

South Hams Executive



Title:	Agenda
Date:	Thursday, 6th June, 2019
Time:	10.00 am
Venue:	Repton Room - Follaton House
Full Members:	<p style="text-align: center;">Chairman Cllr Pearce 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:	Member.Services@swdevon.gov.uk

1. Minutes	1 - 10
to approve as a correct record and authorise the Chairman to sign the minutes of the meeting of the Executive held on 14 March 2019;	
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	11 - 12
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	13 - 18
7. Climate Change	19 - 28
8. Customer Satisfaction Action Plan Progress	29 - 32
9. Devon Wide Housing Assistance Policy	33 - 90
10. Granting of long leases in Dartmouth, Salcombe and Kingsbridge	91 - 102

**MINUTES OF A MEETING OF
THE EXECUTIVE
HELD AT FOLLATON HOUSE ON THURSDAY 14 MARCH 2019**

Members in attendance:			
* Denotes attendance			
∅ Denotes apologies for absence			
*	Cllr H D Bastone	*	Cllr R J Tucker (Chairman)
*	Cllr R D Gilbert	*	Cllr S A E Wright (Vice Chairman)
*	Cllr N A Hopwood	*	Cllr K R H Wingate

Also in attendance and participating		
Item 7	E.82/18	Cllrs Saltern, Baldry, Brazil and Green
Item 8	E.83/18	Cllrs Pearce, Bramble, Steer, Pennington and Baldry
Item 9	E.84/18	Cllrs Hodgson, Baldry, Birch, Brazil and Cuthbert
Item 10	E.85/18	Cllrs Cuthbert, Green, Holway, Pearce, Saltern, Baldry, Pearce, Hodgson and Pennington
Item 11	E.86/18	Cllrs Brazil and Green

Also in attendance and not participating
Cllrs May, Cane, Brown, Vint

Officers in attendance and participating		
All items		Chief Executive, Group Manager Customer First and Support Services and Specialist Democratic Services
Item 8	E.83/18	Community Housing Lead
Item 9	E.84/18	Head of Environment Services Practice
Item 12	E.87/18	Head of Environment Services Practice
Item 15	E.90/18	Salcombe Harbour Master
Item 16	E.91/18	Senior Specialist Assets

E.78/18 MINUTES

The minutes of the Executive meeting held on 7 February 2019 were confirmed as a true and correct record and signed off by the Chairman.

E.79/18 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 and the following were made:

Cllr Tucker declared a personal interest in Item 8: Community Housing Delivery – Capital Requirements (Minute E.83/18 below refers), by virtue of Appendix A including land in his ownership. The Appendix set out future schemes that were not the subject of a decision at this meeting, and therefore he remained in the meeting and took part in the debate and vote thereon.

It should be noted that in light of Executive Procedure Rule 1.9.4 (below):

'Where a decision relates to an Executive Members' local ward, that Member may take part in the discussion, but will abstain from any vote on the item.'

the Council's Deputy Monitoring Officer had previously granted the Leader and Cllrs Bastone, Gilbert and Wright a Dispensation to be able to take part in the vote on agenda items relating to the Public Toilet Review (Agenda Item 16: 'Public Toilet Project' (Minute E.84/18 below refers). It was noted that this Dispensation would be in force until the next Annual Council meeting in May 2019.

E.80/18 **PUBLIC QUESTION TIME**

It was noted that no public questions had been received in accordance with the Executive Procedure Rules, for consideration at this meeting.

E.81/18 **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 without any comment.

E.82/18 **IVYBRIDGE DEVELOPMENT PROPOSAL UPDATE**

Members were presented with a report that updated the position in respect of development in Ivybridge, following deferral of a decision to approve a project to build a supermarket, for further information. The report summarised the work undertaken to date, and sought approval in principle of the project, subject to a detailed business case and agreement with third parties. The Leader introduced the report and a number of Members supported the way forward as set out in the report. During discussion, points made included the following:

- The importance of engaging with everybody and moving forward together;
- The Town Council position of having concerns but accepting that this was a starting point, and this proposal being better than what had previously been proposed;
- The value of the consultation and the balanced view of the responses;
- Appreciation for the hard work of the officers in undertaking the consultation;
- One Member asked that the hinterland of Ivybridge be included, particularly in terms of consultation and what would attract them to Ivybridge;
- The importance of understanding the parking issues within Ivybridge;

- The acknowledgement of the work of the Place Making team and future collaboration of towns working together.

It was then:

RESOLVED

1. That the findings of the Ivybridge 'Vox Pops' consultation be noted;
2. That the submission of an Expression of Interest to the Government's Future High Street Fund in respect of Ivybridge be supported; and
3. That the principle of a supermarket development within the Council owned Leonards Road and Glanvilles Mill car parks be approved, subject to an acceptable detailed business case and agreement with third parties. (NB. These will need to be in place before a final decision on progressing a development).

E.83/18

COMMUNITY HOUSING DELIVERY – CAPITAL REQUIREMENTS

The Executive was presented with a report that set out proposals for the funding of four community housing projects in South Brent, St Ann's Chapel, Brixton and Kingsbridge. The proposals were in line with the Community Housing Strategy.

The Leader introduced the report and outlined the importance of bringing such schemes forward. A number of Members strongly supported the proposals. In response to a question, the Deputy Leader confirmed that the funding received to support such schemes in areas of high second homes was to be used District wide. The Leader also advised that such schemes relied on landowners coming forward with available land. Finally, details were provided of how the affordable element of the homes would work.

It was then:

RESOLVED that Council be **RECOMMENDED:**

1. To approve community housing development expenditure of up to £8.5m to build out four community housing schemes delivering 55 residential units as set out in the report;
2. To approve funding of up to £8.5m to build the schemes from combination of internal borrowing and external borrowing (from the Public Works Loan Board)
3. That specialist treasury management advice is taken on the optimum way of financing the community housing schemes; and

4. To delegate authority to the Head of Assets Practice and s151 Officer to approve associated long leaseholds and disposals in consultation with the Leader of Council.

E.84/18 PUBLIC TOILET PROJECT

Members were presented with a report that updated them on the latest position in respect of the public toilet project and sought approval for the installation of Pay on Entry equipment in Kingsbridge and Totnes. The report also sought approval for the proposed approach in Salcombe as set out in the report.

The Lead Member for Commercial Services introduced the report, and in so doing asked that an additional recommendation be included, that the public conveniences at Manor Gardens, currently closed for the winter period, remain closed. The facilities were due to open from 1 April 2019 to 30 September 2019, but were now in a poor state of repair and would require capital spending to ensure they could be used. In view of the scheduled permanent closure, it was recommended that the facilities remain closed. The local Ward Member in attendance was in agreement with this proposal.

A number of Members stated their position that public toilets should not be closed. In response, the Lead Member advised that, taking expected closures into account, there were 35 public conveniences remaining open across the District.

One local Ward Member for Totnes sought to amend the recommendation related to Totnes public toilets, in light of the briefing note circulated to Members that updated the position. The Chief Executive explained that a formally agreed and minuted proposal was required and that had not yet been received. However, the recommendation had been written to enable progress to be made once the appropriate proposal had been received.

Finally, the Ward Member for Staverton asked for consideration to be given to the situation with the public toilets in Staverton, particularly in light of the recent closure of the neighbouring public house.

It was then:

RESOLVED

1. That the installation of Pay on Entry (PoE) equipment at Fore Street public toilets, Kingsbridge be approved;
2. That the installation of PoE equipment at the three public toilets in Totnes (Civic Hall, Coronation Road and Steamer Quay) be approved, unless an alternative funding solution is offered by the Town Council by 28 February 2019. It is further recommended that the decision on any alternative funding solution offered by the Town Council is assessed for financial and operational viability by the Head of

Environment Services Practice in conjunction with the Leader and Portfolio Holder (and following consultation with the local Ward Members) in order to ensure it provides adequate compensation for any income not generated through PoE;

3. That the proposed approach of Salcombe Town Council working in partnership with the Salcombe Harbour Board, to take over the management and running of the Salcombe Estuary Toilets for a two year trial period be approved. This proposal requires a transfer of the 2019/20 service budget to facilitate the pilot and, in the first year, includes a £9,000 contribution towards the roof repairs costs at Mill Bay. It is further recommended that the decision on whether any alternative funding solution offered by the Town Council is financially and operationally viable is taken by the Head of Environment Services Practice in conjunction with the Leader and Portfolio Holder;
4. That following further consultation, toilet services be retained at the following locations until 30 September 2019, where Parish Councils have decided against a full asset transfer
 - a. Newton Ferrers (Newton & Noss Parish)
 - b. Staverton
5. That following further consultation, the public toilet service at Holbeton be retained until 30 September 2019 only, unless a full asset transfer is agreed by the Parish Council;
6. That the public toilets at Manor Gardens remain closed.

E.85/18 **PEER REVIEW ACTION PLAN**

Members were presented with a report and proposed Action Plan, following the Peer Challenge of South Hams District Council, jointly with West Devon Borough Council. The Action Plan reflected the recommendations in the Peer Challenge Report.

The Leader introduced the report. Members were generally positive about the Action Plan, and the importance of Members engaging with their own communities and with Town and Parish Councils was noted. Engagement on Neighbourhood Plan matters was quoted as an example, and in response, the Deputy Leader advised that the Neighbourhood Plan Portal would soon be live, providing a network of information and help that could be accessed. One Member noted the work undertaken by officers in preparing workshops and briefings, and was disappointed at the level of attendance of councillors. The Chief Executive advised that this would be an area of the approved Members Induction Programme and also that, moving forward, Member's attendance at informal as well as formal meetings would be documented on the Council website.

It was then:

RESOLVED

1. That the Peer Challenge Action Plan as set out in Appendix A be implemented;
2. That the Local Government Association be asked to undertake a visit by the end of 2020 to follow up on progress in delivering the action plan; and
3. That Council be **RECOMMENDED** that a Joint Working Group be convened and the draft Terms of Reference for that Group be approved as set out in Appendix B.

E.86/18

CUSTOMER SATISFACTION ACTION PLAN PROGRESS

Members were presented with a report that detailed progress made to date in improving customer satisfaction and also included next steps to continue to improve the customer experience.

The Portfolio Holder for Customer First introduced the report, and the Portfolio Holder for Customer First and Support Services provided an update on performance of the Customer Contact Centre. The Group Manager Customer First and Support Services responded to a number of questions.

It was then:

RESOLVED

1. That the progress made to date in improving customer satisfaction as detailed in section 3 of the report be noted; and
2. That the next steps as outlined in section 5 of the report be endorsed.

E.87/18

GROUNDS MAINTENANCE REVIEW

Members were presented with a report that that requested support of a proposal to review the current Grounds Maintenance service in respect of efficiency and quality, with a view to ensuring the service had been health checked before a plan for service growth was developed.

The Lead Member for Commercial Services introduced the report and reminded Members that the Grounds Maintenance service made use of the apprentice placement scheme and this had proved to be valuable.

It was then:

RESOLVED

That the approach suggested in respect of a best value review of the current grounds maintenance service be approved.

E.88/18 EMPLOYEE TERMS AND CONDITIONS OF EMPLOYMENT

Members were presented with a report that presented the outcome of a review of options for reducing staff costs by varying terms from the Green Book from 2020/21. The report focussed on two main aspects. Firstly, the current contractual situation, the presence of the national joint collective bargaining machinery and the legal considerations to be taken into account if changes in terms and conditions were proposed. Secondly, a number of options pursued by other local authorities.

The Leader introduced the report, and Members view was that it contained innovative suggestions. One Member asked that it be noted that not all staff belonged to Trade Unions, and in response the Chief Executive confirmed that she recognised the wider cohort of staff. She also confirmed that any policies brought forward would take into account the needs of the organisation.

It was then

RESOLVED

1. That the options available in respect of employee terms and conditions as set out in the report be noted;
2. That the Head of HR Practice, in consultation with the Chief Executive and Trade Union representatives –
 - Develop a policy that enables employees to purchase additional annual leave;
 - Develop a policy for unpaid career breaks;
 - Review the Managing Attendance Policy and present recommendations to the Senior Leadership Team by September 2019;
 - Review the Essential User Car Allowance Scheme and eligibility by September 2019;and
 - Review the Councils Redundancy Scheme by March 2020.

E.89/18 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 items of business as the likely disclosure of exempt information as defined in paragraph 3 of Schedule 12A to the Act is involved.

E.90/18 **COASTAL ASSETS SERVICE UPDATE**

Members were presented with a report that updated on the work carried out with regard to service management and visitor safety on beaches and around coastal areas of the South Hams.

The Salcombe Harbour Master introduced the report.

It was then:

RESOLVED

1. That the re-introduction of an Avon Estuary management service within current budget as detailed in paragraph 2.9 of the presented agenda report be approved, with a review of service after 12 months;
2. That a future contract to support the lifeguarding summer service be negotiated and awarded on the basis outlined in paragraph 2.6 of the presented agenda report;
3. That beach and water safety, including equipment throughout the South Hams, be maintained at current or near current levels;
4. That the financial implications for the Council be noted.

E.91/18 **ACCOMMODATION STRATEGY – FOLLATON HOUSE**

Members were presented with a report that recommended further consideration of options to rationalise the estate to ensure the facilities were fit for purpose for the foreseeable future.

The Leader introduced the report.

It was then:

RESOLVED

That Council be **RECOMMENDED**

1. To approve the formation of a Member working group, following the election in May 2019, to review an appropriate future strategy for Follaton House in light of changes in operational requirements and increasing budgetary constraints; and
2. That the re-designation of the Arboretum as public open space to ensure its future use and management to secure it for the benefit of the local community, be approved.

(NOTE: THESE DECISIONS, WITH THE EXCEPTION OF E.83/18, E.85/18 (3), and E.91/18 WHICH WERE RECOMMENDATIONS TO THE SPECIAL COUNCIL MEETING TO BE HELD ON 21 MARCH 2019, WILL BECOME EFFECTIVE FROM 5.00PM ON MONDAY 25 MARCH 2019 UNLESS CALLED IN, IN ACCORDANCE WITH SCRUTINY PROCEDURE RULE 18).

