

South Hams Overview and Scrutiny Committee



Title:	Agenda												
Date:	Thursday, 4th November, 2021												
Time:	2.00 pm												
Venue:	Repton Room - Follaton House												
Full Members:	<p style="text-align: center;">Chairman Cllr Birch</p> <p style="text-align: center;">Vice Chairman Cllr Smerdon</p> <p><i>Members:</i></p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">Cllr Austen</td><td style="width: 50%;">Cllr Pennington</td></tr> <tr> <td>Cllr Chown</td><td>Cllr Rose</td></tr> <tr> <td>Cllr Jackson</td><td>Cllr Spencer</td></tr> <tr> <td>Cllr Jones</td><td>Cllr Sweett</td></tr> <tr> <td>Cllr McKay</td><td>Cllr Thomas</td></tr> <tr> <td>Cllr O'Callaghan</td><td></td></tr> </table>	Cllr Austen	Cllr Pennington	Cllr Chown	Cllr Rose	Cllr Jackson	Cllr Spencer	Cllr Jones	Cllr Sweett	Cllr McKay	Cllr Thomas	Cllr O'Callaghan	
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Cllr McKay	Cllr Thomas												
Cllr O'Callaghan													
Interests – Declaration and Restriction on Participation:	Members are reminded of their responsibility to declare any disclosable pecuniary interest not entered in the Authority's register or local non pecuniary interest which they have in any item of business on the agenda (subject to the exception for sensitive information) and to leave the meeting prior to discussion and voting on an item in which they have a disclosable pecuniary interest.												
Committee administrator:	Democratic.Services@swdevon.gov.uk												

1.	Apologies for Absence	
2.	Minutes to approve as a correct record the minutes of the Committee held on 13 October 2021;	1 - 8
3.	Urgent Business brought forward at the discretion of the Chairman;	
4.	Division of Agenda to consider whether the discussion of any item of business is likely to lead to the disclosure of exempt information;	
5.	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;	
6.	Public Forum A period of up to 15 minutes is available to deal with issues raised by the public;	9 - 10
7.	Response to the Housing Crisis - Request from Executive of 14 October 2021 (Executive Minute E.51/21 refers)	11 - 44
8.	South Devon and Dartmoor Community Safety Partnership	45 - 54
9.	Review of Localities New Service To follow;	
10.	Contact Centre Performance Report To follow;	
11.	Task and Finish Group Updates: a) Climate Change & Biodiversity Action Plan – Concluding Report To follow;	
12.	2021/22 Committee Work Programme: Latest Version	55 - 56

**MINUTES of the MEETING of the
OVERVIEW & SCRUTINY COMMITTEE,
Held in the Repton Room, Follaton House, Totnes, on
WEDNESDAY, 13 OCTOBER 2021**

Panel Members in attendance:			
* Denotes attendance		Ø Denotes apology for absence	
Ø	Cllr L Austen	*	Cllr J T Pennington
*	Cllr J P Birch (Chairman)	Ø	Cllr J Rose
Ø	Cllr M Chown	*	Cllr P C Smerdon (Vice Chairman)
Ø	Cllr S Jackson	*	Cllr B Spencer
*	Cllr L Jones	Ø	Cllr J Sweett
*	Cllr J McKay	Ø	Cllr D Thomas
*	Cllr D M O'Callaghan	*	Cllr M Long (substituting for Cllr Sweett)
*	Cllr V Abbot (substituting for Cllr Jackson)	*	Cllr H Reeve (substituting for Cllr Chown)
*	Cllr J Brazil (substituting for Cllr Thomas)	*	Cllr R Rowe (substituting for Cllr Austen)

Other Members also in attendance:
Cllrs K Baldry, H Bastone, and N A Hopwood

Item No	Minute Ref No below refers	Officers in attendance and participating
All		Deputy Chief Executive, Director of Governance & Assurance, Monitoring Officer, and Democratic Services Specialist
Item 7	O&S.22/21	Business Manager – Case Management
Item 9	O&S.24/21	Customer Service Improvement Manager

O&S.18/21 DIVISION OF AGENDA

The Chairman formally started the meeting and advised that it was his intention to exercise his discretion to move Item 7, Waste Service Update, to after Item 12, when it was noted that it might become necessary to divide the agenda.

O&S.19/21 MINUTES

The minutes of the meeting of the Overview and Scrutiny Committee held on 22 July 2021 were confirmed as a correct record.

O&S.20/21 DECLARATIONS OF INTEREST

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

O&S.21/21 PUBLIC FORUM

In accordance with the Public Forum Procedure Rules, the Chairman informed that no questions had been received for consideration.

O&S.22/21 WASTE SERVICE UPDATE

At the invitation of the Chairman, the Committee was addressed by two representatives of the Council's waste and recycling contractor, FCC Environment (FCC).

Following questions from Members, the following points were made by FCC:

- Nationally there was a shortage of about 100,000 HGV drivers, with many Councils suffering similar shortages in refuse truck drivers. This shortage was seen as a direct consequence of Brexit and the Covid-19 pandemic. Vacancies were up 30% in this quarter and up 140% compared to this time last year.
- In response to the shortages, FCC stated that they had increased the basic rate of pay three times since the contract had started and rates were now equitable to other Local Authorities in the area. FCC were funding LGV training for anyone requesting this along with funding apprenticeships. They were offering a bonus to anyone who introduced a new worker, and using agencies for recruitment. Agency workers were made permanent as soon as possible, with part time work available for those who wished it. Overtime was offered at the weekend but was not compulsory. A driver recruitment campaign had been started with a cycle to work scheme, medical advice free of charge, pension scheme, 28 days annual leave, death in service scheme, and the depot crew rooms had been improved, including the addition of free coffee vending machines. These changes had improved figures for driver retention but it was still challenging recruiting new drivers.
- It was confirmed that FCC currently had 55 drivers and 98 loaders, with vacancies for eight LGV drivers, seven 7.5ton drivers, and 18 loaders.
- FCC were advised that the recruitment advert for the South Hams area was not accessible on their website. One of the representatives confirmed that they had found this out and were working to resolve this.
- When questioned, FCC were unable to guarantee when their vacancies would be filled.
- FCC had promised to produce an implementation plan at the Overview and Scrutiny Committee meeting held on 10th June which had still not been delivered (Minute O&S.3/21 refers). FCC stated that they were still working on this as it was a complex situation and had required greater analysis of the data, however, this task was nearing completion.
- FCC confirmed that, although their website stated that they worked for 60 Local Authorities, they only did collections for 12.

