evidence and verification required;
 - (b) Are a resident within the Council's area;
 - (c) Have been told to stay at home and self-isolate by NHS Test and Trace, either because they have tested positive for coronavirus or have recently been in close contact with someone who has tested positive;

- (d) Are employed or self-employed;
- (e) Are unable to work from home and will lose income as a result;
- (f) Are **NOT** currently receiving any of the following benefits:
 - Universal Credit;
 - Working Tax Credit;
 - income-based Employment and Support Allowance;
 - income-based Jobseeker's Allowance;
 - Income Support;
 - Housing Benefit; or
 - Pension Credit; **and**
- (g) Meet the Council's additional criteria for a discretionary payment.

- 2.2 This particular scheme is designed for those individuals (applicants) who:
 - meet the standard conditions 2.1 (a) to (g) above;
 - are **not** receiving a benefit listed in 2.1(f); and
 - comply with the self-isolation requirements laid down by Government;
- 2.3 Where individuals meet all the requirements but **are in receipt of a benefit stated in 2.1 (f)**, no payment can be made under the Discretionary Scheme; however, they may be able to apply for payment under the Standard Scheme which is available on the Council's website
www.southhams.gov.uk/test-and-trace-payments
- 2.4 Individuals will **NOT** be entitled to apply for both a payment under the Standard Scheme and under the Council's Discretionary Scheme.

3. Commencement of the scheme and scheme closure

Commencement

- 3.1 This scheme is available to all individuals who meet the eligibility criteria for a discretionary payment and who are told to self-isolate **on or after** 28th September 2020.
- 3.2 Individuals who are required to self-isolate **before** 28th September 2020 will not be eligible for a payment.

Scheme closure

- 3.3 At the present time, Government has stated that this Discretionary Scheme (and the Standard Scheme) will be available until 31st January 2021.

4. Applying for a Test and Trace Discretionary Payment (the Discretionary Scheme).

- 4.1 Individuals who are resident within the Council's area *may* make an application for a Test and Trace Discretionary Payment under this scheme. In all cases, the 'applicant' will be required to answer **all** of the questions asked and provide the information required by the Council in the specified timescale.
- 4.2 In order to receive a payment, all applicants must meet the full eligibility criteria, details of which are shown within Section 6 of this scheme. The applicant will be required to self-verify certain criteria and also confirm that they will comply with the self-isolation requirements set by Government.
- 4.3 Where the applicant fails to meet the eligibility criteria, they will not receive a payment and will be informed of this by the Council, either at the point of application or as soon as practicable thereafter.
- 4.4 Where the applicant is successful, the Council will notify them accordingly and make payment in line with the timings and methods shown in Section 8.
- 4.5 Applications can **only** be accepted from individuals who are resident in the Council's area.
- 4.6 Applications will be accepted from a third party in respect of any individual who meets all the eligibility criteria for a payment. However, the following should be noted:
- The person making the application will need to provide evidence of their identity and also the reason why they are applying on behalf of another person; and
 - That any payment **must** only be made by the Council to the person who is self-isolating. No payment will be made to a third party under any circumstance.
- 4.7 All applications shall be made online using the Council's dedicated webpage www.southhams.gov.uk/test-and-trace-payments. There are no paper or other types of application processes; however, should individuals experience difficulties in making any application, they should contact the Council on 01803 861234.

5. Time limits for making an application for a payment

- 5.1 No application for a discretionary payment can be made before the 28th September 2020 or for any individual who has been required to self-isolate before 28th September 2020.
- 5.2 Eligible individuals can apply for a Test and Trace Discretionary Payment at any time up to 14 days after their period of self-isolation ended. The Council will **not** accept any applications after this point.

5.3 Where an individual has been required to self-isolate on or after 28th September but before the Council's scheme opened on 12th October 2020, an application for a backdated payment must be made by 26th October 2020 (14 days after commencement of scheme).

6. Multiple claims within the household and from the same applicant

6.1 Individuals in the same household can each make an application to receive a Test and Trace Discretionary Payment, if they each meet all the eligibility criteria in full.