(Meeting commenced at 10.00 am and concluded at 12.05 pm)

Chairman

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PUBLIC QUESTIONS AT EXECUTIVE MEETINGS

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

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

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

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

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SOUTH HAMS DISTRICT COUNCIL: EXECUTIVE LEADER'S FORWARD PLAN

This is the Leader of Council's provisional forward plan for the four months starting June 2019. 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 monthly basis. The Plan is published in hard copy and on the Council's website (www.southhams.gov.uk)

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

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

Leader of the Council

Deputy Leader

lead Executive Member for Business Development

lead Executive Member for Commercial Services

lead Executive Member for Customer First

lead Executive Member for Customer First and Support Services

Further information on the workings of the Executive, including latest information on agenda items, can be obtained by contacting the Member Services Section on 01803 861185 or by e-mail to democratic.services@southhams.gov.uk

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

KEY DECISIONS TO BE TAKEN BY THE EXECUTIVE

Portfolio Area	Report Title and Summary	Lead Officer/ Member	Documents to be considered in making decision	Date of Decision	Consultees and means of Consultation
OTHER DECISIONS					
Customer First	Title: Coastal Concordat Purpose of report: To consider the Concordat agreed between SHDC and Marine Management Organisation in respect of planning matters below the mean low tide	TJ/	Report of the Head of Place Making Practice Coastal Concordat	Date tbc	
Leader	Title: Draft Corporate Strategy Delivery Plans Purpose of report: To consider the draft delivery plans for each of the Corporate Strategy Themes (Homes, Communities, Enterprise, Environment, Wellbeing & Council) - This report will detail a clear framework for Members to engage with their communities on the Corporate Strategy.	NT/	Report of the Commissioning Manager	6 June 2019	

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Customer First	Title: Customer Satisfaction Purpose of report: To provide regular update on Customer Satisfaction Action Plan	NT/	Report of the Commissioning Manager	Monthly	
Customer First	Title: Review of the Housing Assistance Policy Purpose of report: To recommend to Council to any necessary changes following a review of the Housing Assistance Policy	DS/	Report of the Senior Specialist Environmental Health	6 June 2019	
Leader - Assets	Title: Grant of long lease Purpose of report: To seek authority to grant a long lease in two situations, for more than 15 years	C Brook	Report of the Head of Assets	6 June 2019	

SLT	Title: Climate Change Programme Purpose: To consider a report that explores and highlights our environmental commitments and contributions towards addressing Climate Change	SH/	Report of Chief Executive	6 June 2019	
Leader - Assets	Title: Dartmouth Health Hub Update Report Purpose of Report: To report on progress and seek approval for next steps, including any finance requirements	CBrook/	Report of Head of Assets	July 2019	
Leader – Assets	Title: Kingsbridge Commercial proposals Purpose of report: To seek approval for the business case for a commercial opportunity for a hotel in Kingsbridge, to include the granting of a long lease.	C Brook /	Report of HOP Lead Assets	July 2019	
Leader – Assets	Title: Ivybridge Commercial Development Opportunity Purpose of report: To report on progress and seek approval for next steps, including any finance requirements	CBrook/	Report of Head of Assets	July 2019	
Council Page 15	Title: IT Procurement Update Purpose of the report: Proposal for the approach for the ICT Procurement, including proposals for joint arrangements with South Hams District Council	MW	Report of Head of IT IT Evaluation Report Appendix	July 2019	Lead Member Support Services
Council	Title: Write Off Report for Quarter 4 2018/2019 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.	LB	Report of Strategic Lead Finance	July 2019	
Council	Title: Annual Treasury Management Report 2018/2019 Purpose of report: To report on treasury management activity for the 2018/19 financial year	PH	Report of Head of Finance	July 2019	

Leader - Assets	Title: Formation of a wholly owned company Purpose of Report: To consider the formation of a wholly owned company to facilitate commercial activity	C Brook /	Report of Head of Assets	September 2019	
Leader - Assets	Title: Accommodation Strategy Purpose of report: To make recommendations for a future accommodation strategy	C Brook/	Report of Head of Assets	September 2019	
Leader	Title: Draft Corporate Strategy Delivery Plans Purpose of report: To consider the feedback gathered by Members from their community engagement	NT/	Report of the Commissioning Manager	September 2019	
Environment	Title: Grounds maintenance service Purpose of report: To consider the future provision of a grounds maintenance service, and opportunities for income growth in respect of service area	SM & CA/	Report of the Group Manager Commercial Services and Head of Environment Services Practice	September 2019	
Homes	Title: Homeless Strategy Year 3 Purpose of the report: To set out Year 3 of the Strategy	IB	Report of the Head of Housing, Revenues and Benefits	September 2019	
Council	Title: Write Off Report for Quarter 1 Purpose of report: The Council is responsible for the collection of: Housing Rents, Sundry Debts including Housing Benefit Overpayments, Council Tax and National Non-Domestic Rates. The report informs members of the debt written off for these revenue streams.	LB	Report of Strategic Lead of Finance	September 2019	
Council	Title: Revenue Budget Monitoring Quarter 1 Purpose of report: A revenue budget monitoring report to monitor income and expenditure variations against the approved revenue budget for 2019/20, and to provide a forecast of the year end position	PH	Report of Head of Finance	September 2019	

Council	<p>Title: Capital Budget Monitoring Quarter 1</p> <p>Purpose of report: The report advises Members of the progress on individual schemes within the approved capital programme for 2019/20, including an assessment of their financial position</p>	PH	Report of Head of Finance	September 2019	
Council	<p>Title: Medium Term Financial Strategy for the five years 2020/21 to 2024/25</p> <p>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>	LB	Report of Strategic Lead of Finance	September 2019	
Communities/ Wellbeing	<p>Title: Partnership Funding Levels 2020/21</p> <p>Purpose of the report: To review Partnership Funding Levels for 2020/21 onwards</p>	NT		September 2019	
Communities/ Wellbeing	<p>Title: Council Tax Reduction Scheme 2020/21</p> <p>Purpose of the report: It is an annual requirement for the Council to revisit its existing council tax support scheme</p>	IB		September 2019	

Report to: **Executive**
Date: **6 June 2019**
Title: **Climate Change**
Portfolio Area: **Council**
Wards Affected: **All**
Urgent Decision: **N** Approval and clearance obtained: **Y**

Date next steps can be taken: **Special Council meeting on 25 July 2019, and after call in 17 June, 2019**

Author: **Drew Powell** Role: **Specialist Manager (Customer First)**

Contact: **01803 861240 email: drew.powell@swdevon.gov.uk**

RECOMMENDATIONS:

That the Executive RECOMMENDS to Council that:

1. The Council declares a Climate Change Emergency;
2. An Action Plan that outlines how the Council will address the Emergency, and meet or exceed the targets set by the Intergovernmental Panel on Climate Change (IPCC), to be brought to Council for approval within 6 months;
3. The Council commits to collaborating with Devon County Council and other agencies to address the Emergency.

That the Executive is RECOMMENDED to approve:

4. The convening of an all Member Workshop to help scope the challenges, set the priorities and inform the content of the draft Action Plan; and
5. To delegate authority to the Head of Paid Service, in conjunction with the Leader and the Executive Member for the Environment, to sign the Devonwide Declaration on Climate Change.

1. Executive summary

- 1.1 As a council we are well placed to influence, promote and lead local initiatives to protect and enhance our environment.
- 1.2 The Councils activities impact on climate change through its carbon footprint made up of emissions consumption and production.
- 1.3 The Council has already undertaken a range of initiatives and actions to reduce its carbon footprint and has plans in place to effect a further reduction but it is recognised that further urgent action is needed.
- 1.4 Climate Change is recognised as a cross-cutting, strategic issue that impacts on all of the Councils six Corporate Strategy themes and as such it is proposed that the Portfolio sits with the Leader of the Council who takes the Executive lead.
- 1.5 The United Nations Intergovernmental Panel on Climate Change (IPCC) Special Report on 'Global Warming of 1.5 degrees Celsius', published in October 2018, describes the enormous harm that a 2 degrees Celsius rise is likely to cause compared to that of 1.5 degrees. The report told the world that limiting Global Warming to 1.5 degrees Celsius may still be possible with ambitious action from national and sub-national authorities, civil society, the private sector, indigenous peoples and local communities.
- 1.6 The IPCC has advised that carbon emissions must reduce globally by at least 45% by 2030 from 2010 levels and reach net-zero by 2050 if we are to avoid the worst effects of climate change by keeping warming below 1.5 degrees.
- 1.7 Current local and global plans and policies are not going to meet the targets outlined above.
- 1.8 Organisations and Local Councils around the world are responding by declaring a 'Climate Emergency' and committing to address this emergency.
- 1.9 This report outlines recent developments with regard to climate change and sets out proposals to investigate how the Council can further reduce its carbon footprint in response to the IPCC report and the declaration of a Climate Change emergency.

2. Background

- 2.1 Evidence shows that humans have already caused climate change, the impacts of which are being felt around the world. Global temperatures have already increased by 1 degree Celsius from pre-industrial levels. Atmospheric Carbon dioxide (CO₂) levels are above 400 parts per million (ppm). This far exceeds the 350 ppm deemed to be a safe level for humanity.
- 2.2 In order to reduce the impact of Global Warming and limit the effects of Climate Breakdown, it is estimated that, globally, we

need to reduce our CO₂eq (carbon equivalent) emissions from their current 6.5 tonnes per person per year to less than 2 tonnes as soon as possible.

- 2.3 Understanding how an organisation impacts climate change is complex. Determining how to approach achieving a carbon neutral district or County is equally complex and requires a strategic evidence based approach.
- 2.4 The Greenhouse Gas (GHG) protocol introduced a widely accepted accounting tool, a methodology that splits consumption and production as follows;
- Scope 1 – All Direct Emissions from the activities of an organisation or under their control. Including fuel combustion on site such as gas boilers, fleet vehicles and air-conditioning leaks.
 - Scope 2 – Indirect Emissions from electricity purchased and used by the organisation. Emissions are created during the production of the energy and eventually used by the organisation.
 - Scope 3 – All Other Indirect Emissions from activities of the organisation, occurring from sources that they do not own or control. These are usually the greatest share of the carbon footprint, covering emissions associated with business travel, procurement, waste and water.
- 2.5 Assessing Scope 1 and 2 emissions is relatively straightforward however Scope 3 requires detailed work and cooperation across numerous stakeholders.
- 2.6 Tackling this huge challenge will require action at all levels from international policy through to individual action but it is recognised that Local Authorities at all tiers are uniquely placed to deliver and enable a reduction in carbon emissions.
- 2.7 In addition to reversing the adverse impacts on the environment, reducing our carbon footprint can deliver economic benefits in terms of new jobs, economic savings and market opportunities, as well as improved personal, social and environmental well-being for people, locally and worldwide.

Regional Background

- 2.8 In recognition of the findings of the IPCC report Devon County Council declared a Climate Emergency on 21 February 2019 and has committed to review and recommend what further corporate approaches can be taken through their Climate Change Strategy and Corporate Energy Policy and to facilitate stronger Devon-wide action through collaboration at a strategic, community and individual level.
- 2.9 In response to this, a Devon Climate Emergency Response Group (DCERG) has been formed. The Group will operate within the well established emergency response framework to facilitate effective action across a broad partnership. The initial

teleconference held on 9th May 2019 was joined by SHDC and a range of other partners including the other Devon Districts, Western Power Distribution, the University of Exeter, South West Ambulance Service Trust, Devon and Cornwall Police, Natural Devon, Devon Public Health, Public Health England and the Ministry of Housing, Communities and Local Government (MHCLG) and NHS England (South West).

- 2.10 Officers unanimously agreed to collaborate and to seek Member approval to sign up to a Devon Climate Declaration committing each organisation to review their own carbon reduction plans and to work together on a Devon-wide carbon plan. At the time of writing the report, an initial draft declaration is under preparation. It is proposed to bring the declaration to members for consideration at the earliest opportunity
- 2.11 A motion to Teignbridge District Council resulted in a declaration of a climate emergency and a number of actions including a 'pledge to do what is within our powers, to make Teignbridge District carbon neutral by 2025, taking into account both production and consumption emissions.' It was resolved for officers to report to Full Council within six months with an Action Plan, outlining how the Council will address this emergency. It is understood that the original proposal was based on the date of 2030 which was amended during debate. Initial discussions at officer level suggest that detailed work was not undertaken in advance as to the feasibility, both practically and financially, of meeting either target.
- 2.12 East Devon Council have taken a different approach which effectively commits them to work with Devon County Council on a shared climate change programme, and signal its commitment to tackling climate change. East Devon also agreed to consider setting a more ambitious date for becoming carbon neutral. Full details of their report and resolutions can be found by clicking the links below.
- <https://democracy.eastdevon.gov.uk//documents/g143/Public%20reports%20pack%2003rd-Apr-2019%2017.30%20Cabinet.pdf?T=10>
- <https://democracy.eastdevon.gov.uk//documents/g143/Pri%20nted%20minutes%2003rd-Apr-2019%2017.30%20Cabinet.pdf?T=1>
- 2.13 Unlike Devon County Council, Plymouth City Council have not invoked emergency powers but have made a pledge to make Plymouth carbon neutral by 2030, and commit to working with other councils with similar ambitions. A "climate emergency action plan" will now be created for the council to consider in six months.
- 2.14 South Hams District Council, having worked together with Plymouth City Council through the JLP, already have shared environmental polices in place. Notably:

- 2.14.1DEV32 – Delivering low carbon development
- 2.14.2DEV 33 – Renewable and low carbon energy (including heat)
- 2.14.3DEV 34 – Community Energy
- 2.15 In terms of West Devon Borough Council, at the Annual Council meeting held on 21 May 2019 the following motion was approved;
- 2.16 'That West Devon Borough Council recognises that we have a 'Climate Change and Biodiversity Emergency' and that urgent steps need to be taken to address all matters within the Borough which may affect climate change and habitat loss.
- 2.17 That this Council recognises that the crisis is both global and WorLocal and that Local Government has a role to play in promoting environmentally friendly policies. To this end, it is recommended that a Working Group be established with cross-group membership to be decided by the Leader of this Council, in discussion with other political groupings. To report back within three months with initial recommendations.'

3. The Councils own activity to date and going forward

- 3.1 The Council has long since recognised the need to reduce its carbon footprint and has been proactive in this regard. A number of initiatives have already been implemented to reduce carbon emissions including;
- Introduction of agile working which has reduced both commuting and business mileage by an estimated 1 million miles per year, across its workforce, with a carbon saving of 483 tonnes.
 - Improving the energy efficiency of existing housing through grants and enabling schemes such as Cosy Devon, the Green Deal and the Energy Company Obligation.
 - Installation of Solar panels on main headquarters and a number of other assets, generating 8,406 kWh in 2018 at Follaton House.
 - Installation of Electric Vehicle charging points at main headquarters which are free to use to encourage uptake.
- 3.2 In terms of future carbon production, the Joint Local Plan (JLP) is one of only a handful of Local Plans in the country that has set a carbon reduction target to be achieved through effective implementation of its policies. The JLP provides a framework that ensures development makes a positive contribution with respect to all factors affecting and being affected by climate change. Policies require development to be environmentally conscious, support a low carbon economy, protect the best agricultural land and deliver resilient communities with good access to services by foot, cycling and public transport and which seek to protect and enhance biodiversity and linked habitats.

- 3.3 The JLP allocates sites for development that are located in places where access to services is good by foot and cycling; and have requirements (additional to the strategic and development management policies) that specifically require measures such as Landscape and Ecological Management Plans and contributions to public transport.
- 3.4 Development Management Policies provide further detail and requirements for development to address climate change. These include, for example, policies which supports local food growing by seeking provision of new allotments and / or community food growing sites, low carbon development by requiring consideration of the energy hierarchy and the promotion of renewable and low carbon energy, including community energy projects.
- 3.5 Whilst it is not possible to introduce in the emerging Supplementary Planning Documents 'new policies' with respect to climate change, that document can set a clear and high bar for prospective developers on the basis that responding positively to climate change in a rounded and effective way is commensurate with good design.
- 3.6 The Council is also working with Neighbourhood Planning Groups to support the inclusion in NPs of detailed policies and further specific measures that seek to address climate change in a balanced and effective way.
- 3.7 In addition the Council is planning a range of new initiatives to reduce its own carbon footprint and to positively influence the community to do the same.

4. Outcomes/outputs

- 4.1 The Council recognises the need to reduce its carbon footprint, the challenges faced by climate change and the need to work towards the targets set by the IPCC report in the interests of local, national and global well being.
- 4.2 This report sets out a measured and proportionate response to enable the Council to respond to the emergency whilst ensuring that the delivery of statutory functions for the well being of our communities are not compromised. It is important to stress the need to understand the full impacts of any proposals in terms of financial sustainability and deliverability.
- 4.3 The report proposes the drafting of an action plan which will set out key actions, target dates and outcomes.