- Following questions from Members regarding the brown bin collection, it was confirmed that the Executive would be asked to extend the current suspension of this service at its meeting to be held on 14 October 2021. FCC stated that they would soon know of the trigger levels for the brown bin service.
- One Member noted that the street and public convenience cleaning staff were doing a good job and their supervisors were also working hard. However, it was noted that it was not working as well in all areas of the District. FCC confirmed that pay rates for these workers had also been reviewed and increased recently.
- Members confirmed that bin collections were still being missed with a whole village missed earlier this week. South Hams District Council were told by FCC that there were no bins placed outside of properties but residents had told the Member that the bins had been out for six weeks. FCC representatives asked for specific details and this instance would be investigated outside of this meeting.
- It was confirmed that two Council officers were still working on behalf of FCC, collecting missed bins, whilst several senior Council Officers were involved with daily meetings with FCC to discuss any operational issues from the day before or for that particular day. The Executive was also still meeting weekly with FCC to try to iron out issues and to receive weekly progress reports.
- FCC confirmed that members of its management team had been out with the crews and that each crew was debriefed when they returned to the depot.

The Chairman thanked the representatives of FCC for attending the meeting.

O&S.23/21 **CITIZENS ADVICE BUREAU (CAB)**

The Chief Executive of Citizens Advice South Hams gave a presentation to Committee giving an overview of the service they provide. The Chief Executive (CEX) responded to a number of Member questions; with key points below:

- Although Citizens Advice (CA) South Hams had received some funding from the Department of Work and Pensions, the CA did not feel compromised by this funding and continued to speak out on Universal Credit both with Government and publicly.
- CA South Hams received annual funding from Devon County Council and South Hams District Council which covered approximately 65% of its fixed costs. The remainder was covered by various projects which provided specialist support to individuals.
- Video booths had been introduced where the booth was an app on mobile phones and anyone was able to access support via their phone; however, uptake had been disappointing.

- Currently, the leading housing question was from people facing eviction. The CEx would send further information on this to Committee Members after the meeting.
- There were concerns that as people often prioritized Christmas over debts, there would be an increase in personal debt management issues arising in January and February 2022.
- It was noted that reduction in energy use was linked to reduction in emissions and, although CA South Hams did not currently measure emissions, the CEx thought that this could be an interesting measurement to start in the future.

It was then:

RESOLVED

That the Committee:

1. Thanked the CA South Hams for providing an effective and valued services to those requiring help in the community, and
2. Welcomed the CA South Hams proposal to work closely with the Council on addressing the local housing crisis.

O&S.24/21 OMBUDSMAN ANNUAL REVIEW LETTER 2021

The Executive Member with responsibility for Customer Satisfaction and Improvement presented the report outlining the 2020 complaints to the Local Government and Social Care Ombudsman.

During the ensuing debate, it was confirmed that Members would start to be more involved in the complaint process and that once the new system was fully functioning, Members would be able to follow complaints through the dashboard.

One Member felt that a response time of four weeks was too long. In reply, it was clarified that the plan was to have someone call the complainant within three days to confirm and clarify the complaint, to outline what would happen to resolve the complaint, and response times.

The Planning Improvement Plan had been recently reviewed and was to go before the Executive on 14th October 2021.

It was then:

RESOLVED

That the Committee has:

1. Reviewed the Ombudsman's Annual Letter for 2020 (attached at Appendix A of the attendant report);
2. Welcomed the high level actions to improve customer experience as set out in 3.14 of the attendant report;
3. Welcomed the proposed future actions as set out in 3.15 of the attendant report;
4. Requested an increase in Members' involvement in the complaint process, and;
5. Requested that a report be presented back to the Overview & Scrutiny Committee in six months' time, on the implementation of the future actions.

O&S.25/21 **OVERVIEW AND SCRUTINY ANNUAL REPORT**

The Committee considered a report that presented its Annual Report for 2020/21. In debate, one Member asked if reports could reach Members seven clear days before Committee meetings as some reports were delayed which made it difficult to read them before a meeting was held. It was noted that this was a very good report which showed what the Committee had been doing throughout the year.

It was then:

RECOMMENDED

That Council be **RECOMMENDED** that the Overview and Scrutiny Annual Report for 2020/21 be approved.

O&S.26/21 **TASK AND FINISH GROUP UPDATES**

a) Climate Change & Biodiversity Action Plan

The Committee received a verbal update on the task and finish group's meetings so far. The latest meeting of the task and finish group had been on the 7th October where they had received presentations from local groups on how they could best work with South Hams District Council on both its declared Climate Change & Biodiversity Emergency and the adopted Action Plan. The final meeting of the group would be 21st October 2021 which would enable the group to complete their task on time. Officers were thanked for their time and support.

The Chairman thanked the task and finish group for the likely achievement of completing their task within the prescribed timescale.

It was then:

RESOLVED

That the Committee note the update.

O&S.27/21 **2021/22 PANEL WORK PROGRAMME – LATEST VERSION**

The Committee reviewed the work programme and agreed its content without any further comment nor amendment.

O&S.28/21 THE PROCESS FOR MANAGING REMEDIES WITH FCC

It was considered that this agenda item would be likely involve the disclosure of exempt information and it was therefore:

RESOLVED

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

Having heard from officers and considered the advice provided, the Committee agreed to make a recommendation to the Executive and it was then:

RESOLVED

Accordingly.

(Meeting started at 2:00 pm and concluded at 5:41 pm – break at 3:12 to 3:25; 4:40 to 4:45)

Chairman

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PUBLIC QUESTIONS AT OVERVIEW AND SCRUTINY COMMITTEE MEETINGS

There is a period of 15 minutes at meetings of the Overview and Scrutiny Committee during which members of the public can ask questions about items on the agenda.

Any member of the public who wants to ask a question should ensure that the question:

- a) is no more than 50 words in length;
- b) is not be broken down into multiple parts;
- c) relates to an item included on the agenda; and
- d) is suitable to be considered. A question will not be suitable if, for example, it is derogatory to the Council or any third party; relates to a confidential matter; it is about a specific planning matter; or it is substantially the same as a question asked in the past six months.