6.2 An individual may make an application more than once but only:

- If the individual is told to self-isolate multiple times; **and**
- they meet the eligibility criteria for each individual application; **and**
- the periods of self-isolation do not overlap.

6.3 The Council is mindful that this can be confusing for applicants and it will be essential, where multiple applications are made by an individual, to ensure correct eligibility. Therefore, a new application will need to be made for each distinct period of self-isolation.

7. The eligibility criteria and evidence required for a Test and Trace Discretionary Payment.

7.1 For payment to be made under this Discretionary Scheme, all of the criteria **must** be met. As with the application form itself, all evidence will need to be provided electronically. The Council provides facilities for all applicants to upload documents, evidence and photographs.

7.2 Where documentation is only held in 'hard copy' or paper form, the Council will accept digital images or photographs provided they show all the relevant information.

7.3 The Council will keep all information supplied by applicants, secure and in accordance with Data Protection legislation.

An individual must make a valid application to the Council in the prescribed form and provide all the evidence and verification required

7.4 As mentioned in Section 4, a valid application must be made via the Council's website www.southhams.gov.uk/test-and-trace-payments. All applicants will be required to provide details sufficient to identify themselves, their address and to allow the Council to contact them including:

- Full name;
- Address;
- National Insurance Number;

- Telephone number; and
- Email address.

- 7.5 In addition to the above, all applicants will be required to submit a copy of their current bank statement(s) in order to:
- Verify that their income has reduced due to having to self-isolate (see later); and
 - Provide details of the bank account number and sort code of the account into which a payment would be made.

That they are a resident within the Council's area

- 7.6 The applicant will be required to verify that they have their sole or main residence in the Council's area. The Council will check other records held (and make other enquiries where appropriate) to determine this.
- 7.7 Where necessary, the Council will ask the applicant to provide additional evidence of residence.

Have been told to stay at home and self-isolate by NHS Test and Trace, either because they have tested positive for coronavirus or have recently been in close contact with someone who has tested positive

- 7.8 A key requirement of the scheme is that the applicant has been instructed by the NHS Test and Trace to stay at home and self-isolate either because:
- they have tested positive for COVID-19 (coronavirus); or
 - have recently been in close contact with someone who has tested positive.
- 7.9 All applicants will be required to provide the 8-digit unique ID number which has been provided to them by NHS Test and Trace.
- 7.10 For information, the NHS Test and Trace service uses the Contact Tracing and Advice Service (CTAS) to record information about people who have tested positive for COVID-19 and their contacts. The CTAS Account ID is an 8-character identifier unique to each case (e.g. 3b1a315c). Most individuals who test positive for COVID-19 or are a contact of someone who has had a positive test, will receive a digital invitation from the CTAS system to undertake the contact tracing journey.
- 7.11 All cases and contacts who have completed the contact tracing journey (including those who were ineligible for the digital invitation such as children or individuals with a landline number only) will receive a citizen advice message upon completion of the NHS Test and Trace questionnaire. The citizen message (sent either via a text message/email or postal service for people with no access to mobile phone or email) contains the 8-character Account ID.

- 7.12 The Council will check that the applicant has a valid Account ID produced by the Contact Tracing and Advice Service. Only this number will allow an application to be processed.
- 7.13 The Council will not make payment to anyone who does not have a valid notification (Account ID) from NHS Test and Trace. It should be noted that there is a legal duty to self-isolate which only applies to people who have been told to self-isolate by NHS Test and Trace.
- 7.14 The Council will not accept a notification from the NHS Isolation Note service. Where the applicant has provided this only, they will be given an opportunity to provide a valid NHS Test and Trace notification if they have one.
- 7.15 This scheme does not cover people who are self-isolating after returning to the UK from abroad, unless they have tested positive for COVID-19 (coronavirus) or have been instructed to self-isolate by NHS Test and Trace.