5. Options available and consideration of risk

- 5.1 A number of options are available to the Council;
- 5.2 **Option 1 - Take no action.** This is not considered an appropriate response given the evidence within the IPCC Report and additional information and evidence held by the Council

- 5.3 **Option 2 - Do not declare a Climate Change Emergency and bring forward a plan to tackle the challenge when resources allow.** The Council continually manages its resources against conflicting priorities, it is considered that failing to declare emergency status will result in the work needed not being adequately resourced or prioritised.
- 5.4 **Option 3 - Declare a Climate Change Emergency and set definitive dates (over and above the IPCC dates) as to when specific outcomes will be achieved.** At present the Council does not have accurate details of its emissions production and consumption or those of the wider District. In view of this it is not considered appropriate to set targets over and above those of the IPCC report until such targets can be set on the back of an informed evidence base.
- 5.5 **Option 4 - Declare a Climate Change Emergency and commission a report to assess the Councils emissions production and consumption.** The report would inform the production of a fully costed action plan setting how the Council can meet or exceed the IPCC targets and by what date. In addition commit to work in collaboration with other agencies and stakeholders to develop and implement a plan to facilitate the reduction of the Districts emissions production and consumption to meet or exceed IPCC target dates.
- 5.6 It is recommended that Option 4 is taken forward.
- 5.7 Members must recognise that there are financial implications in pursuing this option. In order to progress this work it is vital that the Council has the capacity and necessary knowledge and skills both with regard to climate change and project management. Any change in priorities that Members approve may impact on the deliverability of other core, statutory functions.

6. Proposed Way Forward

- 6.1 The Council recognises the need to reduce its carbon footprint and climate change as a cross cutting strategic issue directly impacting on its community. Climate change impacts on all six Corporate themes.
- 6.2 In recognition of the joint working with West Devon Borough Council, and the shared challenges that each council faces in this regard, it is proposed that the Councils work together in developing a shared response, which will also include PCC in relation to the JLP area.
- 6.3 In recognition of the climate change emergency it is important to act decisively and commit sufficient resources to respond in a timely manner.
- 6.4 It is proposed that the following actions are taken;
- Declare a Climate Change Emergency

- Commission a report to assess the Councils Scope 1, Scope 2 and Scope 3 emissions
- Develop an Action Plan to work towards meeting or exceeding the IPCC targets and bring this back to Council for consideration within six months
- Commit to work in collaboration with Devon County Council and other agencies and stakeholders to develop and implement a plan to facilitate the reduction of the Districts emissions production and consumption to meet or exceed IPCC target dates.
- Develop and implement any 'quick wins' - that work towards the IPCC targets - that can be identified and delivered in advance of the production of the Action Plan
- Convene a workshop with Members, within two months, to help scope the challenges, set the priorities and inform the content of the Action Plan

7. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance	Y	<p>As a Category 2 responder under the Civil Contingencies Act 2004 the Council has a duty to plan and prepare a response to an emergency or provide support to those who do.</p> <p>Devon County Council, a Category 1 responder, declared a Climate Emergency on 21 February 2019.</p>
Financial implications to include reference to value for money		<p>It is highly likely that declaring a climate emergency will have significant financial implications for the Council however it is not possible to estimate costs in advance of producing the action plan proposed by the report.</p>
Risk		<p>Section 4 of the report outlines a number of the risks arising from the report.</p> <p>A number risks need to be highlighted; Based on the evidence put forward failing to act in any form is likely to have long term impacts on the council and the community it serves.</p> <p>Acting in a disproportionate manner and directing resources away from other key areas may have adverse impacts in a number of areas including delivery of statutory services, customer satisfaction, vulnerable people and the financial sustainability of the organisation.</p>

		Implementing new policies without full consideration of their impacts may directly impact on business, economic growth and delivery against the Joint Local Plan housing targets
Supporting Corporate Strategy		Developing a plan to meet the challenges of climate change supports all six corporate themes.
Comprehensive Impact Assessment Implications		
Equality and Diversity		There are no implications arising from this report
Safeguarding		There are no Safeguarding implications arising from this report.
Community Safety, Crime and Disorder		There are no positive or negative impacts on crime and disorder reduction.
Health, Safety and Wellbeing		Developing a plan to meet the challenges of climate change is likely to have a net positive impact on health, safety and well being. The magnitude of this impact cannot be assessed at this stage.
Other implications		None at this stage

Supporting Information

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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Report to: **Executive**

Date: **6 June 2019**

Title: **Customer Satisfaction Action Plan Progress**

Portfolio Area: **Customer Satisfaction and Improvement**

Wards Affected: **All Wards**

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

Date next steps can be taken:
(e.g. referral on of recommendation or implementation of substantive decision) **After call in period 17 June 2019**

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

Contact: Nadine.Trout@swdevon.gov.uk or **01803 861234**

RECOMMENDATION

That the Executive:

- 1. Note and comment on the progress made to date in improving customer satisfaction as detailed in section 3 of this report.**
- 2. Support the next steps as outlined in section 5 of the report.**

1. Executive summary

- 1.1 This report is presented by the Executive Lead for Customer Satisfaction and Improvement and details progress made since March 2019 on improving customer satisfaction.
- 1.2 The report also includes recommended next steps to continue to improve the customer experience by further honing the Council website, to pre-empt customer needs and manage expectations.

2. Background

- 2.1 In October and November 2018 Overview and Scrutiny Panel and Executive resolved to note the results from the Institute of Customer Service Customer Satisfaction Survey, and endorsed an action plan to improve customer service.
- 2.2 Executive at that time also resolved that a Customer Satisfaction Progress Report be presented at each Executive. This report therefore provides an overview of progress made since March 2019 when a report was last presented to Executive.

3 Outcomes/outputs

3.1 Waste & Recycling Service Improvements

Early indications suggest that the transfer of the Council's Waste and Recycling services to an external contractor on 1 April 2019 has run smoothly, with no spike in calls to the Council's call centre. The table below shows a comparison between customer contact from April and May 2018, compared with April to mid-May 2019. The table shows missed collections logs have nearly halved, with general waste and recycling calls reducing even further, at more than a quarter of what they were for a similar period last year.

	Apr/May 2018	Apr/mid-May 2019
Missed collections logged	539	289
General waste & recycling calls	4,674	1,134

3.2 It is important to note, the trend in declining waste calls was identified months before the Waste and Recycling transfer took place and as such cannot be directly attributed to the transfer alone. Prior to the transfer, in-house Waste and Recycling staff conducted extensive process reviews and implemented changes to make online service requests much easier. In addition staff simplified waste and recycling messaging by removing unnecessary pages from the website.

3.3 Development Management Improvements

To keep customers better informed status updates have now gone live on the planning portal. The image below is an excerpt from the planning portal and shows the status of this particular application is within the consultation/publicity period:

1506/19/LBC Mr & Mrs E Botterill
Listed Building Consent for proposed replacement of front window and associated works (Re-submission of application 15/1256/11/LB)
26 Newcomen Road Dartmouth Devon TQ6 9BN
Application within consultation/publicity period
20 May 2019

4 **Options available and consideration of risk**

4.1 The Council is committed to improving customer service. It is therefore consider prudent to continue with the implementation of the Customer Satisfaction Action Plan. Evidence suggests actions taken to date are contributing to improved customer service.

5. **Proposed Way Forward**

5.1 It is recommended that the frequency of reporting to Executive on customer satisfaction progress is reduced from every meeting to every other meeting. Thus allowing greater time to assess the impact of changes made and provide Members with more in depth trends analysis. Reports would therefore be presented on the following dates:

- 12 September 2019
- 28 November 2019
- 19 March 2020
- 18 June 2020

- 5.2 Between now and September the major focus of the customer satisfaction action plan will be around pre-empting customer needs and managing expectations. Further work is planned for improving the Council's website by using customer feedback and web analytics. Thus ensuring regularly searched information is quick and easy to access and in turn reduces the instances whereby customers call the Council simply because they cannot do what they need to online. We will also continue to use social media, website and call waiting messages to alert customers to service changes.
- 5.3 Work will also begin on preparations for the next Institute of Customer Satisfaction benchmarking survey which is scheduled to take place in early autumn and will involve contacting circa 4,000 council customers.

6. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance	Y	Executive has a responsibility to provide Leadership to the overall activities of the Council.
Financial implications to include reference to value for money	N	There are no financial implications as a result of this report that have not already been budgeted for.
Risk	Y	A failure to review and act upon the Customer Satisfaction Action Plan could lead to: Lack of coherent delivery Reputational harm Ineffective use of resources Poor quality service These risks are mitigated by: The recommendations outlined in this report
Supporting Corporate Strategy	Y	This report supports the Council theme i.e. <i>Delivering efficient and effective services</i>
Comprehensive Impact Assessment Implications		
Equality and Diversity		None – no policy or service change is proposed in this report.
Safeguarding		None – no policy or service change is proposed in this report.
Community Safety, Crime and Disorder		None – no policy or service change is proposed in this report.
Health, Safety and Wellbeing		None – no policy or service change is proposed in this report.
Other implications		-

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Report to: **South Hams Executive**

Date: **6 June 2019**

Title: **Devon Wide Housing Assistance Policy**

Portfolio Area: **Health and Wellbeing/Homes**

Wards Affected: **All**

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

Date next steps can be taken: **Council 25 July 2019**

Author: **David Sexton** Role: **Senior Environmental Health Specialist**

Contact: **01822 813716/dave.sexton@swdevon.gov.uk**

Recommendations:

1. That the Executive **RECOMMEND** to Council that the existing 2018-19 Homes Assistance Policy is updated with the revised 2019-2021 Devon Housing Assistance Policy.

1. Executive summary

- 1.1 Central Government provides funding to Local Authorities through the Better Care Fund (BCF) so that Local Authorities are able to provide disabled facilities grants and other grants to eligible residents within their area. The aim of the grants are to enable vulnerable individuals to remain safe and healthy in their own home. The way in which Local Authorities in Devon allocate this funding to residents is determined by the Devon Housing Assistance Policy. This report provides an outline of proposals to change elements of the existing policy to better utilise this budget.

- 1.2 It is proposed to update the current policy, adopted in 2018, with a more flexible assistance packages that will be available to a greater number of vulnerable residents.

2. Background

- 2.1 In 2015 the Government introduced the Better Care Fund (BCF) in an attempt to bring health and social care together in an integrated way. The fund is a combination of government funding from the Department of Health and the Department for Communities and Local Government. The BCF includes the grant allocation for disabled facilities grants (DFG). The 2017-19 Integration and Better Care fund policy framework document lists the conditions that the better care fund must be used to address and in particular this includes Local Authorities working together on a jointly agreed plan.
- 2.2 The development of the Devon Housing Assistance policy is in response to the condition to work together on a jointly agreed plan. The policy allows the Council to fully utilise the Better Care Fund allocation to meet specific needs in its area, including those that may fall outside of the scope of the statutory Disabled Facilities Grant (DFG).
- 2.3 The Better Care Fund provides more funding to the Devon Local Authorities than is currently required to meet the demand for mandatory DFGs. A wider Devon policy was developed to allow the Devon councils to spend the BCF on grant assistance that helps a wider range of households and meets more of the BCF objectives.
- 2.4 The current assistance packages are:
- Mandatory Disabled Facilities Grant (DFG)
 - Accessible Homes Grant (including house move)
 - Home Improvement Loan
 - Healthy Homes grant
 - ECO flex top up
- 2.5 The delivery of the disabled facilities grant programme is mandatory and a statutory function of the local housing authority. The delivery of this function is governed by the Housing Grants, Construction and Regeneration Act 1996. Referrals can only be made from Devon County occupational therapists after the resident has had a social care assessment.
- 2.6 **The Accessible Homes Grant** enables the Council to provide additional grant funding in addition to the mandatory Disabled Facilities Grant subject to the conditions in 2.7.
- 2.7 This grant is currently available in the following circumstances:

- Where a mandatory grant has been approved but the cost of the work exceeds £30,000
- Where there are works that may not be covered by the DFG in relation to adapting the home and making it safe.
- Where the means test identifies that a contribution is required.
- Where moving house more appropriate than adapting the existing property.

- 2.8 **The Healthy Homes grant** is a flexible grant to provide urgent/essential repairs to the home to ensure the health, safety and welfare of the occupier. The grant is only available where a loan is unavailable (see below) and for over 65's.
- 2.9 Wessex Resolutions CIC currently administers loans on behalf of the council within the requirements of this policy. The **Home Improvement Loan** is a flexible product that can be used for the following purposes:

Home repairs and improvements
 Adaptation works where grant is not available
 To cover a client contribution to a grant
 To cover the cost of the work over the grant maximum.
 To bring empty homes back into use
 For landlords to carry out repairs or improvement to rented accommodation
 For energy efficiency improvements

- 2.10 This grant is to provide top up funding for energy efficiency measures where Energy Company Obligation (ECO) Flex funding and the HHCRO scheme ("Home Heating Cost Reduction Obligation", also known as the "the Affordable Warmth Obligation") have been provided by energy providers (via installers) but the available funding does not cover the full cost of the work.
- 2.11 The eligibility for ECO Flex funding itself is subject to a separate Statement of Intent issued by each Local Authority setting the local criteria. ECO funding is not provided by the Local Authority. It is accessed through the national Energy Company Obligation scheme and normally through installers.

3. Outcomes/outputs

- 3.1 The revised policy aims to provide a consistent approach to the delivery of the Better Care Fund across Devon that satisfies the terms of the funding agreement.
- 3.2 The policy will provide the flexibility and discretion for the councils to provide appropriate assistance to meet the following objectives:

Objective 1 - Assist disabled residents to remain in their own homes through supporting the provision of adaptations (so far as this is necessary, appropriate and reasonably practicable) to

prevent admissions to care and to assist with delayed transfers where possible.

Objective 2 – Safeguard the health and well-being of vulnerable residents by removing unnecessary hazards to health and safety in the home to reduce avoidable emergency admissions

Objective 3 – Provide adaptations that are suitable for the future by ensuring the scheme of works is dementia aware.

Objective 4 – assist vulnerable people to afford to heat their homes through appropriate energy efficiency and heating measures.

3.3 These objectives meet the priorities detailed by the BCF and the Devon Local Authorities.

3.4 The measure of success will be the number of DFG's provided and the total spend of the BCF allocation.

4. Options available and consideration of risk

4.1 Council could decide not to adopt the new policy and carry on only providing statutory/mandatory DFG's. This would be difficult to justify as the Government have made extra funds available based on assessment of local need and a missed opportunity to assist some of our more vulnerable residents.

5. Proposed Way Forward

5.1 Changes to Disabled facilities grants

5.1.1 The Council will be able to accept referrals from NHS Occupational therapists as well as the Devon County Council Occupational Therapists. This will enable an increased speed of discharge from hospital.

5.1 Changes to Accessible Homes Grant

5.1.1 To include non-means testing for stair lifts. This will allow quicker installation of stair lifts for residents. There is currently a stair lift pricing agreement in place, which ensures value for money.

5.1.2 Feasibility work can now be included in the grant.

5.1.3 Works associated with dementia can now be included.

5.2 Changes to Healthy Home Grant

5.2.1 The requirement of a mandatory application for a loan is removed. The council will now have discretion when works are urgent or essential to offer the grant without a loan application.