Questions should be sent to Democratic Services (Democratic.Services@swdevon.gov.uk) by 1.00pm on the Monday before the meeting (the deadline will be brought forward by a working day if affected by a bank holiday). This will allow a detailed response 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 that are felt to be urgent;

For any further advice on questions to the O&S Committee, or to request a copy of the full Public Questions Procedure Rules, please contact Democratic Services (Democratic.Services@swdevon.gov.uk)

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Report to: **Executive**

Date: **14 October 2021**

Title: **Response to the Housing Crisis**

Portfolio Area: **Leader – Cllr Pearce**

Wards Affected: **All**

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

Date next steps can be taken:

Author: **Chris Brook** Role: **Director, Place and Enterprise**

Contact: Chris.Brook@swdevon.gov.uk

RECOMMENDATIONS:

That the Executive:

- 1. Approves the proposed measures to address the housing crisis as set out in Section 4.**
- 2. Adopts the revised downsize incentive policy in Appendix 1 (as presented to the Executive Meeting held on 14th October 2021, minute E.51/21 refers).**
- 3. Formally recognises and support a needs based, not proximity based principle for the spending of affordable housing contributions (within the legal framework of the Community Infrastructure Levy Regulations 2010, the governing regulations for planning agreements).**
- 4. Recommends to Council to agree to form a Community Benefit Society (CBS); and delegates authority to the Director of Place and Enterprise in consultation with the Chief Executive; Section 151 Officer and Monitoring Officer; and with the Leader of the Council to undertake full due diligence and the necessary steps to set up the CBS.**
- 5. Sends the letter in Appendix 2 to Rt Hon Michael Gove Secretary of State for Levelling Up, Housing and Communities.**

1. Executive summary

- 1.1. A Housing crisis was declared by South Hams District Council at its meeting held on 23rd September 2021. A motion proposed by the Leader Cllr. Judy Pearce achieved unanimous support from those members present. The motion is set out in Section 3 below.
- 1.2. This report is the response to that crisis setting out the steps that will be taken to tackle the issues set out in the motion.
- 1.3. They include lobbying for:
 - 1.3.1. Change in legislation to promote fairness between primary and second home council taxation.
 - 1.3.2. Proposals to stimulate the delivery of homes once planning has been achieved.
 - 1.3.3. A review of Local Housing Allowance (LHA) Rates for Housing Benefit purposes and Broad Market Area boundaries to better align them with the real cost of rented accommodation.
- 1.4. A needs based approach to spending of S106 off site affordable housing contributions, instead of being exclusively geographic
- 1.5. Revision to the Downsizing policy, to create movement in the market
- 1.6. Maximising the delivery of affordable homes through JLP policy.
- 1.7. Seeking to deliver low carbon high quality modular homes, such as Zedpods, aimed at the social rented market.
- 1.8. The work required to complete the formation of a housing company (as previously approved by Executive – reference Appendix 3) will be undertaken so as to support that delivery and other wider objectives.

2. Background

- 2.1. Affordability of housing in England, the South West, Devon and in particular in the South Hams has become an acute issue for our communities and those aspiring to become part of them. Not only is the issue of affordability felt by those looking to purchase but there is a severe lack of rented stock in the private rented market and high demand in the affordable/social rented category .
- 2.2. At a recent South West regional meeting of Homes England, NHS and Local Authorities, the NHS stated that their lower paid staff couldn't afford homes nor can they get a home through the housing waiting list which continues to get longer (see Figure 2). Their consultants, who can afford homes, can't take new jobs in the area as they can't rent whilst they find a house to buy (see Figure 3). So the issue is one of both affordability and supply of rented stock and it is affecting the fabric of the region.
- 2.3. Since 2002, the ratio of median house prices to median earnings in the South Hams has gone from 6.8 to over 10 (see figure 1). The amount a bank or building society will lend has not materially

changed over that period, leading to the need for greater deposits required for those looking to acquire a home.

- 2.4. The average (median) salary in the South Hams in 2020 was £31k and the average house price was £310k. A typical mortgage would therefore require a deposit of £170.5k, which is beyond the means of the vast majority of local people to save.
- 2.5. All of this is set against a Joint Local Plan (JLP) that is exceeding its housing delivery targets (653 more than forecast by 2020), has a 6.1 year land supply and the delivery of 87 more affordable homes than our policy position requires since the start of the plan period. The current market-led system for delivering homes simply is not working. So what is driving this crisis?
- 2.6. As with all structural problems, it is a combination of numerous interrelated issues for which there is no silver bullet:
 - Foreign investment (pension funds etc.) account for as much as half of all new homes bought in prime London areas. The commodity price is of no interest to these funds, only the increase in value and return they generate, pushing up London prices.
 - London's housing market and high salary earners who are cash rich buyers are recognising more value in alternative, desirable locations elsewhere in the Country. This ripples outwards and sets the cost of housing across England.
 - Living preferences have changed, away from urban areas putting a disproportional pressure on rural housing markets. A trend accelerated during the post-Pandemic period.
 - Rural planning constraints limit the locations and volumes of houses that can be built to meet this demand.
 - The visitor economy provides a strong commercial driver towards holiday lettings. A crackdown on financial incentives for traditional landlords, whilst the holiday let market has been largely ignored, has further reduced availability of long term rented accommodation (see Figure 3),
 - The rich continue to get richer¹ ensuring a continuous flow of money into second homes. This further restricts the supply of accommodation for people who live, work or have family connections within our area. Whilst this has started to be addressed with principal resident policies on new homes, existing properties do not have such constraints.
 - Land prices for new homes reflect the wider sales trends for existing homes, which continually lifts the baseline price for a new home.
 - Developers prefer to build larger homes that sell for more money. This results in higher levels of under occupation and excess living space. Without smaller homes being built there is little opportunity

¹ <https://www.ucl.ac.uk/culture-online/ask-expert/your-questions-answered/why-do-rich-keep-getting-rich-and-poor-keep-getting-poorer>

for downsizing and limited options for younger people and working age families.