All applicants must be currently employed or self-employed

7.16 Only those applicants who are currently employed or currently self-employed will be entitled to claim a Test and Trace Support Payment. For the sake of clarity, this scheme requires all applicants to provide sufficient evidence of their current employment or self-employment status. In the case of employed applicants, full details of their employer must be given on the application form including contact numbers.

7.17 The Council will also require applicants to provide proof such as listed below:

Employed

- Current wages or salary slips;
- Employment contract; or
- Letter from the employer confirming current employment.

Self Employed

- Self-assessment form;
- Details of HMRC registration as self-employed;
- Current accounts; or
- Current accounts and trading statements

7.18 The above list is not exhaustive.

7.19 As this is an essential requirement in order for a Test and Trace Discretionary Payment to be made, the applicant must satisfy the Council that they meet this criterion.

Are NOT currently receiving any of the following benefits.

- 7.20 To receive a discretionary payment the applicant **must not be in receipt** of one of the following benefits:
- Universal Credit;
 - Working Tax Credit;
 - income-related Employment and Support Allowance;
 - income-based Jobseeker's Allowance;
 - Income Support;
 - Housing Benefit; or
 - Pension Credit.
- 7.21 Where applicants are in receipt of any of the above benefits, then payments can **ONLY** be made through the Standard Scheme. The Council has designed the application process so that the same form can be used to claim either payment (Standard Scheme or Discretionary Scheme) and applicants who fail to qualify for a Standard Scheme payment because they are not in receipt of one of those benefits, will automatically be directed to the Discretionary Scheme.
- 7.22 Where an applicant has yet to apply for one of the benefits listed; is awaiting a decision on a benefit; is currently appealing a negative decision; or is unable to apply for a qualifying benefit, they *may* make an application under this Discretionary Scheme.

Are unable to work from home and will lose income as a result and will face financial hardship as a result of not being able to work while they are self-isolating

- 7.23 All applicants will have to certify on the application form that they are:
- Unable to work from home;
 - Will lose income as a result; **and**
 - Will face financial hardship as a result of not being able to work while they are self-isolating
- 7.24 The Council will need to be satisfied that any applicants meet these conditions in full.
- 7.25 The Council will require applicants to give details about the nature of their work and whether they can undertake this work from home.
- 7.26 Only those applicants that cannot work from home whilst self-isolating will meet the criteria and therefore, each applicant will not only be required to verify the fact, but also provide details of the reasons why this is the case, together with details of the type of work that they would normally undertake.

- 7.27 The Council will also require all applicants making an application for a discretionary payment to provide evidence of financial hardship. All applicants will be required to demonstrate that the financial hardship is **solely** due to having to self-isolate.

Meet the Council's additional criteria for discretionary payments

- 7.28 Given that the funding for the Discretionary Scheme is limited (see Section 14), Government has stated that it will be up to each Council to determine additional criteria that have to be met if a payment is to be made. The additional criteria are shown below. They have been developed with other authorities within the County and are designed to focus on those applicants who are not in receipt of a qualifying benefit, on a low income, have relatively low capital, have had their income reduced and are therefore facing financial hardship due to self-isolation.

- 7.29 The additional criteria are as follows:

- (a) **An applicant's gross earnings are no greater than £372 per week.** (This equates to 40 hours x £9.30 of the Real Living Wage). This figure is before any deductions for tax, national insurance, pension or other non-statutory items. This is the amount that the applicant would normally earn prior to self-isolation. Where an applicant has earnings above this level then they would not normally be eligible unless there was an exceptional circumstance;
- (b) **An applicant must be required to work a minimum of 16 hours per week.** Any applicant normally working less than that would not be eligible;
- (c) **An applicant must not possess capital of £6,000 or more.** Any applicant with capital above that level would not normally be eligible. For the sake of clarity, capital will be calculated in accordance with the rules for Housing Benefit;
- (d) **University students or those in further or other higher education are normally excluded from applying for a discretionary grant;**
- (e) **Individuals who have applied for a qualifying benefit but have not yet received a decision or have appealed** against a decision not to award a qualifying benefit and are awaiting the outcome of the appeal will be eligible to claim provided they meet **all** other criteria within this section;
- (f) **Applicants who are excluded from qualifying benefits by the "Persons from Abroad" provisions within the welfare benefit schemes** will be eligible to claim provided they meet **all** other criteria within this section; and
- (g) **In all cases applicants will need to demonstrate that they will suffer financial hardship by having to self-isolate.**