5.2.2 The removal of the "only residents over 65 years can apply" rule.

5.3 Changes to ECO flex top ups

5.3.1 Maximum grant raised from £1000 to £2000

6. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance		<p>The council has a statutory duty to provide DFG's</p> <p>Article 3 of the Regulatory Reform (Housing assistance) (England and Wales) Order 2002 gives a local housing authority power to provide financial assistance for the purpose of improving living conditions in their area. Such assistance may not be given unless the local housing authority has adopted a policy for the provision of such assistance and they have given the public notice of such adoption.</p> <p>The legislative provisions governing disabled facilities grants (DFGs) are contained in the Housing Grants, Construction and Regeneration Act 1996 (as amended) (HGCRA 1996).</p>
Financial Implications		<p>Currently the BCF is administered through Devon County Council and funds are allocated to the eight Devon Council Districts in line with a Devon Allocation Formula. In previous years there had been an underspend in the total Devon allocation, so the District Councils and Devon County Council have agreed a policy of allocating funding depending on the demand in the Local Authority area. If some Councils spend their initial allocation they can be topped up with underspend from other Councils. The revised policy will give flexibility and ability to spend the better care fund allocation. There is currently no direct capital contribution made into the budget by the councils.</p> <p>Although highly unlikely there is a risk that the funding from the better care fund will stop and thus stopping DFG function.</p>
Risk		<p>There is a risk that with reduced performance that applications are not processed in the require timescale, failing to process applications quickly may result in a backlog of applications Councils are permitted to claim a percentage of the BCF capital</p>

		that can be put into the revenue budget to cover staff costs. This means that the Council will have the capacity to deal with an increased demand without an increase in the staffing budget.
Supporting Corporate Strategy.		The revised policy supports the Wellbeing and Homes strategy by improving homes and supporting residents living independently in their own homes.
Comprehensive Impact Assessment Implications		
Equality and Diversity		<p>The grant funding will become more accessible and benefit more households.</p> <p>Residents from vulnerable groups can sometimes have limited housing choices. In particular, families with young children, older persons and those with a disability can find themselves in poor quality accommodation. The existing policy may restrict funding and services available and there may be some households on low income who do not meet the qualification criteria and therefore are unable to access the funding despite still being in need. The option of a Home Improvement Loan is available to such households. This is a necessary restriction due to the amount of funding available which must be targeted on a priority basis and the funding criteria imposed by the BCF.</p>
Safeguarding		The policy specifically identifies disabled residents as a beneficiary of assistance. The policy also aims to safeguard disabled residents by making their homes safer for them to live in.
Community Safety, Crime and Disorder		This report has no impact on crime and disorder reduction
Health, Safety and Wellbeing		<p>The policy will have a direct impact on the health and wellbeing of residents. Increased allocation of grant funding to allow residents to live longer and more safely in their own homes will have a direct impact upon numbers of GP appointments, social care and numbers of hospital admissions.</p> <p>For example, removing the means testing requirement for eligibility for a stair lift means that more vulnerable residents can access the help. Having a stair lift can drastically reduce the risk to</p>

		falling on stairs and consequently reduce the number of admissions to hospital. It is estimated that an average cost of a stair lift (between £1500-2000) could save the NHS £30,000 in care costs.
Other implications		<p>The proposal will enable an increased number of adaptations and number of people that will benefit from the service.</p> <p>Reputation – This proposal demonstrates the Council’s commitment to improve the DFG service by making it more accessible to residents.</p>

Supporting Information

Appendices:

Appendix one Devon Wide Housing Assistance Policy 2019-21 for the Better Care Fund

Background Papers:

Devon Wide Housing Assistance Policy for the Better Care Fund 2018-19

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HOUSING ASSISTANCE POLICY FOR THE BETTER CARE FUND

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- 1.2 Review
- 1.3 Funding

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- 4.4 Home Improvement Loans
- 4.5 Top up to Eco-Flex

5.0 Exceptions to the policy

6.0 Appeals and Complaints

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Appendix Two – Local Policies

Appendix Three – Summary Table

HOUSING ASSISTANCE POLICY FOR THE BETTER CARE FUND 2019-21

1.0 INTRODUCTION

1.1 Purpose

This policy is required under Article 4 of the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002. The Order provides councils with the discretion to develop schemes to provide financial assistance to deal with a range of housing issues. This policy sets out the areas on which Devon will focus any available resources in order to improve housing conditions across the district. With limited resources available it is essential that funding is targeted to those areas that contribute to the delivery of the Better Care Fund and Health and Wellbeing Board priorities and local district council priorities.

This policy provides the Devon Councils with the flexibility and discretion to provide appropriate assistance to meet the aims and priorities set out in section 3 below. Appendix 2 allows for each local authority to deliver its own local schemes that may be available over and above the Devon wide schemes.

This policy is owned by the following Councils:

Devon County Council
East Devon District Council
Exeter City Council
Mid Devon District Council
North Devon District Council
South Hams District Council
Teignbridge District Council
Torrington District Council
West Devon Borough Council

1.2 Review

The policy will be reviewed on an annual basis.

1.3 Funding

The assistance contained within this policy is only available subject to the availability of funding. Where funding is limited priority for spend will be given to the Mandatory Disabled Facilities Grant across the County.

2.0 CONTEXT

2.1 Housing and Health

Housing is a key determinant of health, and by promoting good quality housing this policy can contribute to reducing health inequalities for the residents of Devon.

In 2008, flexibilities were introduced enabling councils to use government grant that has been allocated for disabled facilities grants to be used more intelligently to deliver adaptations for disabled people outside of the mandatory grant regime.

Research has shown that there is a direct impact on the health and well-being of residents resulting from the homes in which they live; therefore, poor housing can contribute to poor health.

Each year hazards in the home result in unnecessary injuries, episodes of ill-health, and harm to mental health and in many cases the occupiers do not link the poor condition of their homes with a potential negative impact on their health. The poorest housing stock can be found in the private sector, and in some cases residents who own their own home are not able to maintain them and as a result hazards can develop.

An estimated 34,400 excess winter deaths were recorded in England and Wales in 2016/17 as reported by the Office of National Statistics (ONS) in their document Excess Winter Mortality in England and Wales 2016-17.

Many of these people die unnecessarily as a result of living in cold homes each year. Although the data collected does not identify the number of people that die directly as a result of the home environment various studies have found a link and these are detailed within the ONS report. In extreme cases the inability to afford to heat the home results in cold temperatures that create hypothermic conditions; however, for many individuals (particularly older persons) cold homes may result in trips, slips and falls, or injuries/health impacts resulting from cardiovascular, circulatory diseases and respiratory disease.

2.2 Better Care Fund

In 2015 the government introduced the Better Care fund in an attempt to bring health and social care together in an integrated way. The fund is a combination of government funding from the Department of Health and the Department for Communities and Local Government and includes the grant allocation for disabled facilities grants (DFG). The 2017-19 Integration and Better Care fund policy framework document lists the conditions that the better care fund must be used to address.

These are:

Condition 1: Plans to be jointly agreed – The plan to use the BCF allocation must be jointly agreed and signed off by the Health and Wellbeing Board, and constituent councils and clinical commissioning groups. The local housing authority must also be involved due to the inclusion of the DFG allocation, which forms part of the fund.

Condition 2: NHS contribution to social care is maintained in line with inflation. - The funding must be used to contribute to the maintenance of adult social care services in each local authority, which also has a health benefit. However, beyond this broad condition, the Department of Health wants to provide flexibility for local areas to determine how this investment in adult social care services is best used.

Condition 3: Agreement to invest in NHS commissioned out of hospital services, which may include 7 day services and adult social care - This should be achieved by funding NHS commissioned out-of-hospital services, which may also include 7-day services and adult social care, as part of the agreed BCF plan.

Condition 4: Managing Transfers of Care - Plans should set out how local partners will work together to fund and implement transfers of care effectively.

More detail can be found in the 2017-19 Integration and Better Care Fund Policy Framework.

Based on these broad conditions, Devon county Council and the District Councils have identified an opportunity to provide additional grant and loan products to meet these conditions and deliver against the Health and Wellbeing Board priorities.

2.3 Delayed transfers of care.

Delayed transfers of care, sometimes referred to as ‘bed-blocking’, occur when a patient is ready to depart from care and is still occupying a bed. According to NHS England, a patient is ready to depart when:

- a. A clinical decision has been made that the patient is ready for transfer AND
- b. A multi-disciplinary team decision has been made that the patient is ready for transfer, AND
- c. The patient is safe to discharge/transfer.

In 2016/17 there were 2.3 million total delayed days in England with 1.3 million of these attributable to the NHS, averaging around 6,200 delayed transfers of care per day with around 3,600 of these attributable to the NHS. *Delayed transfers of care in the NHS Briefing paper number 7415, 20 June 2017.*

The longer a patient stays in hospital the more detrimental this can be in terms of patient morale, mobility, and an increase in the risk of hospital-acquired infections. Older patients are particularly susceptible to negative effects around mobility with studies suggesting that a wait of more than two days negates the benefit of intermediate care, and a wait of seven days or more is associated with a 10% decline in muscle strength.

Delayed transfers of care are also costly for hospital trusts as insufficient beds can mean elective procedures need to be cancelled, resulting in the hospital trust losing these as a source of income.

A survey in 2015 by the Guardian found that at least 10% of beds were occupied by patients who were ready to be discharged and the NHS providers' audited accounts for 2016/17 estimated that delayed transfers of care cost £173 million.

Much of the recent debate around delayed transfers of care attributes rising numbers to pressures in social care.

The number of delayed days attributable to social care had been in decline until August 2013, after which the figure began to rise sharply. When looking at the specific reasons for delayed transfers of care, there are notable increases in non-healthcare reasons as indicated below:

Table 1: Reasons for delayed transfers of care, 2016/17

Reason for delay	Total delayed days	Change from previous year
Awaiting care package in own home	456,447	+45.3%
Awaiting further non-acute NHS care	386,028	+16.8%
Awaiting completion of assessment	380,832	+22.9%
Awaiting nursing home placement or availability	342,982	+39.6%
Patient or family choice	245,033	+5.8%
Awaiting residential home placement or availability	231,994	+22.9%
Awaiting public funding	81,327	+17.5%
Housing – patients not covered by NHS and Community Care Act	52,431	-1.0%
Awaiting community equipment and adaptations	52,121	+12.8%
Disputes	24,641	+18.9%

3.0 PRIORITIES

In Devon, the Better Care Fund priorities aim to achieve the following outcomes:

- Reduced admissions to residential and nursing care homes
- Reduce delayed transfers of care
- Reduce avoidable emergency admissions
- Increase dementia diagnosis rates

To meet these priorities this policy aims to focus on the following areas:

Objective 1 - Assist disabled residents to remain in their own homes through supporting the provision of adaptations (so far as this is necessary, appropriate and

reasonably practicable) to prevent admissions to care and to assist with delayed transfers where possible.

Objective 2 – Safeguard the health and well-being of vulnerable residents by removing unnecessary hazards to health and safety in the home to reduce avoidable emergency admissions

Objective 3 – Provide adaptations that are suitable for the future by ensuring the scheme of works is dementia aware.

Objective 4 – Assist vulnerable people to afford to heat their homes through appropriate energy efficiency and heating measures.

4.0 TYPES OF ASSISTANCE

4.1 Mandatory Disabled Facilities Grant (DFG)

The delivery of the disabled facilities grant programme is mandatory and a statutory function of the local housing authority. The delivery of this function is governed by the Housing Grants, Construction and Regeneration Act 1996.

Eligibility

Any disabled householder seeking financial assistance with the cost of adaptations to their home must be assessed by an occupational therapist (OT) working on behalf of, or approved by Devon County Council.

For the purposes of the DFG a person is considered disabled if they meet any of the following criteria:

- their sight, hearing or speech is substantially impaired,
- they have a mental disorder or impairment of any kind, or
- they are physically substantially disabled by illness, injury, impairment present since birth, or otherwise.

A person aged eighteen or over shall be considered disabled if:

- they are registered under section 29(1) of the National Assistance Act 1948 (disabled persons' welfare), or
- they are a person for whose welfare arrangements have been made under that provision or, in the opinion of the social services authority, might be made under it.

A person under the age of eighteen shall be considered disabled if:

- they are on a register of disabled children maintained under paragraph 2 of Schedule 2 to the Children Act 1989, or
- they are in the opinion of the social services authority a disabled child as defined for the purposes of Part III of the Children Act 1989 (local authority support for children and their families).

All owner-occupiers, tenants, licensees or occupiers who meet the above criteria are eligible to apply for a DFG.

Conditions

1. All grants other than those for children are subject to a test of financial resources, which is prescribed by The Housing Renewal Grants Regulations 1996.
2. The grant maximum is £30,000
3. The disabled person must intend to occupy the property as their only or main residence for a period of five years after the works are complete (or such shorter period as the person's health or other relevant circumstances permit).
4. In order to make an application the client must supply the following:
 - A completed and signed application form
 - Evidence of financial situation
 - Evidence of ownership of the property or the right to reside at the property
 - Permission for the works to be carried out
 - A detailed schedule of works and plans for complex works that must be agreed by the council
 - Any planning or building regulation approvals
 - 2 tenders for the works unless using an agreed framework.
5. Only the works agreed by the council will be covered by the grant.
6. If the grant is approved there are 12 months to complete the works
7. The works must be completed by the contractor stated on the approval document
8. No grant works should proceed until the grant application has been processed and all relevant planning, Building Regulation or landlord approval has been obtained.
9. Owner occupiers may have a local land charge placed on their property on completion of the grant. If the property is sold, assigned or transferred within 10 years of the grant being completed then the grant may have to be repaid. The council will have regard to *The Housing Grants, Construction and Regeneration Act 1996: Disabled Facilities Grants (Conditions relating to approval or payment of Grant) General Consent 2008* when deciding whether to demand repayment. The charge only applies where the grant is more than £5,000. Where the grant is more than £5000 only the amount over the first £5,000 is added as a charge. There is a charge limit of £10,000.
10. If the applicant has a contribution to pay they must ensure they have the money to cover their share of the costs before the work begins on site.

11. Unforeseen and additional costs will only be paid for where they are necessary to complete the adaptation and must be agreed by the council before they are undertaken.
12. Any increase in the grant may have an impact on the charge placed against the property.
13. Where the cost of the work exceeds the mandatory grant limit of £30,000 the applicant may be eligible to apply for the **Accessible Homes Grant** subject to available funds.
14. Applicants who are successful in their application for assistance will be required to maintain the adaptation.
15. The contract for the works is the responsibility of the applicant.
16. The grant will normally be paid direct to contractors in all but the most exceptional cases.
17. The council will only offer grant for those works that are considered mandatory to meet the needs of the disabled person.
18. No grant will be paid until a satisfactory invoice has been received and the works have been carried out to the satisfaction of the client and Council.

4.2 Accessible Homes Grant

The Accessible Homes Grant enables an enhanced offer in addition to the Mandatory Disabled Facilities Grant subject to available funding.

This grant is available in the following circumstances:

- Where a mandatory grant has been approved but the cost of the work exceeds £30,000
- Where there are works that may not be covered by the DFG in relation to adapting the home and making it safe or in relation to fees associated with feasibility works to determine if the adaptation can proceed
- Where the means test identifies that a contribution is required.
- Where moving house more appropriate than adapting the existing property.

Eligibility

To be eligible for this grant the applicant must meet the following:

- The applicant must have applied for and be eligible for the DFG first before the discretionary grant can be considered.
- All applicants are subject to a means test including the parents and/or guardians of a disabled child. Adult clients will have been means tested as part of the formal DFG application. In the case of a child's application the means test will be applied to the parents or guardians of the disabled child **before** an application for a discretionary grant can be made.
- As an alternative to the adaptation of an applicant's home, consideration will be given to the option of re-housing to more appropriate or adapted accommodation.

- An applicant will only be eligible to apply for additional grant to cover any identified contribution where the amount the client has to pay represents at least a third or more of the applicant's savings.

Conditions

1. Conditions relating to the DFG as described above also apply.
2. The grant maximum is £20,000. Anything over £20,000 will not attract any further public grant unless in exceptional cases.
3. Where additional funding is required to cover either a contribution or the cost of works over £50,000 (£30,000 from the Disabled Facilities Grant and £20,000 from the Accessible Homes Grant), then a Home Improvement Loan application can be made.
4. The DFG paperwork will be used to assist the applicant in making an application for this grant.
5. Only the works agreed by the council will be covered by the grant
6. If the grant is approved there are 12 months to complete the works
7. The works must be completed by the contractor stated on the approval document
8. No grant works should proceed until the grant application has been processed and all relevant planning, Building Regulation or landlord approval has been obtained.
9. Owner occupiers will have a local land charge placed on their property on completion of the grant. If the property is sold, assigned or transferred within 10 years of the grant being completed then the grant may have to be repaid.
10. Unforeseen and additional costs will only be paid for where they are necessary to complete the adaptation and must be agreed by the council before they are undertaken.
11. Any increase in the grant may have an impact on the charge placed against the property.
12. Applicants who are successful in their application for assistance will be required to maintain the adaptation.
13. The contract for the works is the responsibility of the applicant.
14. The grant will normally be paid direct to contractors in all but the most exceptional cases.
15. The council will only offer grant for those works that are considered appropriate to meet the needs of the disabled person.
16. No grant will be paid until a satisfactory invoice has been received and the works have been carried out to the satisfaction of the client and Council.
17. Housing association properties - where the mandatory DFG does not fully cover the cost of the adaptation then the client and/or council may approach the housing association for a contribution towards the cost.