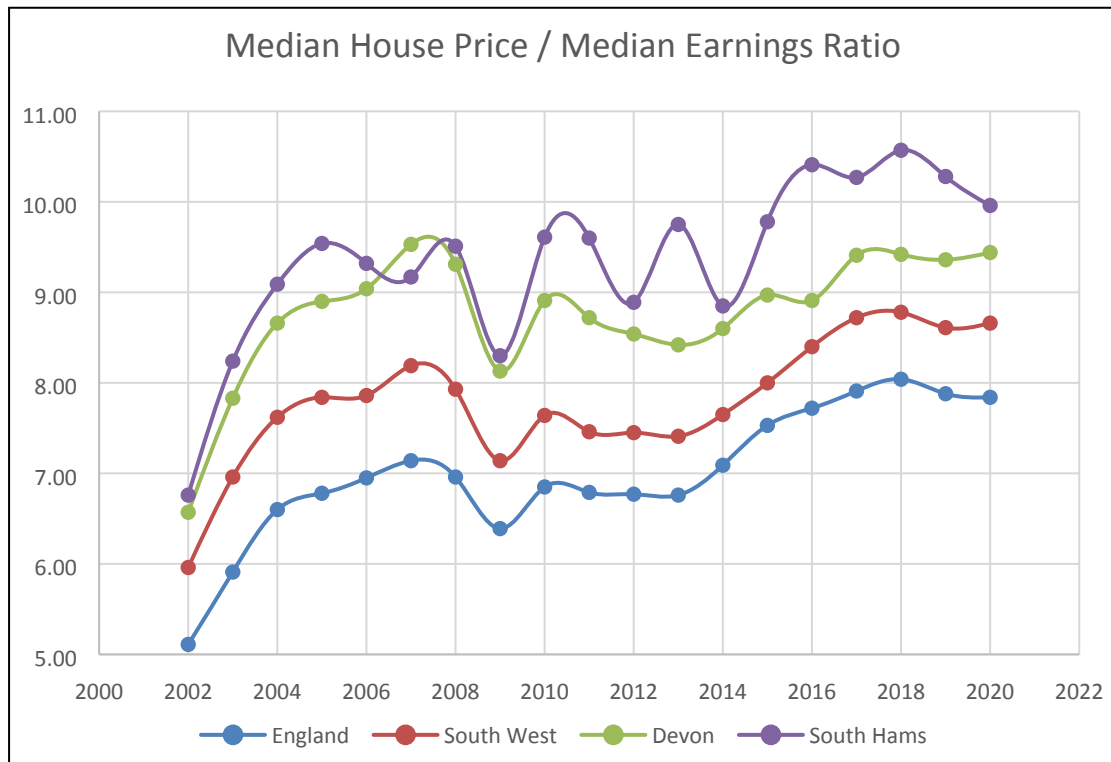


Figure 1

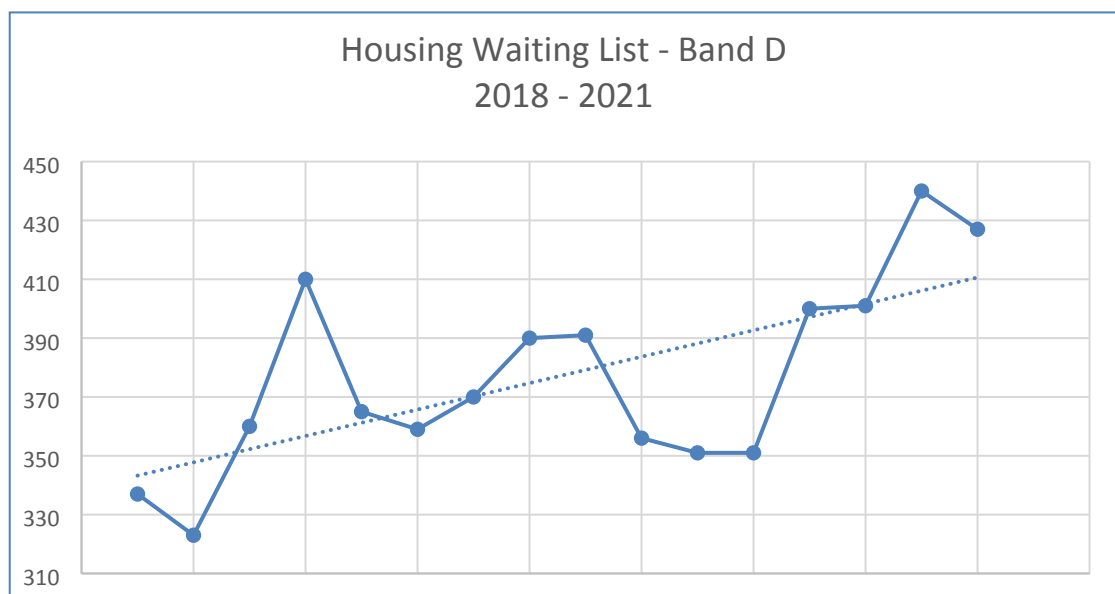


Figure 2

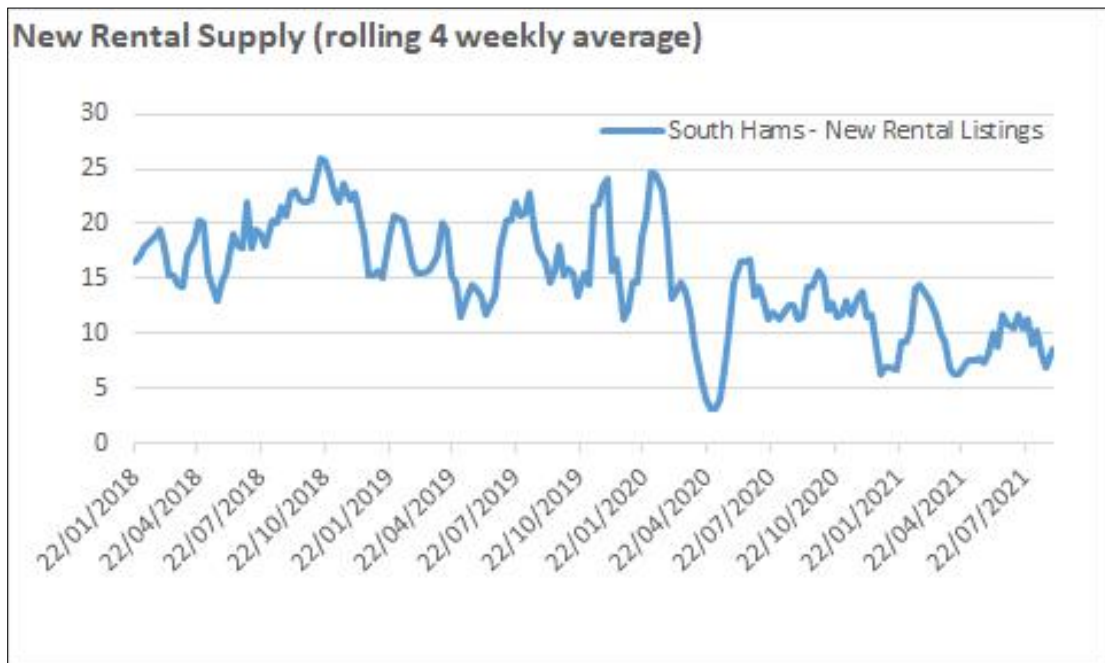


Figure 3

2.6.1. Responding to such a complex set of issues will be challenging and require a multifaceted approach.

3. Declaration of a Housing Crisis

- 3.1. The Council declared a housing crisis on 23rd September 2021. The motion that was carried included twelve points, set out in full below. This report will set out the proposed response to each of these points in turn, exploring what can be done, by whom and what impact it will have.
- 3.2. The actions are wide-ranging, encompassing the need to lobby for legislation change to address structural problems as well as direct actions that the Council can take to address acute problems on the ground.

"In response to the almost complete lack of any rented accommodation available for six months or longer that local people and those working in the area can access, and the excessive rise in house prices locally due to second home-owners and those moving in from other areas since the pandemic, which has made house prices completely inaccessible for the great majority of local people, South Hams District Council resolves to declare a Housing Crisis.

It is fortunate that we have a new Housing 5 year Housing Strategy and Housing Actions in Better Lives for All, but as an expansion of them South Hams District Council should:

- 3.2.1. Lobby government through our MPs and the LGA to allow council tax to be charged on plots with planning permission after a determined period, even if they haven't been built out, so that developers are encouraged to build out sites without delay.
- 3.2.2. Lobby government through our MPs and the LGA to review the regulation of holiday accommodation, to ensure all holiday accommodation is suitably regulated and made subject to local planning policies and taxes. We should appeal to Airbnb for a 90-day rule as applicable in London and lobby DLUHC for a separate planning class for short term lets and a proper licensing system to cater for them.
- 3.2.3. Institute an immediate thorough review by the council of all holiday lettings in the District, including, but not restricted to, whether they have planning permission, whether they are paying council tax or business rates, as appropriate, for the accommodation, whether they comply with safety regulations, and to ensure they are paying appropriately for waste disposal.
- 3.2.4. Ask the JLP Team to review the thresholds and percentages of affordable housing on sites, and whether it would be appropriate at the Plan Revision to increase these so that the percentage of First Homes imposed by the government becomes in addition to the present 30% affordable homes rather than part of it.
- 3.2.5. Promote regular Landlord Forums and run a further campaign to publicise the advantages to landlords of Seamoor Lettings.
- 3.2.6. Work closely with our main Registered Providers to ensure best occupancy of stock, so that where tenants are prepared to downsize, not only are they given a priority banding to be able to access a smaller property but support to help them move available.
- 3.2.7. Use some of the affordable housing reserve to increase payments made to anyone downsizing to help make moving more attractive and affordable.
- 3.2.8. Use any Section 106 affordable housing contributions as soon as possible to help fund developments anywhere in the District where the terms of the Section 106 Agreement permit this.
- 3.2.9. Campaign for changes to the Broad Market Area to better reflect the costs of rents in the South Hams.
- 3.2.10. Promote the development of an exemplar site of low carbon modular housing such as ZEDpods, to show that developments like this can be both stylish and great to live in. They can offer many advantages over traditional build and could help, amongst other things, to alleviate the shortage of one bedroomed accommodation in the District."
- 3.2.11. To actively seek opportunities to invest in Council owned social housing with high sustainability specification, to