8. How much discretionary payment will be paid, methods of payment and timings.

- 8.1 Where an applicant meets all of the eligibility criteria for a discretionary payment, a single payment of £500 shall be paid for each period of self-isolation. Payments will be made direct to the applicant's bank account within 3 working days, starting with the date of application.
- 8.2 Where further information or evidence is required from the applicant, the Council will look to make payment within 3 working days starting with the date when all of the required information is received.
- 8.3 Full details of the applicant's bank account must be supplied on the application form and this will be cross checked with the copies of the bank statements provided as part of the verification process.
- 8.4 As required by Government, payments can only be made to the applicant's bank account. No payments can be made to third parties whatsoever.
- 8.5 The Council is aware that in some cases, applicants may be overdrawn and may not be able to gain access to the payment. In these cases, the applicant may apply for protection. This protection is called a 'first right of appropriation of funds order'. More details of this can be obtained from the Council's website <https://eastdevon.gov.uk/coronavirus-covid-19/test-and-trace-support-payment/test-and-trace-payment-questions/#header> or from Citizens Advice.

9. Notification of Decisions

- 9.1 Applications for discretionary payments will be considered by officers of the Council and all decisions made by the Council shall be notified to the applicant either in writing or by email.

10. Implications for other benefits and reductions

- 10.1 The Council has been advised by the Department for Work and Pensions (DWP) that all Test and Trace Support Payments (of any type) will be disregarded for the purposes of all means-tested benefits.
- 10.2 The Council has decided that any payment made under this scheme shall not affect entitlement to Council Tax Reduction.

11. Review of Decisions

- 11.1 Whilst there is no statutory appeal process, the Council will operate an internal review process and will accept an applicant's request for an appeal of its decision by a senior officer.
- 11.2 All such requests must be made in writing to the Council, within 3 days of the Council's decision, and should state the reasons why the applicant is aggrieved with the decision of the Council. New information may be submitted at this stage to support the applicant's appeal. The application will be reconsidered as soon as practicable, and the applicant informed in writing or by email of the decision.

12. Complaints

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

13. The Test and Trace Discretionary Payments Scheme and its relationship with the Standard Scheme

Standard Scheme

- 13.1 This 'Standard Scheme' has been determined by criteria set down by Government and is primarily aimed at all applicants who are working or self-employed; are unable to work from home and will therefore have a reduction in income and are in receipt of certain qualifying benefits (Universal Credit; Working Tax Credit; Income-based Employment and Support Allowance; income-based Jobseeker's Allowance; Income Support; Housing Benefit; or Pension Credit).
- 13.2 The receipt of one of those benefits is essential in order for a payment to be made.
- 13.3 Details of the Standard Scheme can be found at www.southhams.gov.uk/test-and-trace-policy.

Discretionary Scheme

- 13.4 The Council's Test and Trace Discretionary Payments Scheme is for any individual who meets all the required criteria (including the Council's additional criteria) **except** that they are not currently in receipt of a qualifying benefit and they would face financial hardship due to self-isolation. The reason for this could be, for example, that a claim for a benefit has not yet been made or that the individual, whilst normally resident in the UK, is unable to gain access to public funds.

Claiming from the schemes

- 13.5 Individuals who are entitled to a payment from the Standard Scheme are unable to make a claim from the Council's Discretionary Scheme.
- 13.6 However, an applicant who is refused a 'Standard Scheme' payment on the basis that they meet all the criteria **except** that they are not in receipt of a qualifying benefit, will be directed to make an application for a discretionary payment. It should be noted that in all cases, where an individual applies for a discretionary payment, they will have to satisfy not only the basic criteria laid down by Government but also the additional criteria set by the Council.