4.3 Accessible Homes Grant – Stair lift Grant

This grant provides internal straight track or curved track stair lifts without a means test for the applicant.

Eligibility

To be eligible for this grant the following must be in place:

- A referral or statement of need must be received from a social services OT or from an NHS OT.
- Where additional works are required to install the stair lift these will be covered as part of this grant.
- Where a client requires multiple adaptations in addition to the stair lift, the stair lift will be provided through this grant and the other adaptations through the DFG or accessible homes grant where the client is eligible.

Conditions

1. The applicant must have permission from the owner of the property for the work to be carried out. The council will require an owners certificate if the property is rented.
2. The applicant agrees to live in the property as the only or main residence for the period of 5 years or for a shorter period as health or other relevant circumstances permit.
3. The contractor must be sourced from the stair lift company determined by the Devon Framework agreement. Where the Council does not use the framework it should be sourced in a manner determined by them.
4. Only the works agreed by the Council will be covered by the grant.
5. If the grant is approved there are 8 weeks to complete the works.
6. The works must be completed by the contractor stated on the approval document
7. No grant works should proceed until the grant application has been processed and all relevant planning, Building Regulation or landlord approval has been obtained.
8. Unforeseen and additional costs will only be paid for where they are necessary to complete the adaptation and must be agreed by the council before they are undertaken.
9. Applicants who are successful in their application for assistance will be required to maintain the stair lift and have it regularly serviced.
10. The contract for the works is the responsibility of the applicant.
11. The grant will be paid direct to the stair lift contractor.
12. No grant will be paid until a satisfactory invoice has been received and the works have been carried out to the satisfaction of the client and Council.

4.4 Accessible Homes Grant - Moving application

This grant may be available to assist a disabled person to move to more suitable accommodation subject to available funding.

Eligibility

An applicant will be eligible for this grant where:

- Where the Occupational Therapist and/or the Council consider re-housing to be more appropriate than adapting the existing accommodation.
- Where the landlord has refused permission for any adaptation works to be carried out and therefore it is no longer feasible for the occupier to remain in the property.
- Where it is possible to carry out works at the existing property the total cost incurred in the eligible 'moving on' expenses and any estimated eligible adaptation costs at the 'new' property should not be greater than the cost of adapting the applicant's current home.
- The 'new' property shall in the opinion of the Council provide a long term, sustainable home for the person for whose benefit the works are required.
- If the property is within a neighbouring authority covered by this policy then the new authority will need to ensure the new property is suitable. This should also be agreed with the occupational therapist. The applicant must ensure that the relevant council's officers and Occupational Therapist have been consulted.

In determining the 'reasonable expenses' regard shall be had to the following criteria:

- The cost of the eligible works at the applicants existing property are not deemed reasonable, or;
- The eligible works at the applicants existing home are not technically feasible, or;
- The adaptation of the applicants existing property does not provide a sustainable, long term solution for their housing needs, or;
- The landlord of the property refuses to give permission for the necessary works to be carried out.

Eligible Expenses

Owner Occupier

The expenses that can attract grant under this section may include the cost of:

- Any arrangement fee charged by a lender to cover the formation of a mortgage.
- Conveyancing fees.
- Land Registry Fee
- Local Authority Searches
- Stamp Duty

- Valuation, Homebuyers or Full Structural Survey
- Professional or other removal costs
- Estate Agent Commission.

The maximum grant payable for eligible expenses under this heading for an owner occupier is £10,000.

Tenant

For a tenant the expenses that can attract grant under this section may include the cost of:

- Letting agent fees
- Rent deposit
- Professional or other removal fees

The maximum grant payable for eligible expenses under this heading for a tenant is £5000.

Conditions

1. Grant assistance is only payable to an owner occupier upon the successful completion of the purchase of the 'new' property and the disabled person then occupying that property as their only and main residence.
2. When moving to rented accommodation the applicant must obtain permission from the landlord for any adaptations to be carried out before the grant will be paid.
3. To qualify for this grant the applicant must have been resident in the property for at least 2 years prior to making an application to move.
4. The applicant must agree to live in the property as their only or main residence for a period of 5 years (or such shorter period as the person's health or other relevant circumstances permit).
5. For owner occupiers a local land charge will be placed against the property for a period of 5 years.

4.5 Healthy Homes grant

The Healthy Homes grant is a flexible grant to provide urgent/essential repairs to the home to ensure the health, safety and welfare of the occupier. This includes assisting an occupier with accumulations (hoarding) where this poses a risk to health and safety.

Eligibility

- Only those works agreed by the Council as urgent or essential will be eligible for this grant. A loan application will be required for all other types of works and repairs. However if a person is not eligible for a loan then a grant can be offered.

- To qualify for this grant the applicant must be in receipt of one of the following benefits:
 - Housing benefit
 - Disability Living Allowance
 - Personal Independent Payment with the daily living component
 - Attendance Allowance
 - Guarantee Pension Credit
 - Income support
 - Council tax benefit (not the single person discount)
 - Universal Credit – universal credit replaces the following means tested benefits – Housing Benefit, income related ESA, Income based JSA, Child tax credit, working tax credit and income support.

Conditions

1. The maximum grant available is £5000 over a rolling two year period.
2. For owner occupiers a local land charge will be placed against the property for 5 years.
3. For tenants the grant may only be available to assist with immediate repairs or to deal with hoarding and accumulations. The landlord is responsible for the general repair of the property and the Council may require the landlord to carry out works as appropriate.
4. An applicant must apply for a loan for any substantial work beyond removing the immediate health and safety risk.

4.6 Home Improvement Loans

Wessex Resolutions Community Interest Company (WRCIC) is a not-for-profit company contracted to deliver loans to residents in the Devon area.

WRCIC administer loans within the requirements of this policy and the local policies of each district council within Devon. The Home Improvement Loan is a flexible product that can be used for the following purposes:

- Home repairs and improvements
- Adaptation works where grant is not available
- To cover a client contribution to a grant
- To cover the cost of the work over the DFG or Accessible Homes grant maximum.
- To bring empty homes back into use
- For landlords to carry out repairs or improvement to rented accommodation
- For energy efficiency improvements

Eligibility

This will vary and is based on the individual circumstances of each client. Loan advisors will carry out an assessment and provide independent advice on ethical and responsible lending the most appropriate product to suit their needs.

Conditions

Conditions may vary depending on the loan product selected and the individual circumstances of each applicant.

Loans are subject to status and Wessex Resolutions CIC may insist on loans being protected at the Land Registry by a Title Restriction. Missing any payments could affect your credit rating and ability to obtain credit in the future.

The typical APR for this loan is 4.2%.

4.7 Top up to Eco-Flex

This grant is to provide top up funding for energy efficiency measures where EcoFlex funding and ECO top ups (HHCRO) have been provided by energy providers but the available funding does not cover the full cost of the work.

Eligibility

- Applicants must have been identified through each Council's Statement of Intent which can be found on the council's website.
- To qualify for the top up a survey must be carried out by the energy provider, a local installer, or an agent and qualifying works identified.
- For owner occupiers and private landlords a maximum of up to £2000 is available.
- If more than £2,000 is needed then the client should apply for a Wessex loan subject to availability and eligibility (see 4.6)

Conditions

1. The applicant must agree to live in the property as their only or main residence for a period of 5 years (or such shorter period as the person's health or other relevant circumstances permit).
2. A local land charge will be placed on their property on completion of the grant. If the property is sold, assigned or transferred or the tenant vacates within 5 years of the grant being completed then the grant may have to be repaid.
3. Any increase in the grant may have an impact on the charge placed against the property.
4. The contract for the works is the responsibility of the applicant.
5. The grant will normally be paid direct to contractors in all but the most exceptional cases.
6. No grant will be paid until a satisfactory invoice has been received and the works have been carried out to the satisfaction of the client and Council.

5.0 EXCEPTIONS TO THE POLICY

The Councils accept that applications may be received for adaptations not covered by the circumstances listed above which will need to be formally determined. Any such application will be referred through the appropriate process of the council managing the application.

6.0 APPEALS AND COMPLAINTS

- Where the applicant has a complaint about the manner in which a council is applying this policy, then they should follow that Councils formal complaints process.
- Where there is a complaint about the content of this policy this should be made to Devon County Council so that it can be considered on a Devon wide basis.
- Where the complaint is in respect of works, the complaint should be made to the contractor in the first instance, if this does not resolve the problem then the appropriate council should be contacted for advice.
- Where an applicant wishes to appeal against a decision of the Council in respect of any of the grants contained in this policy this should be made to the appropriate Council. Where agreement cannot be reached then the appeal should be escalated to the Devon wide group of Councils for a decision. Consensus between all the participating Councils will need to be reached as any decision may result in an amendment to the policy.

APPENDIX ONE – ELIGIBLE WORKS

Disabled Facilities Grant and Accessible Homes Grant

This is a guide and there may be scope for discretion on the works that can be included under the Accessible Homes Grant in some circumstances.

Facilitating access

Facilitating access by the disabled occupant

- to and from the dwelling
- to a room used or usable as the principle family room
- to a room used for or usable for sleeping
- to a room in which there is a lavatory
- to a room in which there is a bath or shower
- to a room with a wash hand basin

Such works may include:

- Ramping and/or handrails to the main external door. This could instead be a rear door in the case of a rear access. Only one access point will be allowed for each dwelling. External stair lifts will be considered if reasonably practicable and they are not prone to vandalism.
- Widening the main entrance door and the doorways to the bedroom, bathroom and living room. Automatic door opening to main entrance doors will only be allowed for persons who are otherwise unable to open the door. Door entry systems will be considered where the person has severe mobility problems.
- Alterations to facilitate wheelchair access to the bedroom, bathroom and living room. Access to other rooms may be considered where the disabled person is also a carer.
- Other adaptations that are necessary to facilitate access to any of the relevant rooms by the disabled person, for example, stair lifts or vertical lifts in some cases. Where a stair lift breaks down and it is 5-10 years old, a manufacturers report is needed before it can be replaced. If it is over 10 years, a report may not be required.
- Provision of hard standings (3.6 m x 4.8 m max unless exceptional circumstances) and associated crossover for vehicle access where the disabled person is in a wheelchair or has difficulty walking to the house. This will only be given where existing on-street parking is considered unsatisfactory and a marked disabled parking bay is not possible or where it affords a more economical

solution than providing additional paths/ramping from the roadside. Provision of off-street parking on its own is not eligible.

Please note: Being a holder of a blue badge is not an eligibility criterion for this item.

Washing facilities

Facilitating the use of washing facilities by the disabled occupant

- Adaptation of the facilities in the bathroom and toilet, including the provision of flush floor showers, lever taps, specialist WCs, Clos-o-mat or Geberit etc. The adaptation or provision of more than one bathroom to a house e.g. additional ground floor wc, will only be considered if evidenced by functional need.

Kitchen Facilities

Facilitating the preparation and cooking of food

- Where someone other than the disabled person does and will continue to do the cooking and preparation of meals, normally it will not be necessary to carry out full adaptations. However, it may be possible to carry out minor adaptations to allow the disabled person to prepare light meals or hot drinks, typically this may include a low-level worktop with power points for a kettle/microwave.
- Full adaptations can be considered where the disabled person is the only or main user of the kitchen. The following adaptations can be considered:
 - a. Kitchen sink, including alteration to its height or position or the type of taps fitted to it. Powered, adjustable-height sinks will not generally be allowed, as the provision of a second sink is a more economic solution.
 - b. Cooker point and oven-housing unit ensuring its height and position is in a safe location and the provision of worktops on either side.
 - c. Work surfaces located beside the sink and on each side of the cooker having a total length of approximately 1.5m, all at a suitable height for the disabled person.
 - d. Food storage in an accessible position, usually space for a refrigerator with power supply.
 - e. Wheelchair access, if necessary, including wider doors, rearrangement of facilities etc.
 - f. Alterations to the kitchen door, light switches and power points, but only if it is necessary.
 - g. Extensions or enlargement to kitchens can only be agreed where they are absolutely necessary in order to provide turning space for a wheelchair and if suitable space cannot be achieved by rearrangement of the existing facilities.

- h. The provision of cupboard and storage units on an "essential" basis. (2x1m base units and baskets or equivalent).
- i. Mechanical ventilation where kitchen schemes require Building Regulation approval.

Other works that may be considered for grant assistance

Electrical work

- Alterations to the height and/or position of light switches and power points to make them accessible to the disabled person.
- Upgrading of electrical installation where the current installation is considered unsafe.

Heating

- Heating the rooms that are in everyday use by the disabled person where a medical need can be demonstrated. Changes to the type of heating system will only be allowed if evidenced by medical need (e.g. change from solid fuel to gas where applicant can no longer carry fuel) and the applicant is not eligible for other types of grant such as Eco Flex.
- Upgrading/replacing of boilers/radiators where the property has been extended as part of the adaptation.

Guarding

- Provision of laminate glass or specialist lighting or guards to fires and around radiators where disabled children with violent behavioural problems may harm themselves.
- Restrictors or works to windows for the safety of the disabled person.

Alarms

- Provision of enhanced fire alarm systems for those with hearing difficulties.

Structural alterations

- Carrying out structural alterations where necessary to provide fixings for disabled equipment provided by Social Services e.g. fixing for tracking /overhead hoists.
- Storage or space for essential medical equipment as part of the adaptation works but not as a stand-alone item.
- Where an adaptation is required to a listed building and additional works are required to comply with requirements.

- Where an adaptation cannot be carried out due to disrepair issues those repairs, within reason, may be carried out. Such works may include replacement of rotted flooring or strengthening of the floor as part of a flush floor shower installation, electrical repairs to enable works to be carried out safely, and dealing with low water pressure. More substantial repairs that are not directly affecting the adaptation will need to be referred to a home improvement loan or healthy homes grant.
- Additional bathrooms or bedrooms may be allowed where they are specifically for the disabled person and it can be demonstrated that adaptation of other rooms or space or access to those rooms in the property is unsuitable. **Extensions will only be allowed following a detailed cost/benefit analysis of alternative options.**
- Requests are sometimes received to provide separate bedrooms where disabled children with behavioural difficulties share a room with other siblings and disturb their sleep. This will only be considered where it can be demonstrated the child is prone to violent outbursts and there is risk of physical harm to the child or to the other siblings. Families will first be expected to re-arrange the sleeping arrangements in their home to try to eliminate the need for extra bedrooms. If there is more than one reception room the family will be expected to use the extra room(s) for sleeping purposes.

Garden and external access

- In cases of small terraced properties with narrow passageways or very difficult access, effective adaptation can only proceed where it can be reasonably and practicably carried out without having a detrimental impact on neighbouring properties.
- Access to the garden may be given to improve an existing access to make it safe for the disabled occupant to use. It does not include extending an existing access e.g. creating a side access so a person can also go around the side of a house. Generally, the most modest solution for providing access to both the house and the garden will be considered and this can mean that one access may be sufficient to access both the house and the garden. Where homes have communal gardens, e.g., blocks of flats served by a single access, grants will not normally be provided for an individual access to the garden unless it can be demonstrated that because of the disabled persons condition the travel distance to the garden would be excessive and unreasonable.
- The grant will only be for providing immediate access to the garden and does not include landscaping gardens to make them more suitable for the disabled person

to access. However, to assist a disabled person to live independently, an allowance of 4m² of pathway, (which may include a turning circle for a wheelchair user), will be considered to assist access to any specific areas enjoyed by the disabled person.