support those on a low income who are unable to afford 'affordable' rental housing; and

- 3.2.12. To lobby Government to allow local councils to be able to charge up to 200% Council Tax on second / holiday homes as they do in Wales.

4. The response to the Crisis

Lobby for positive change & fairness

- 4.1. The first two and last points in the declaration (**3.2.1, 3.2.2 and 3.2.12**) focus on lobbying government for regulatory changes. Point one seeks to address the supply side of this crisis, to ensure that consented dwellings get delivered.
- 4.2. At the 2020 monitoring point there were planning permissions in place for 7,643 new homes in the South Hams. Of these, 7,116 homes had not yet started to be built. While there are a number of reasons for this, we would like to 'incentivise' developers to implement their planning permissions as soon as practicable, and using a council tax mechanism provides a clear pathway for enabling consistent delivery. Any income generated should be used toward the delivery of affordable schemes that are progressing.
- 4.3. **Points 3.2.2 , 3.2.3 and 3.1.12** represent the need for fairness. The visitor economy provides £260m into the local South Hams economy each year and is one of the largest employment sectors. It is possible to support and enhance this, yet ensure that those whose businesses prosper from it within the accommodation sector contribute to the cost of providing the services they depend on.
- 4.4. By way of example, if all of the second homes in Salcombe that currently avoid council tax by electing to pay for business rates (if they are available to let for more than 140 days) and then benefitting from small business rates relief, were to switch back to council tax, it would raise an additional £655,000 in council tax (average band E property). Across the district, the same change would generate an additional £3.5million in council tax income collected (average Band D property), of which the District Council would get its share (8%) which could be pumped back into tackling the housing problem. This would require a change to Section 66 (2B) of the Local Government Finance Act 1988.
- 4.5. The Council also has a role to play to ensure that the accommodation is fit for purpose in its widest sense; safe, regulated and planning approved. The quality of accommodation in the visitor market is rarely a problem, but the use of accommodation that doesn't have the right planning approval is more common. Within the resources the Council has (including the changes proposed through the planning improvement reports to Executive), it will seek to rectify this position.

- 4.6. It will undertake a pilot project in a discrete coastal area, to compare and analyse the data streams it holds and determine what effective action can be undertaken. This will include all of the data held across, planning, business rates, domestic and commercial waste streams. This pilot project will start with immediate effect.

Maximising the delivery of affordable homes through policy

- 4.7. **3.2.4** – the JLP affordable housing threshold – is a very powerful tool. As set out in the background section the existing policy is being very effective and delivering 30% of new homes as affordable, but rightly the ambition of this Council is to do more and go further.
- 4.8. To be successful to implement the members expectation in two years time when the JLP is reviewed, officers commit to working up the necessary evidence base and housing need analysis to ensure that the members will have a choice in the future to go further than the JLP currently does. It will remain a choice, because the cost of delivering affordable housing has to be balanced against all of the other requirements and to increase delivery of one area will reduce another.
- 4.9. The Council has recently appointed a housing need data analyst on a temporary contract to start this work, which will inform both the Housing Strategy, S106 negotiations, and the JLP review at the required time.