14. Funding of the Discretionary Scheme

- 14.1 The Council will receive a fixed amount of funding from Government which will be for the four months that the Discretionary Scheme is intended to last. Government has confirmed that **no** additional monies will be given to the Council.
- 14.2 In view of this, and to ensure that discretionary payments are available throughout the period to 31st January 2021, the Council reserves the right to change the Test and Trace Discretionary Payments Scheme at any time to ensure funds go to those who face the most financial hardship.

15. Taxation and provision of information to HMRC

- 15.1 The Council has been informed by Government that all payments under this scheme are taxable. However, the payments will not be subject to National Insurance contributions.
- 15.2 The Council does not accept any responsibility in relation to an applicant's tax liabilities and all applicants should make their own enquiries to establish any tax position.
- 15.3 All applicants should note that the Council is required to inform Her Majesty's Revenue and Customs (HMRC) of all payments made to individuals.

16. Managing the risk of fraud

- 16.1 Neither the Council, nor Government will accept deliberate manipulation of the scheme and fraud. Any applicant caught falsifying information to gain payments will face prosecution and any payment issued will be recovered from them and this may also include other recovery costs.
- 16.2 Applicants should note that, where a Test and Trace Discretionary Payment is paid by the Council, details of each individual applicant will be passed to Government. Applicants should also note that the Council utilises a number of databases and

Government systems to verify information in connection with any application submitted.

17. Recovery of amounts incorrectly paid

- 17.1 If it is established that any Test and Trace Discretionary Support Payment has been made incorrectly due to misrepresentation or incorrect information provided to the Council by an applicant or their representative(s), the Council will look to recover the amount in full.

18. The Council's duties in relation to self-isolation

- 18.1 The duty to self-isolate is an important one. Ensuring infected individuals and their close contacts isolate is one of our most powerful tools for controlling transmission.
- 18.2 We know that someone with the virus can remain infectious to other people for up to 10 days after developing symptoms. It can take up to 14 days for individuals to develop coronavirus symptoms after they catch the virus, and in this time, they can unknowingly pass it on to others, even if they don't have symptoms.
- 18.3 Self-isolating helps prevent family, friends and the community from contracting coronavirus, as well as helping to protect the health and care system.
- 18.4 The changes announced by Government on 20th September 2020 and brought into force on 28th September 2020 (as well as providing for the Test and Trace Support Payments Schemes):
- introduce a new legal duty on individuals to self-isolate if someone tests positive or is identified as a contact by NHS Test and Trace;
 - introduce penalties for those breaking the rules, including fines of at least £1,000 and up to a maximum of £10,000 for repeated or very serious offences; and
 - place a new legal obligation on employers that they must not knowingly enable or encourage their employees to break the law on self-isolation.
- 18.5 As part of this, the Council has a duty If it becomes aware, either through post-payment verification checks or through other means, that someone has not self-isolated, to refer the case to the police.
- 18.6 The Council has been informed by Government that, in order to ensure compliance with the new legislation NHS Test and Trace call handlers will be increasing contact with those self-isolating. Police resources will be used to check compliance in highest incidence areas and in high-risk groups, based on local intelligence including acting on instances where third parties have identified others who have tested positive, but are not self-isolating.
- 18.7 The Council will continue to focus on the principle of encouraging, educating and supporting self-compliance.

19. Delegated Powers

- 19.1 The Council has implemented this Discretionary Scheme in line with Government requirements and guidance.
- 19.2 Officers of the Council will administer the scheme and the Section 151 Officer is authorised to make technical scheme amendments to ensure it continues to meet the criteria set by the Council and, in line with Central Government guidance.

20. Data Protection and use of data

- 20.1 All information and data provided by applicants shall be dealt with in accordance with the Council's Data Protection policy and Privacy Notices which are available on the Council's website.

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