- Provision of fencing or guarding for the safety of the disabled person when in the garden.

Fees and feasibility works

- The Accessible Homes Grant may be available to cover the cost of works associated with assessing whether an adaption is reasonable and practicable and/or necessary and appropriate. These costs can be covered even if the works do not go ahead, at which point a moving grant may be more suitable.

Additional Adaptations for Dementia

- Replacing floor coverings that cause confusion or safety issues
- Replacing tiling or bathroom fittings (such as toilet seats and rails) to improve visual perception
- Changing cupboards to glass fronted doors, to enable recognition of where items are in the kitchen
- Changing lighting schemes to improve visibility around the home
- Installing noise reduction measures

Healthy Homes grant

An assessment of the property may be necessary to determine the scope of the work and does not cover the full renovation of a property. It is intended that the grant is sufficient to make safe a defect that is considered to pose a risk to the health, safety or welfare of the occupier.

This could include but is not limited to the following:

- Hoarding and accumulations – where the conditions pose a serious risk to the safety of the occupier.
- Electrical safety- where the condition of the electrical wiring could lead to imminent risk of electrocution or fire or accidents as a result of inadequate lighting.
- Falls – where the condition of the stairs or floors are in such a state as to provide an imminent risk of a fall in the home.

- Cold – where the heating is inadequate or lacking, and the condition of the doors and windows are contributing to the home being cold in the winter and there is a risk of falls or other ill effect from cold temperatures.
- Dampness – damp conditions so significant that a roof is failing and water is visibly entering the property. Rising damp, condensation or minor leaks may not be covered by this grant.
- Structural collapse- where a structural part of the building is in such a state as to constitute an imminent risk.
- Amenities – the lack of a functioning basic amenity such as a toilet, bath, wash hand basin or kitchen sink.
- Hot water – where there is no hot water available for the occupier due to a fault with a boiler or hot water tank.

This list is not exhaustive and each case will be assessed based on its individual circumstances.

Home Improvement Loan

The loan will cover those works covered by this policy and any other works specified by each individual Council involved in the Home Improvement Loan scheme.

ECO Flex Top up

Works will generally include:

- Mains gas boiler replacement,
- Loft insulation,
- Cavity wall insulation,
- Heating controls,
- Replacement storage heaters,
- Internal or external wall insulation,
- Room in roof insulation,
- Flat roof insulation

APPENDIX TWO – LOCAL POLICIES

The following councils have their own additional policy that can be viewed on their websites.

East Devon District Council
Exeter City Council
North Devon District Council
South Hams District Council
Teignbridge District Council
Torrige District Council
West Devon Borough Council

APPENDIX THREE – SUMMARY TABLE

Type of assistance	Scope	Grant Max	Eligibility	Main Conditions
Mandatory DFG	Disabled adaptations as described by the Housing Grants Construction and Regeneration Act 1996.	Up to £30,000	Meets disability criteria Assessed by an OT Subject to means test No means test for Children	Must remain in the property as only or main residence for 5 years Local land charge for 10 years for owner occupiers in some circumstances
Accessible Homes Grant	Cover the costs of adaptations over the mandatory DFG limit Cover some contributions identified under mandatory DFG Cover some works not covered by the DFG	Up to £20,000	Meets disability criteria Assessed by an OT Subject to means test for children's applications Contribution constitutes more than a 1/3 of available savings	Must remain in the property as only or main residence for 5 years Local land charge for 10 years for owner occupiers
Accessible Homes Grant – Stair lifts	Cover the cost of internal straight track and curved track stair lifts	No grant max	Assessed by the OT or referred by NHS OT	Must remain in the property as only or main residence for 5 years

Type of assistance	Scope	Grant Max	Eligibility	Main Conditions
			Must have permission from the property owner	
Accessible Homes Grant – Moving	Cover some of the costs associated with moving to a more suitable property	Owner occupier up to £10,000 Tenant up to £5000	Suitable property has been identified Cost of moving with any adaptation to the new home is less than adapting existing home Been resident in existing property for 2 years prior to making the application For tenants – landlord has referred t make adaptations	Must remain in the property as only or main residence for 5 years Local land charge for 5 years for owner occupiers
Healthy Homes Grant	Works to make safe a defect or hoarding/accumulation that is considered to pose a risk to the health, safety or welfare of the occupier.	Up to £5000 over a 2 year rolling period	In receipt of a qualifying benefit Works agreed by the Council	Local land charge for 5 years for owner occupiers Must apply for a loan for more substantial works and repairs Council may require

Type of assistance	Scope	Grant Max	Eligibility	Main Conditions
				landlord to carry out repairs
Home Improvement Loan	Cover works identified in the other grants As determined by each Council policy	Based on affordability	Based on local criteria	Based on local criteria
EcoFlex Top up	Energy efficiency works	Up to £2000	Qualify for ECO funding Meet the councils statement of intent criteria Owner occupier or private landlord	Must remain in the property as only or main residence for 5 years Local land charge for 5 years

**DEVON WIDE HOUSING ASSISTANCE POLICY FOR THE BETTER CARE FUND
2018-19**

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DEVON WIDE HOUSING ASSISTANCE POLICY FOR THE BETTER CARE FUND 2018-19

1.0 INTRODUCTION

1.1 Purpose

This policy is required under Article 4 of the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002. The Order provides councils with the discretion to develop schemes to provide financial assistance to deal with a range of housing issues. This policy sets out the areas on which Devon will focus any available resources in order to improve housing conditions across the district. With limited resources available it is essential that funding is targeted to those areas that contribute to the delivery of the Better Care Fund and Health and Wellbeing Board priorities and local district council priorities.

This policy provides the Devon Councils with the flexibility and discretion to provide appropriate assistance to meet the aims and priorities set out in section 3 below. Appendix 2 allows for each local authority to deliver its own local schemes that may be available over and above the Devon wide schemes.

This policy is owned by the following Councils:

Devon County Council
East Devon District Council
Exeter City Council
Mid Devon District Council
North Devon District Council
South Hams District Council
Teignbridge District Council
Torrington District Council
West Devon Borough Council

1.2 Review

The policy will be reviewed on an annual basis.

1.3 Funding

The assistance contained within this policy is dependent on the availability of funding. Where funding is limited priority for spend will be given to the Mandatory Disabled Facilities Grant across the County.

2.0 CONTEXT

2.1 Housing and Health

Housing is a key determinant of health, and by promoting good quality housing this policy can contribute to reducing health inequalities for the residents of Devon.

In 2008, flexibilities were introduced enabling councils to use government grant that has been allocated for disabled facilities grants to be used more intelligently to deliver adaptations for disabled people outside of the mandatory grant regime.

Research has shown that there is a direct impact on the health and well-being of residents resulting from the homes in which they live; therefore, poor housing can contribute to poor health.

Each year hazards in the home result in unnecessary injuries, episodes of ill-health, and harm to mental health and in many cases the occupiers do not link the poor condition of their homes with a potential negative impact on their health. The poorest housing stock can be found in the private sector, and in some cases residents who own their own home are not able to maintain them and as a result hazards can develop.

An estimated 34,400 excess winter deaths were recorded in England and Wales in 2016/17 as reported by the Office of National Statistics (ONS) in their document Excess Winter Mortality in England and Wales 2016-17. Many of these people die unnecessarily as a result of living in cold homes each year. Although the data collected does not identify the number of people that die directly as a result of the home environment various studies have found a link and these are detailed within the ONS report. In extreme cases the inability to afford to heat the home results in cold temperatures that create hypothermic conditions; however, for many individuals (particularly older persons) cold homes may result in trips, slips and falls, or injuries/health impacts resulting from cardiovascular, circulatory diseases and respiratory disease.

2.2 Better Care Fund

In 2015 the government introduced the Better Care fund in an attempt to bring health and social care together in an integrated way. The fund is a combination of government funding from the Department of Health and the Department for Communities and Local Government and includes the grant allocation for disabled facilities grants (DFG). The 2017-19 Integration and Better Care fund policy framework document lists the conditions that the better care fund must be used to address. These are:

Condition 1: Plans to be jointly agreed – The plan to use the BCF allocation must be jointly agreed and signed off by the Health and Wellbeing Board, and constituent councils and clinical commissioning groups. The local housing authority must also be involved due to the inclusion of the DFG allocation, which forms part of the fund.

Condition 2: NHS contribution to social care is maintained in line with inflation. - The funding must be used to contribute to the maintenance of adult social care services in each local authority, which also has a health benefit. However, beyond this broad condition, the Department of Health wants to provide flexibility for local areas to determine how this investment in adult social care services is best used.

Condition 3: Agreement to invest in NHS commissioned out of hospital services, which may include 7 day services and adult social care - This should be achieved by funding NHS commissioned out-of-hospital services, which may also include 7-day services and adult social care, as part of the agreed BCF plan.

Condition 4: Managing Transfers of Care - Plans should set out how local partners will work together to fund and implement transfers of care effectively. More detail can be found in the 2017-19 Integration and Better Care Fund Policy Framework. Based on these broad conditions, Devon County Council and the District Councils have identified an opportunity to provide additional grant and loan products to meet these conditions and deliver against the Health and Wellbeing Board priorities.

2.3 Delayed transfers of care.

Delayed transfers of care, sometimes referred to as 'bed-blocking', occur when a patient is ready to depart from care and is still occupying a bed. According to NHS England, a patient is ready to depart when: a. A clinical decision has been made that the patient is ready for transfer AND b. A multi-disciplinary team decision has been made that the patient is ready for transfer, AND c. The patient is safe to discharge/transfer. In 2016/17 there were 2.3 million total delayed days in England with 1.3 million of these attributable to the NHS, averaging around 6,200 delayed transfers of care per day with around 3,600 of these attributable to the NHS. *Delayed transfers of care in the NHS Briefing paper number 7415, 20 June 2017.*

The longer a patient stays in hospital the more detrimental this can be in terms of patient morale, mobility, and an increase in the risk of hospital-acquired infections. Older patients are particularly susceptible to negative effects around mobility with studies suggesting that a wait of more than two days negates the benefit of intermediate care, and a wait of seven days or more is associated with a 10% decline in muscle strength. Delayed transfers of care are also costly for hospital trusts as insufficient beds can mean elective procedures need to be cancelled, resulting in the hospital trust losing these as a source of income.

A survey in 2015 by the Guardian found that at least 10% of beds were occupied by patients who were ready to be discharged and the NHS providers' audited accounts for 2016/17 estimated that delayed transfers of care cost £173 million. Much of the recent debate around delayed transfers of care attributes rising numbers to pressures in social care. The number of delayed days attributable to social care had been in decline until August 2013, after which the figure began to rise sharply. When looking at the specific reasons for delayed transfers of care, there are notable increases in non-health care reasons as indicated below:

Table 1: Reasons for delayed transfers of care, 2016/17

Reason for delay	Total delayed days	Change from previous year
Awaiting care package in own home	456,447	+45.3%
Awaiting further non-acute NHS care	386,028	+16.8%
Awaiting completion of assessment	380,832	+22.9%
Awaiting nursing home placement or availability	342,982	+39.6%
Patient or family choice	245,033	+5.8%
Awaiting residential home placement or availability	231,994	+22.9%
Awaiting public funding	81,327	+17.5%
Housing – patients not covered by NHS and Community Care Act	52,431	-1.0%
Awaiting community equipment and adaptations	52,121	+12.8%
Disputes	24,641	+18.9%

3.0 PRIORITIES

In Devon, the Better Care Fund priorities aim to achieve the following outcomes:

- Reduce admissions to residential and nursing care homes
- Reduce delayed transfers of care
- Reduce avoidable emergency admissions
- Increase dementia diagnosis rates

To meet these priorities this policy aims to focus on the following areas:

Objective 1 - Assist disabled residents to remain in their own homes through supporting the provision of adaptations (so far as this is necessary, appropriate and reasonably practicable) to prevent admissions to care and to assist with delayed transfers where possible.

Objective 2 – Safeguard the health and well-being of vulnerable residents by removing unnecessary hazards to health and safety in the home to reduce avoidable emergency admissions

Objective 3 – Provide adaptations that are suitable for the future by ensuring the scheme of works is dementia aware.

Objective 4 – Assist vulnerable people to afford to heat their homes through appropriate energy efficiency and heating measures.

4.0 TYPES OF ASSISTANCE

4.1 Mandatory Disabled Facilities Grant (DFG)

The delivery of the disabled facilities grant programme is mandatory and a statutory function of the local housing authority. The delivery of this function is governed by the Housing Grants, Construction and Regeneration Act 1996.

Eligibility

Any disabled householder seeking financial assistance with the cost of adaptations to their home must be assessed by an Occupational Therapist (OT) working on behalf of, or approved by Devon County Council. For the purposes of the DFG a person is considered disabled if they meet any of the following criteria:

their sight, hearing or speech is substantially impaired,

they have a mental disorder or impairment of any kind,

they are physically substantially disabled by illness, injury, impairment present since birth, or otherwise. A person aged eighteen or over shall be considered disabled if:

they are registered under section 29(1) of the National Assistance Act 1948 (disabled persons' welfare),

they are a person for whose welfare arrangements have been made under that provision or, in the opinion of the social services authority, might be made under it.

A person under the age of eighteen shall be considered disabled if:

they are on a register of disabled children maintained under paragraph 2 of Schedule 2 to the Children Act 1989,

they are in the opinion of the social services authority a disabled child as defined for the purposes of Part III of the Children Act 1989 (local authority support for children and their families).

All owner-occupiers, tenants, licensees or occupiers who meet the above criteria are eligible to apply for a DFG.

Grant Conditions

1. All grants other than those for children are subject to a test of financial resources, which is prescribed by The Housing Renewal Grants Regulations 1996.
2. The grant maximum is £30,000
3. The disabled person must intend to occupy the property as their only or main residence for a period of five years after the works are complete (or such shorter period as the person's health or other relevant circumstances permit).

4. In order to make an application the client must supply the following:
 - A completed and signed application form
 - Evidence of financial situation
 - Evidence of ownership of the property or the right to reside at the property
 - Permission for the works to be carried out
 - A detailed schedule of works and plans for complex works that must be agreed by the council
 - Any planning or building regulation approvals
 - 2 tenders for the works unless using an agreed framework.
5. Only the works agreed by the council will be covered by the grant.
6. If the grant is approved there are 12 months to complete the works
7. The works must be completed by the contractor stated on the approval document
8. No grant works should proceed until the grant application has been processed and all relevant planning, Building Regulation or landlord approval has been obtained.
9. Owner occupiers may have a local land charge placed on their property on completion of the grant. If the property is sold, assigned or transferred within 10 years of the grant being completed then the grant may have to be repaid. The council will have regard to The Housing Grants, Construction and Regeneration Act 1996: Disabled Facilities Grants (Conditions relating to approval or payment of Grant) General Consent 2008 when deciding whether to demand repayment. The charge only applies where the grant is more than £5,000. Where the grant is more than £5000 only the amount over the first £5,000 is added as a charge. There is a charge limit of £10,000.
10. If the applicant has a contribution to pay they must ensure they have the money to cover their share of the costs before the work begins on site.
11. Unforeseen and additional costs will only be paid for where they are necessary to complete the adaptation and must be agreed by the council before they are undertaken.
12. Any increase in the grant may have an impact on the charge placed against the property.
13. Where the cost of the work exceeds the mandatory grant limit of £30,000 the applicant may be eligible to apply for the Accessible Homes Grant subject to available funds.
14. Applicants who are successful in their application for assistance will be required to maintain the adaptation.
15. The contract for the works is the responsibility of the applicant.