Working with our key partners

- 4.10. **3.2.5**, looks to promote further landlords forums. Our past experience has shown limited appetite for attendance and engagement at these events, and those landlords in attendance were already well engaged. We have surveyed our local landlords and as a result propose the following actions:
- Establish a registration opportunity for landlords to sign up for updates
 - Promote our own Seamoore Lettings option through social media, Localities van livery, envelope advertising during mailshots and via website.
 - Producing a bi annual information update bulletin – to include Environmental Health, licencing, deposit, Energy performance certificate information etc. to be emailed to all registered landlords
 - Create 'Tenancy Packs' with check lists and advice on how to start and end a tenancy lawfully to be provided via the website and/or on registration.
 - Promote landlord/tenant advice service to encourage tenants to suggest the registration scheme to their Landlords

- 4.11. This work will be facilitated by a temporary 6 month post currently being advertised.
- 4.12. Downsizing – **3.2.6 & 3.2.7** – and the need to create movement in the housing chain can be addressed through engagement and through direct action. There are currently 70 households registered on Devon Home Choice who would like to downsize. The Council already has a policy of providing one off payments to encourage downsizing, which is included in Appendix 1 (as presented to the Executive Meeting held on 14th October 2021, minute E.51/21 refers).
- 4.13. It is recommended as part of this report that the payment is increased from £1000 plus £500 per bedroom to up to £5000 in areas of high demand and the amendments to the policy in Appendix 1 are adopted (as presented to the Executive Meeting held on 14th October 2021, minute E.51/21 refers).
- 4.14. The existing policy has been invoked 28 times in the past three years to 2021 at a cost of £48,000; an average of £16,000 / yr. The new policy is hoped to be sufficiently attractive to increase downsizing and so may run to a cost to the Council of in excess of £20,000 per year.
- 4.15. Following the adoption of the policy, targeted communication will be sent to these households, including offering home visits and other targeted measures to overcome the barriers to downsizing.
- 4.16. This will be coupled with closer interaction and engagement with our Registered Providers (RPs) at both a strategic and operational level. We have arranged to meet with the RP's with stock in our area and discuss the priorities they have made collectively as the Homes for the South West Group and how we can align with them to ensure delivery in our area.

Providing capital funding where it is needed; taking a big picture view – S106 agreements (3.2.8)

- 4.17. Affordable housing is often delivered on site as part of new development, but sometimes offsite contributions are taken in lieu. This is a case by case decision taken at the time of the planning application and informed by the housing team.
- 4.18. The S106, the legal contract that enables the financial contribution, will be worded in such a way as to ensure that the money can be spent where there is need across the District, based on an audit trail showing the relationship to the development and need.
- 4.19. That need is well understood and as set out above, will continue to be refined and updated by further the housing need analysis and the emerging future JLP evidence base.
- 4.20. Members are asked to formally recognise a principle that supports the allocation of affordable housing contributions based on need first, proximity to the planning application location second, and support it within their communities (within the legal framework of

the Community Infrastructure Levy Regulations 2010, the governing regulations for planning agreements).

Seek broad market area boundary reforms (3.2.9)

- 4.21. A Broad Market Area (BMA) is an area *'within which a person could reasonably be expected to live having regard to facilities and services for the purposes of health, education, recreation, personal banking and shopping, taking account of the distance of travel, by public and private transport, to and from those facilities and services.'*
- 4.22. In the South Hams there are 2 Broad Market Areas which are South Devon, which incorporates the majority of the District and Plymouth, which includes Ivybridge, Modbury, South Brent and surrounding areas. The Local Housing Allowance (LHA) is a rate within the BMA which is the 30th centile of all the rents – including RP's affordable and social rents.
- 4.23. In 2012 the Government delinked the LHA rates from prevailing rent levels and then were frozen for 4 years from 2016. In 2020 there was an inflationary increase, but this did not address the rises in rents during that period.
- 4.24. The LHA rates are strongly influenced in the east of the District by South Devon (Torbay) and in the west by Plymouth. For example, the 2 bed housing allowance in the eastern side of the District is £598.35 (South Devon BMA) and in the west £583.39 (Plymouth BMA) yet on the 23rd September the 2 properties available in the District of this size, were both flats priced at £850 per calendar month.
- 4.25. It is incredibly challenging to rent privately if you require assistance through Housing Benefit or Universal Credit.
- 4.26. The Council will actively lobby to request a reassessment of the LHA annually and an annual inflationary increase and to further explore the impact of a Broad Market Area specifically for the South Hams.

Delivery of modular low carbon homes by the Council (3.2.10)

- 4.27. The quality, sustainability and environmental benefits of modular (off site construction) housing is well understood. It has not been adopted by the volume house builders because building regulations and the codes governing the environmental and sustainable standard to which houses must be built in England have remained very low. As a direct result of this, it is still cheaper for volume house builders to use traditional construction.
- 4.28. In low volumes, the economics paint a better picture but the market is still slow to respond. It needs brave Councils and other socially focused aspiring landlords to promote, deliver and drive market shift.

- 4.29. As an appropriate response to the climate emergency declaration we need to show real leadership and drive the standard of new homes significantly higher, and achieve this in the short-term.
- 4.30. The formation of a housing company, a decision previously agreed by the Executive [Housing Company: Executive Agenda item 14 of the 6th Feb 2020, see Appendix 3], will be concluded to support this and wider corporate housing delivery. The company will be formed as a Community Benefit Society. The Society is to be formed for the benefit of the community and to meet the following charitable objectives:
- 4.31. The business of providing and managing housing, including Social Housing **(3.2.11)**, and providing assistance to help house people and the provision of associated facilities, amenities and services for those in financial hardship or for the relief of aged, disabled (whether physically or mentally) or chronically sick people.
- 4.32. Such other charitable purposes beneficial to the community consistent with the objects above as the board shall in its absolute discretion determine.
- 4.33. The formation of the company will specifically enable the delivery of affordable and social rental units to local families, let on an assured shorthold bases through:
- Accommodation purchased or developed using Local Authority capital funding.
 - Management of Section 106 and Windfall property contributions
 - Development and purchase using grant funding
 - Provision of specialist accommodation
- 4.34. Accommodation leased to the Community Benefit Society will be managed through the SeaMoor Lettings management service. An additional benefit of the increase in management portfolio is to raise the profile of SeaMoor lettings with a view to becoming the preferred letting agency for the South West; resulting in additional private let provision for local households.

5. A holistic approach

- 5.1. Better Homes, Better Lives is the Council's 5 year plan setting the ambition around how we can tackle the issues set out in this paper. It includes a number of specific actions in the accompanying Action Plan (AP) that will address the concerns raised. Of particular note are the following:
- 5.2. Seek to expand our own in house private letting service, Seamoore Letting (AP page 18)
- 5.3. Develop and promote an intermediate housing register specifically for key workers (AP page 18)
- 5.4. Support encourage and offer management services to HMOs (AP page 19)
- 5.5. Address under occupation and overcrowding in social housing stock through the Tenants Incentive scheme (AP page 20)

5.6. Purchase land to support strategic housing delivery (AP page 3)

6. Proposed Way Forward

- 6.1. That the Executive support the recommendations associated with this report, so as to enable officers to respond to the housing crisis motion declared at Council 23rd September 2021.

7. Implications

Implications	Relevant to proposals Y/N	
Legal/Governance	Y	The Council has powers across all of its functions to help shape and boost housing provision whether by providing houses itself (Housing Act 1985 section 17) or through a housing company (Local Government Act 2003 section 95 or Localism Act 2011 section 1); facilitating delivery by others by land assembly (Local Government Act 1972 and Town and Country Planning Act 1990 section 226); bringing vacant properties back into use (Housing Act 2004); or more strategically, through planning policy; and the grant of planning permissions and planning agreements (Town and Country Planning Act 1990 section 106).
Financial implications to include reference to value for money	Y	The Downsizing policy if successful will continue to require funding, up to an estimated £20k per annum from the affordable housing reserve. The formation of a housing company will incur a cost from the approved budget of £40k (see appendix 3). Direct delivery of Zedpods or other modular housing schemes will be the subject of further reporting and business case.
Risk	Y	
Supporting Corporate Strategy	Y	Homes
Climate Change - Carbon / Biodiversity Impact	Y	Positive impact should the Council deliver low carbon, high quality homes.
Comprehensive Impact Assessment Implications		

Equality and Diversity		No implications.
Safeguarding		No implications.
Community Safety, Crime and Disorder		No implications.
Health, Safety and Wellbeing		No implications.
Other implications		None at this stage.

Supporting Information

None

Appendices:

Appendix 2 – Letter to Secretary of State for Levelling Up, Housing and Communities, Michael Gove MP.

Appendix 3 – Previous report to Executive on Housing Company

Appendix 4 – Minute Extract E.51/21

Background Papers:

Better Homes, Better Lives – South Hams & West Devon Housing Strategy 2021-2026

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Direct telephone: 01803 61488
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Rt Hon Michael Gove MP Secretary of State for Levelling
Up, Housing and Communities
By Email: michael.gove.mp@parliament.uk

Our ref: Leader/CB/SW
6 October 2021

Dear Michael Gove MP

As Leader of South Hams District Council I would like to congratulate you on your appointment as Housing Secretary and head of the newly formed Department for Levelling Up, Housing and Communities.

Our Council has declared a housing crisis in response to the continued failure of the market to provide accommodation at the right price and tenure to support our resident communities. The issue is understandably acute in our coastal areas, where millions of visitors come to enjoy the beaches and beauty of South Hams each year, increasing demand for short term holiday lets and second homes (over 50% in some communities).

I write to you now to seek the following four actions that will have a significant, timely and targeted positive impact for our residents:

- 1) Stimulating housing delivery post planning
- 2) Second home regulation and closing the business rates loop hole
- 3) The ability to charge up to 200% council tax on second homes / holiday homes
- 4) A review of the Broad Market Area boundaries

Stimulating housing delivery post planning

As of 2020 monitoring point, 7,643 homes had planning permission of which 7,116 homes had not yet started to be built. The supply of homes, if left to the market, will always strike a balance to support house price inflation and this is an area where I believe we have a duty to influence market conditions to encourage supply, even though housing delivery exceeds the target set through our Joint Local Plan.

Council tax should be levied on consented homes that have not been constructed after two years up to the point that the planning permission expires.

Second home regulation and closing the business rates loop hole

Nationally we have an established philosophy centred on local taxation to fund local services through Council tax. The current business rates loop-hole for second homes acts in opposition to that philosophy allowing second homes to avoid paying council tax and business rates and therefore contributing nothing towards the cost of public services upon which they place a significant strain.

Domestic properties should be treated in the same way as all council taxpayers and pay council tax, irrespective of whether they are let for part of the year or not. On behalf of our Council, I ask you to close that loop hole by amending Section 66 (2B) of the Local Government Finance Act 1988 as a matter of urgency.

We also wish to go further and have the ability to charge up to 200% council tax on second / holiday homes.

Separately, mirroring in areas outside of London like ours, the provisions in Section 25 of the Greater London (Powers) Act 1973 so that planning permission would be required if a property was to be let out on a short-term basis for more than 90 nights per calendar year, would drive a re-balance in the rental market ensuring that both holiday accommodation and long term rental accommodation is available in the market.

A review of the Broad Market Area boundaries

The cost of living in rural South Hams is significantly higher than that of its urban neighbours Torbay and Plymouth – rent being the most significant factor. Unfortunately for our residents most in need, the Local Housing Allowance is significantly influenced by the lower rent to the east and west.

A more regular review of the rates and the boundaries to reflect the rural and urban cost of living would ensure our communities are no longer deprived of a fair system of support, are truly accessible to all and can continue to thrive.

I would welcome the opportunity to personally show you around my own ward of Salcombe and Thurlestone so you can see first-hand the impact that the housing crisis is having on our communities and driving an ever larger wedge between those that have and those that have not.