16. The grant will normally be paid direct to contractors in all but the most exceptional cases.
17. The council will only offer grant for those works that are considered mandatory to meet the needs of the disabled person.
18. No grant will be paid until a satisfactory invoice has been received and the works have been carried out to the satisfaction of the client and Council.

4.2 Accessible Homes Grant

The Accessible Homes Grant enables an enhanced offer in addition to the Mandatory Disabled Facilities Grant subject to available funding. This grant is available in the following circumstances:

Where a mandatory grant has been approved but the cost of the work exceeds £30,000

Where there are works that may not be covered by the DFG in relation to adapting the home and making it safe.

Where the means test identifies that a contribution is required.

Where moving house more appropriate than adapting the existing property.

To be eligible for this grant the applicant must meet the following:

The applicant must have applied for and be eligible for the DFG first before the discretionary grant can be considered.

All applicants are subject to a means test including the parents and/or guardians of a disabled child. Adult clients will have been means tested as part of the formal DFG application. In the case of a child's application the means test will be applied to the parents or guardians of the disabled child before an application for a discretionary grant can be made.

As an alternative to the adaptation of an applicant's home, consideration will be given to the option of re-housing to more appropriate or adapted accommodation.

An applicant will only be eligible to apply for additional grant to cover any identified contribution where the amount the client has to pay represents at least a third or more of the applicant's savings.

Conditions

1. The grant maximum is £20,000. Anything over £20,000 will not attract any further public grant.
2. Where additional funding is required to cover either a contribution or the cost of works over £50,000 (£30,000 from the Disabled Facilities Grant and £20,000 from the Accessible Homes Grant), then a Home Improvement Loan application can be made.
3. The DFG paperwork will be used to assist the applicant in making an application for this grant.

4. Only the works agreed by the council will be covered by the grant
5. If the grant is approved there are 12 months to complete the works
6. The works must be completed by the contractor stated on the approval document
7. No grant works should proceed until the grant application has been processed and all relevant planning, Building Regulation or landlord approval has been obtained.
8. Owner occupiers will have a local land charge placed on their property on completion of the grant. If the property is sold, assigned or transferred within 10 years of the grant being completed then the grant may have to be repaid.
9. Unforeseen and additional costs will only be paid for where they are necessary to complete the adaptation and must be agreed by the council before they are undertaken.
10. Any increase in the grant may have an impact on the charge placed against the property.
11. Applicants who are successful in their application for assistance will be required to maintain the adaptation.
12. The contract for the works is the responsibility of the applicant.
13. The grant will normally be paid direct to contractors in all but the most exceptional cases.
14. The council will only offer grant for those works that are considered mandatory to meet the needs of the disabled person.
15. No grant will be paid until a satisfactory invoice has been received and the works have been carried out to the satisfaction of the client and Council.
16. Housing association properties - where the mandatory DFG does not fully cover the cost of the adaptation then the client and/or council may approach the housing association for a contribution towards the cost.

Accessible Homes Grant - Moving application

This grant may be available to assist a disabled person to move to more suitable accommodation subject to available funding. An applicant will be eligible for this grant where:

The applicant meets the eligibility criteria for a DFG.

Where the Occupational Therapist and/or the Council consider re-housing to be more appropriate than adapting the existing accommodation.

To be eligible for this grant the total cost incurred in the eligible 'moving on' expenses and any estimated eligible adaptation costs at the 'new' property should not be greater than the cost of adapting the applicant's current home.

The 'new' property shall in the opinion of the Council provide a long term, sustainable home for the person for whose benefit the works are required.

If the property is within a neighbouring authority covered by this policy then the new authority will need to ensure the new property is suitable. This should also be agreed with the occupational therapist. The applicant must ensure that the relevant council's officers and Occupational Therapist have been consulted. In determining the 'reasonable expenses' regard shall be had to the following criteria:

The cost of the eligible works at the applicants existing property are not deemed reasonable, or;

The eligible works at the applicant existing home are not technically feasible, or;

The adaptation of the applicants existing property does not provide a sustainable, long term solution for their housing needs.

Eligible Expenses

Owner Occupier

The expenses that can attract grant under this section may include the cost of:

Any arrangement fee charged by a lender to cover the creation of a mortgage.

Conveyancing fees.

Land Registry Fee

Local Authority Searches

Stamp Duty

Valuation, Homebuyers or Full Structural Survey

Professional or other removal costs

Estate Agent Commission. The maximum grant payable for eligible expenses under this heading for an owner occupier is £10,000.

Tenant

For a tenant the expenses that can attract grant under this section may include the cost of:

Letting agent fees

Rent deposit

Professional or other removal fees. The maximum grant payable for eligible expenses under this heading for a tenant is £5000.

Conditions

1. Grant assistance is only payable to an owner occupier upon the successful completion of the purchase of the 'new' property and the disabled person then occupying that property as their only and main residence.
2. When moving to rented accommodation the applicant must obtain permission from the landlord for any adaptations to be carried out before the grant will be paid.

3. To qualify for this grant the applicant must have been resident in the property for at least 2 years prior to making an application to move.
4. The applicant must agree to live in the property as their only or main residence for a period of 5 years (or such shorter period as the person's health or other relevant circumstances permit).
5. For owner occupiers a local land charge will be placed against the property for a period of 5 years.

4.3 Healthy Homes Grant

The Healthy Homes grant is a flexible grant to provide urgent/essential repairs to the home to ensure the health, safety and welfare of the occupier.

Eligibility

An applicant must apply for a loan first including a Home Improvement Loan and will only be eligible to apply for this grant if a loan is refused.

Where the client is not eligible for a loan then they may apply for this grant.

To qualify for this grant the applicant must be over 60 years of age and in receipt of one of the following benefits:

Housing Benefit,
 Disability Living Allowance,
 Personal Independent Payment with the daily living component,
 Attendance Allowance,
 Guarantee Pension Credit,
 Income support
 Council tax benefit (not the single person discount)
 Universal Credit – universal credit replaces the following means tested benefits –
 Housing Benefit, income related ESA, Income based JSA, Child tax credit, working tax credit and income support.

Conditions

1. The maximum grant available is £5000 over a rolling two year period.
2. The grant is only available for owner occupiers and will be placed as a local land charge for 5 years.

4.4 Home Improvement Loans

Wessex Resolutions Community Interest Company (WRCIC) is a not-for-profit company contracted to deliver loans to residents in the Devon area.

WRCIC administer loans within the requirements of this policy and the local policies of each district council within Devon. The Home Improvement Loan is a flexible product that can be used for the following purposes:

Home repairs and improvements

Adaptation works where grant is not available

To cover a client contribution to a grant

To cover the cost of the work over the DFG or Accessible Homes grant maximum.

To bring empty homes back into use

For landlords to carry out repairs or improvement to rented accommodation

For energy efficiency improvements

Eligibility

This will vary and is based on the individual circumstances of each client. Loan advisors will carry out an assessment and provide independent advice on ethical and responsible lending the most appropriate product to suit their needs.

Conditions

Conditions may vary depending on the loan product selected and the individual circumstances of each applicant.

Typical 4.2% APR. Loans are subject to status. Wessex Resolutions CIC may insist on loans being protected at the Land Registry by a Title Restriction. Missing payments could affect your credit rating and ability to obtain credit in the future.

4.5 Top up to Eco-Flex

This grant is to provide top up funding for energy efficiency measures where Eco-Flex funding and ECO top ups (HHCRO) have been provided by energy providers but the available funding does not cover the full cost of the work.

Eligibility

Applicants must have been identified through each Council's Statement of Intent which can be found on the council's website.

To qualify for the top up a survey must be carried out by the energy provider, a local installer, or an agent and qualifying works identified. Provisions will be in place to ensure value for money.

For owner occupiers and private landlords a maximum of up to £1,000 is available.

If more than £1,000 is needed then the client should apply for a Wessex loan subject to availability and eligibility (see 4.4)

Conditions

1. The applicant must agree to live in the property as their only or main residence for a period of 5 years (or such shorter period as the person's health or other relevant circumstances permit).
2. A local land charge will be placed on their property on completion of the grant. If the property is sold, assigned or transferred or the tenant vacates within 5 years of the grant being completed then the grant may have to be repaid.
3. Any increase in the grant may have an impact on the charge placed against the property.
4. The contract for the works is the responsibility of the applicant.
5. The grant will normally be paid direct to contractors in all but the most exceptional cases.
6. No grant will be paid until a satisfactory invoice has been received and the works have been carried out to the satisfaction of the client and Council.

5.0 EXCEPTIONS TO THE POLICY

The Councils accept that applications may be received for adaptations not covered by the circumstances listed above which will need to be formally determined. Any such application will be referred through the appropriate process of the council managing the application.

6.0 APPEALS AND COMPLAINTS

When the applicant has a complaint about the manner in which a council is applying this policy, then they should follow that Council's formal complaints process.

When there is a complaint about the content of this policy, it should be made to Devon County Council so that it can be considered on a Devon wide basis.

Where the complaint is in respect of works, the complaint should be made to the contractor in the first instance, if this does not resolve the problem then the appropriate council should be contacted for advice.

Where an applicant wishes to appeal against a decision of the Council in respect of any of the grants contained in this policy this should be made to the appropriate Council. When agreement cannot be reached, the appeal should be escalated to the Devon Wide Group of Councils for a decision. Agreement between all the participating Councils will need to be reached as any decision may result in an amendment to the policy.

APPENDIX ONE – ELIGIBLE WORKS

Disabled Facilities Grant and Accessible Homes Grant

An assessment by an agreed Occupational Therapist must be carried out that recommends the type of adaptation required. Minor works are assessed by the Occupational Therapist and may be dealt with outside of the grant process.

Facilitating access

Facilitating access by the disabled occupant

- to and from the dwelling
- to a room used or usable as the principle family room
- to a room used for or usable for sleeping
- to a room in which there is a lavatory
- to a room in which there is a bath or shower
- to a room with a wash hand basin

Such works may include:

Ramping and/or handrails to the main external door. This could instead be a rear door in the case of a rear access. Only one access point will be allowed for each dwelling. External stair lifts will be considered if reasonably practicable and they are not prone to vandalism.

Widening the main entrance door and the doorways to the bedroom, bathroom and living room. Automatic door opening to main entrance doors will only be allowed for persons who are otherwise unable to open the door. Door entry systems will be considered where the person has severe mobility problems.

Alterations to facilitate wheelchair access to the bedroom, bathroom and living room.

Access to other rooms may be considered where the disabled person is also a carer.

Other adaptations that are necessary to facilitate access to any of the relevant rooms by the disabled person, for example, stair lifts or vertical lifts in some cases. Where a stair lift breaks down and it is 5-10 years old, a manufacturers report is needed before it can be replaced. If it is over 10 years, a report may not be required.

Provision of hard standings (3.6 m x 4.8 m max unless exceptional circumstances) and associated crossover for vehicle access where the disabled person is in a wheelchair or has difficulty walking to the house. This will only be given where existing on-street parking is considered unsatisfactory and a marked disabled parking bay is not possible or where it affords a more economical solution than providing additional paths/ramping from the roadside. Provision of off-street parking on its own is not eligible.

Please note: Being a holder of a blue badge is not an eligibility criterion for this item.

Washing facilities

Facilitating the use of washing facilities by the disabled occupant

Adaptation of the facilities in the bathroom and toilet, including the provision of flush floor showers, lever taps, specialist WCs, Clos-o-mat or Geberit etc. The adaptation or provision of more than one bathroom to a house e.g. additional ground floor wc, will only be considered if evidenced by functional need.

Kitchen Facilities,

Facilitating the preparation and cooking of food

Where someone other than the disabled person does and will continue to do the cooking and preparation of meals, normally it will not be necessary to carry out full adaptations. However, it may be possible to carry out minor adaptations to allow the disabled person to prepare light meals or hot drinks, typically this may include a low-level worktop with power points for a kettle/microwave.

Full adaptations can be considered where the disabled person is the only or main user of the kitchen. The following adaptations can be considered:

- a. Kitchen sink, including alteration to its height or position or the type of taps fitted to it. Powered, adjustable-height sinks will not generally be allowed, as the provision of a second sink is a more economic solution.
- b. Cooker point and oven-housing unit ensuring its height and position is in a safe location and the provision of worktops on either side.
- c. Work surfaces located beside the sink and on each side of the cooker having a total length of approximately 1.5m, all at a suitable height for the disabled person.
- d. Food storage in an accessible position, usually space for a refrigerator with power supply.
- e. Wheelchair access, if necessary, including wider doors, rearrangement of facilities etc.
- f. Alterations to the kitchen door, light switches and power points, but only if it is necessary.
- g. Extensions or enlargement to kitchens can only be agreed where they are absolutely necessary in order to provide turning space for a wheelchair and if suitable space cannot be achieved by rearrangement of the existing facilities.
- h. The provision of cupboard and storage units on an "essential" basis. (2x1m base units and baskets or equivalent).
- i. Mechanical ventilation where kitchen schemes require Building Regulation approval.

Other works that may be considered for grant assistance

Electrical work

Alterations to the height and/or position of light switches and power points to make them accessible to the disabled person.

Upgrading of electrical installation where the current installation is considered unsafe.

Heating

Heating the rooms that are in everyday use by the disabled person where a medical need can be demonstrated. Changes to the type of heating system will only be allowed if

evidenced by medical need (e.g. change from solid fuel to gas where applicant can no longer carry fuel) and the applicant is not eligible for other types of grant such as Eco Flex.

Upgrading/replacing of boilers/radiators where the property has been extended as part of the adaptation.

Guarding

Provision of laminate glass or specialist lighting or guards to fires and around radiators where disabled children with violent behavioural problems may harm themselves.

Restrictors or works to windows for the safety of the disabled person.

Alarms

Provision of enhanced fire alarm systems for those with hearing difficulties.

Structural alterations

Carrying out structural alterations where necessary to provide fixings for disabled equipment provided by Social Services e.g. fixing for tracking /overhead hoists.

Storage or space for essential medical equipment as part of the adaptation works but not as a stand-alone item.

Where an adaptation is required to a listed building and additional works are required to comply with requirements.

Where an adaptation cannot be carried out due to disrepair issues those repairs, within reason, may be carried out. Such works may include replacement of rotted flooring or strengthening of the floor as part of a flush floor shower installation, electrical repairs to enable works to be carried out safely, and dealing with low water pressure. More substantial repairs that are not directly affecting the adaptation will need to be referred to a home improvement loan or healthy homes grant.

Additional bathrooms or bedrooms may be allowed where they are specifically for the disabled person and it can be demonstrated that adaptation of other rooms or space or access to those rooms in the property is unsuitable. Extensions will only be allowed following a detailed cost/benefit analysis of alternative options.

Requests are sometimes received to provide separate bedrooms where disabled children with behavioural difficulties share a room with other siblings and disturb their sleep. This will only be considered where it can be demonstrated the child is prone to violent outbursts and there is risk of physical harm to the child or to the other siblings. Families will first be expected to re-arrange the sleeping arrangements in their home to try to eliminate the need for extra bedrooms. If there is more than one reception room the family will be expected to use the extra room(s) for sleeping purposes.

Garden and external access

In cases of small terraced properties with narrow passageways or very difficult access, effective adaptation can only proceed where it can be reasonably and practicably carried out without having a detrimental impact on neighbouring properties.

Access to the garden may be given to improve an existing access to make it safe for the disabled occupant to use. It does not include extending an existing access e.g. creating a side access so a

person can also go around the side of a house. Generally, the most modest solution for providing access to both the house and the garden will be considered and this can mean that one access may be sufficient to access both the house and the garden. Where homes have communal gardens, e.g., blocks of flats served by a single access, grants will not normally be provided for, an individual access to the garden unless it can be demonstrated that because of the disabled persons condition the travel distance to the garden would be excessive and unreasonable.

The grant will only be for providing immediate access to the garden and does not include landscaping gardens to make them more suitable for the disabled person to access. However, to assist a disabled person to live independently, an allowance of 4m² of pathway, (which may include a turning circle for a wheelchair user), will be considered to assist access to any specific areas enjoyed by the disabled person.

Provision of fencing or guarding for the safety of the disabled person when in the garden.

Healthy Homes grant

An assessment of the property may be necessary to determine the scope of the work and does not cover the full renovation of a property. It is intended that the grant is sufficient to make safe a defect that is considered to pose a risk to the health, safety or welfare of the occupier.

This could include but is not limited to the following:

Electrical safety- where the condition of the electrical wiring could lead to imminent risk of electrocution or fire or accidents as a result of inadequate lighting.

Falls – when the condition of the stairs or floors is in such a state as to provide an imminent risk of a fall in the home.

Cold – when the heating is inadequate or lacking, and the condition of the doors and windows are contributing to the home being cold in the winter and there is a risk of falls or other ill effect from cold temperatures.

Dampness – damp conditions so significant that a roof is failing and water is visibly entering the property. Rising damp, condensation or minor leaks may not be covered by this grant.

Structural collapse- where a structural part of the building is in such a state as to constitute an imminent risk.

Amenities – the lack of a functioning basic amenity such as a toilet, bath, wash hand basin or kitchen sink.

Hot water – where there is no hot water available for the occupier due to a fault with a boiler or hot water tank.

This list is not exhaustive and each case will be assessed based on its individual circumstances.

Home Improvement Loan The loan will cover those works covered by this policy and any other works specified by each individual Council involved in the Home Improvement Loan scheme.

ECO Flex Top up

Works will generally include:

- Mains gas boiler replacement,
- Loft insulation,
- Cavity wall insulation,
- Non-gas boiler replacements,
- Replacement storage heaters,
- Internal or external wall insulation,
- Room in roof insulation,
- Flat roof insulation

APPENDIX TWO – LOCAL POLICIES

The following councils have their own additional policy that can be viewed on their websites.

East Devon District Council

Exeter City Council

North Devon District Council

South Hams District Council

Teignbridge District Council

Torrige District Council

West Devon Borough Council

APPENDIX THREE – SUMMARY

Mandatory DFG

Disabled adaptations as described by the Housing Grants Construction and Regeneration Act 1996.

£30,000 meets disability criteria, assessed by an OT subject to means test

Must remain in the property as only or main residence for 5 years Local land charge for 10 years for owner occupiers in some circumstances

Accessible Homes Grant

Cover the costs of adaptations over the mandatory DFG limit Cover some contributions identified under mandatory DFG Cover some works not covered by the DFG

£20,000 Meets disability criteria Assessed by an OT, subject to means test Contribution constitutes more than a 1/3 of available savings

Must remain in the property as only or main residence for 5 years Local land charge for 10 years for owner occupiers

Accessible Homes Grant – Moving

Cover some of the costs associated with moving to a more suitable property

Owner occupier up to £10,000

Tenant up to £5000

Suitable property has been identified. Cost of moving with any adaptation to the new home is less than adapting existing home. Been resident in existing property for 2 years prior to making the application

Must remain in the property as only or main residence for 5 years Local land charge for 5 years for owner occupiers

Healthy Homes Grant

Works to make safe a defect that is considered to pose a risk to the health, safety or welfare of the occupier.

Up to £5000 over a 2 year rolling period

An owner occupier has been refuse Home Improvement Loan or in receipt of a qualifying benefit

Must apply for a loan first, local land charge for 5 years

Home Improvement Loan

Cover works identified in the other grants

As determined by each Council policy

Based on affordability and local criteria

EcoFlex Top up

Energy efficiency works upto £1000 Qualify for ECO funding meet the council's statement of intent criteria Owner occupier or private landlord

Must remain in the property as only or main residence for 5 years Local land charge for 5 years

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Appendix 1 of this report contains exempt information as defined in Paragraph 5 of Part 1 of Schedule 12A to the Local Government Act 1972

Report to: **SHDC Executive**

Date: **6 June 2019**

Title: **Granting of long leases in Dartmouth, Salcombe and Kingsbridge**

Portfolio Area: **Assets**
Cllr David May

Wards Affected: **Dartmouth and East Dart, Kingsbridge and Salcombe and Thurlestone**

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

Date next steps can be taken:
After the call in period 17 June 2019

Author: **Chris Brook** Role: **Head of Assets Practice**

Contact: **Telephone/email: chris.brook@swdevon.gov.uk**

Recommendations:

1. That the Executive approve the granting of three long leases. To formalise the historic use of an area in Dartmouth and to support the commemoration of 150 years of the Salcombe and Kingsbridge Lifeboat.
2. To delegate final agreement of the Heads of terms to the Head of Assets Practice in consultation with the Lead Portfolio Holder for Assets.

1. Executive summary

- 1.1 The Council is intending to enter into three new long leases:
 - i. To Natwest PLC in Dartmouth
 - ii. Two leases to the Salcombe and Kingsbridge RNLI for locations in both Salcombe and Kingsbridge.
- 1.2 Under the scheme of delegation within the Council these leases require approval by the Executive as they all are proposed to be for a term greater than 15 years. The Executive may delegate the final details and heads of terms to the Head of Assets.
- 1.3 Details of the lease proposals for the Dartmouth Lease are set out in Appendix 1 (which contains exempt information) and details of the lease proposals for Salcombe and Kingsbridge are set out in Appendix 2 to this report.

Appendix 1 of this report contains exempt information as defined in Paragraph 5 of Part 1 of Schedule 12A to the Local Government Act 1972

2. Background

- 2.1 In Dartmouth, the lease is required to formalise an historic use of land in the ownership of South Hams District Council.
- 2.2 In Salcombe and Kingsbridge, the proposed leases are for the installation of two new sculptures on Council land, commemorating the 150th Anniversary of the Salcombe and Kingsbridge Lifeboat in September 2019.
- 2.3 Further details of the lease proposals are set out in Appendices 1 and 2.

3. Outcomes/outputs

- 3.1 The granting of three long leases; further details are set out in paragraph 3 of Appendices 1 and 2.
- 3.2 In each case, the leases should be completed as soon as possible after a decision is taken.

4. Options available and consideration of risk

- 4.1 See paragraph 4 of Appendices 1 and 2

5. Proposed Way Forward

- 5.1 Agree to the granting of the long leases as further detailed in Appendices 1 and 2.
- 5.2 This will generate a small financial premium in Dartmouth and will support the local RNLi in Salcombe and Kingsbridge.
- 5.3 There is no material impact in granting the lease in Dartmouth and the RNLi leases will not materially impact the use of established open spaces in Salcombe and Kingsbridge.

6. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance		<p>Appendix 1 of this report is exempt from publication because it contains information in respect of which a claim to legal professional privilege could be maintained in legal proceedings as defined in Paragraph 5 of Schedule 12A to the Local Government Act 1972.</p> <p>The public interest test has been applied and it is considered that the public interest lies in not disclosing this report at this time, because it includes information in respect of which a claim to legal professional privilege could be maintained in legal proceedings, which could prejudice the Council if such information was disclosed at this time.</p>

Appendix 1 of this report contains exempt information as defined in Paragraph 5 of Part 1 of Schedule 12A to the Local Government Act 1972

		<p>The Council has the ability under the Local Government Act 1972 to enter into these agreements.</p> <p>The scheme of delegation within the Council requires this lease (greater than 15 years) must be approved by the Executive</p> <p>As the land relating to the Salcombe and Kingsbridge leases are designated as Public Open Space, the proposal must be agreed in accordance with s123. LGA 1972. This is due to the requirement to advertise the disposal of any area that could be considered to be Open Space in the local newspaper for two consecutive weeks.</p>
Financial implications to include reference to value for money		Small capital receipt for Dartmouth to be negotiated by the Head of Assets Practice.
Risk		<p>No significant risks.</p> <p>The Salcombe and Kingsbridge Lifeboat leases will sterilise parts of open space.</p> <p>As the sculptures will be located on open space, the areas where there they are to be sited will no longer be accessible, as the sculptures will fill the space. However, this will be mitigated by SHDC reserving right to relocate the sculptures if required. This right would be exercised if there were any development or infrastructure works on either parcel of land, which made it necessary to relocate the structures, either temporarily or permanently. The areas around the sculptures will as remain accessible open space.</p>
Supporting Corporate Strategy		Enterprise and support of community group/charity.
Comprehensive Impact Assessment Implications		
Equality and Diversity		None
Safeguarding		None
Community Safety, Crime and Disorder		None
Health, Safety and Wellbeing		None
Other implications		None

Appendix 1 of this report contains exempt information as defined in Paragraph 5 of Part 1 of Schedule 12A to the Local Government Act 1972

Supporting Information

Appendices:

Appendix 1 – Dartmouth Lease - EXEMPT.

Appendix 2 – RNLI Lease – Salcombe and Kingsbridge.

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

Document is Restricted

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Appendix 2 - Further details on the Long Lease Proposal for Salcombe and Kingsbridge

1. Executive summary

- 1.1 The Salcombe Lifeboat Management Group proposes to celebrate the 150th anniversary of the Salcombe and Kingsbridge Lifeboat in September 2019.
- 1.2 Part of the celebration is the construction and installation of 2 new commemorative sculptures; one at each end of the Salcombe/Kingsbridge estuary.
- 1.3 Both sculptures will be erected on land owned by SHDC; Cross Gardens, Salcombe and The Quay, Kingsbridge. Plans attached.
- 1.4 The Group has requested a long FRI lease for each location – the Head of Assets Practice does not have delegated authority to grant lease for a term greater than 15 years.
- 1.5 Both locations are designated as public open space, so will be subject to the disposal process set out in s123. Of the local Government Act 1972.

2. Background

- 2.1 The design of the sculptures reflect the advances in the equipment and technology that the RNLI enjoy now from those humble beginnings 150 years ago.
- 2.2 The Kingsbridge sculpture will be a representation of the original boat that was launched from the Kingsbridge quay adjacent, while in Salcombe the sculpture will be a model of the current 'Tamar' class lifeboat.
- 2.3 The sculptures will sit on a substantial stone plinth, potentially which will enclose a 'time capsule' filled by the communities of each town.

3. Outcomes/outputs

- 3.1 Seeking delegated authority to grant a long lease, possibly 99 years, but the details are yet to be confirmed.
- 3.2 The lease, together with all other necessary processes including LGA 1972 and planning consent is proposed to be completed ahead of the 150th celebrations in September 2019.

4. Options available and consideration of risk

- 4.1 The Council could refuse to grant a lease, but given the marine nature of the proposal in such locations, it is felt that the proposal should be supported and local members are supportive.
- 4.2 The delay in not agreeing to a long lease would mean that the sculptures would not be erected in time for the 150th celebrations.
- 4.3 Both locations are clearly open space, with limited development potential. That said, provision will be made within the lease for the Council to reserve the right to relocate either structure.
- 4.4 The matter has been considered by the assets team, local members and the respective town councils and it is felt that agreeing to a long lease is the best option to deal with this matter.

5. Proposed Way Forward

- 5.1 Agree to the granting of long leasehold interests for a peppercorn rent to formalise the erection and continued presence of the two structures.
- 5.2 The RNLI to make a contribution towards the Council's costs in the preparation of the documentation.
- 5.3 Proceed with the disposal of open space process in accordance with the Local Government Act 1972.
- 5.4 Completion of the leases will be subject to the applicant achieving planning consent.

Salcombe - gardens at junction of Devon and Onslow Rds



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Date 17th December 2018

Workspace: GIS Data

Status

Min X: 273694.82

Min Y: 38848.24

Max X: 274301.38

Max Y: 39364.84

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Kingsbridge - The Quay

Proposed location of RNLI sculpture



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Workspace: **GIS Data**

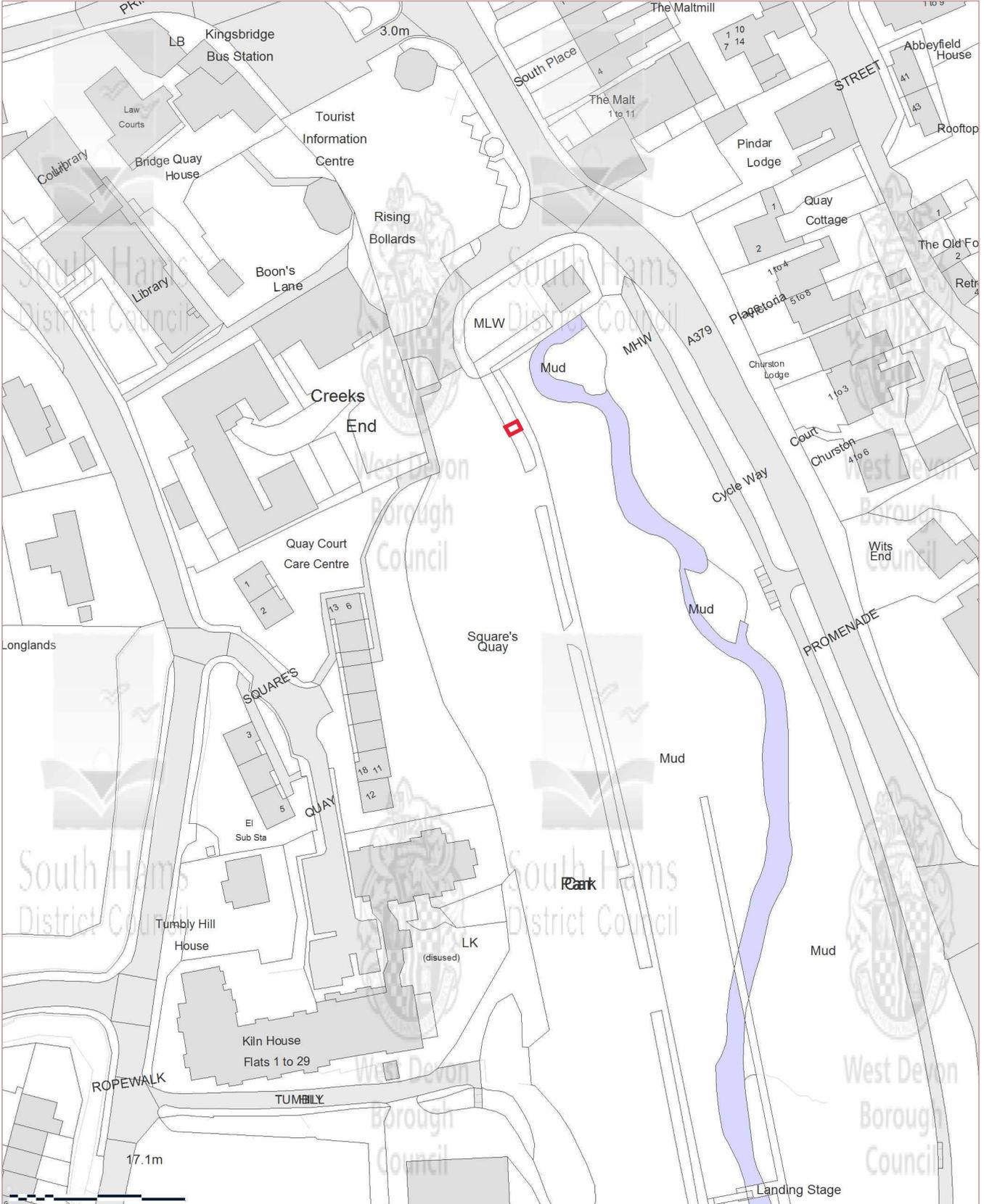
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Max X: 273789.82

Max Y: 44148.28

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