Kind regards



Cllr Judy Pearce
Member Salcombe and Thurlestone Ward
Leader, South Hams District Council

Report to: **Executive**
Date: **6th February 2020**
Title: **Housing Company**
Portfolio Area: **Homes- Cllr Bastone**
Wards Affected: **All Wards**
Urgent Decision: **N** Approval and clearance obtained: **Y**

Date next steps can be taken:
Full Council 13 February 2020

Author: **Chris Brook** Role: **Director Place and Enterprise**

Contact: chris.brook@swdevon.gov.uk

Recommendations:

- 1) That the Executive endorse the setting up of a Housing Company in the form of a Community Benefit Society (CBS).**
- 2) That the Executive approves a spend of up to £40,000 funded from the Affordable Housing Earmarked Reserve, to set up the CBS.**
- 3) That the Executive recommends to Council to:**
 - a) Form a Community Benefit Society (CBS)**
 - b) Delegate all authority needed to undertake full due diligence and establish the CBS in the form set out in this report, to the Director of Place and Enterprise, S151 Officer and Monitoring Officer, in consultation with the Leader of the Council.**

1 Executive summary

- 1.1 This report sets out the options before the Council for the formation of a Wholly Owned Company to support the Council own and manage rented housing stock.
- 1.2 It looks at the different company structures, finance and governance position and confirms the legal powers available to undertake the work.

- 1.3 It recommends the formation of a Community Benefit Society, which as a result of its charitable status does not have to pay Stamp Duty Land Tax or Corporation Tax, but can't pass profits back to the Council.
- 1.4 The CBS would be capable of holding the affordable housing developed by the community housing programme and also that purchased from developers.

2 Background

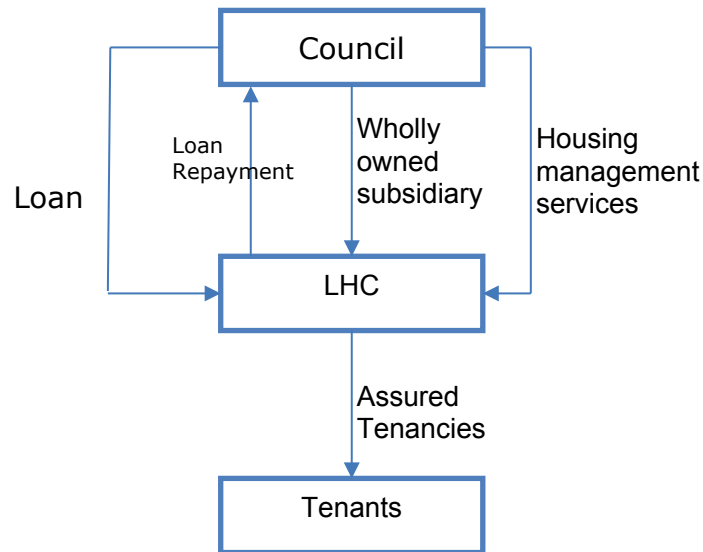
- 2.1 Following a report to the Overview & Scrutiny Panel in November 2019 discussing the challenges of the housing market in the South Hams, this report sets out why the formation of a housing company would be of benefit to the Council in tackling these challenges and recommends the form it should take.
- 2.2 Such a company would be wholly owned by the Council and closely controlled by it. Councils have the legal power to set up wholly owned companies under their general power of competence (under the Localism Act 2011).
- 2.3 Councils are able to provide finance (lending) to wholly owned companies under their investment powers (set out in the Local Government Act 2003); and
- 2.4 In the case of a Local Housing Company (LHC), the power to provide financial assistance (set out in Section 24 Local Government Act 1988 (Section 24)).

3 The Strategic Case – Does the Council need an LHC?

- 3.1 The Community Housing Team have a forward delivery programme for 2020 – 2025. On 21 March 2019, Council approved (Minute CM 74/18) Community Housing Development expenditure of up to £8.5 million, to build out four Community Housing schemes, delivering 55 residential units (as detailed in the report to the Executive on 14th March 2019). Houses will be constructed during 2020/21 and will be offered to the market in a range of tenures, affordable rent, discount sale and open market sale.
- 3.2 Separately the Council is considering the acquisition of affordable rented homes from developers on a case by case basis where it delivers improved place making and home delivery outcomes.
- 3.3 It is anticipated therefore that in 2020 the Council will become the owner of new rented housing stock, which will need managing, maintaining and letting to tenants.
- 3.4 The Council is better placed to manage into the long term rented housing stock if it is held in a housing company.
- 3.5 The Council will develop the community housing schemes in-house and transfer only the completed rental units to the LHC and sell the market and sub-market sale homes itself.

- 3.6 The benefits of holding rented stock in a housing company are:
- 3.6.1 The Council would otherwise be required to form a Housing Revenue Account once more than 50 units are developed
 - 3.6.2 Development activity and financial returns are ring fenced (in the company)
 - 3.6.3 Easier to form an exit strategy or sell in the future
 - 3.6.4 Less susceptible to difficulties due to central government policy
 - 3.6.5 Profit making activities are permitted
 - 3.6.6 A company structure can create the ability to lever in additional financing, skills or resources.
 - 3.6.7 Any additional resource / activity does not have to be paid for from existing Council revenue budgets (although some costs may be capitalised).
 - 3.6.8 Procurement is likely to be less onerous than in other delivery models
 - 3.6.9 The company can be structured so that it does not need to pay Stamp Duty Land Tax (SDLT).
 - 3.6.10 A Company can also be structured such that it does not need to pay corporation tax.
 - 3.6.11 It can still be closely controlled by the Council
- 3.7 In some company structures any profit has to be retained within the company and can only be spent furthering the aims of that company (housing delivery). This in effect protects any future capital and reserves from being used for other Council functions and maximises its ability to make a positive difference in the sections of the housing market that need the most help.
- 3.8 This would align with our developing housing strategy which sets out a desire for this Council to proactively seek to deliver houses in the affordable sector to supplement and improve the choice and quality of life for communities in need of affordable housing.

- 3.9 The strategic case therefore exists and would take the following form:



4 The Economic Case – Is it value for money and what are the options?

- 4.1 The LHC itself can take a number of forms:
- 4.1.1 Company Limited by Shares (CLS)
 - 4.1.2 Company Limited by Guarantee (CLG)
 - 4.1.3 Community Benefit Society (CBS)
- 4.2 There is a fork in the road at this stage which is defined by the philosophy of the Council in its approach to direct housing delivery. Is it primarily driven by the desire to improve the housing outcomes of the communities it serves or is it driven by the desire to make a profit, or perhaps both?
- 4.3 If:
- 4.3.1 the Council wants the LHC to be capable of distributing profits generated by its activities, a CLS would be the corporate form of choice;
 - 4.3.2 if the ability to distribute profit to the Council is not an imperative but delivery of housing outcomes is a priority, the options of a CLG and a CBS warrant closer scrutiny.
- 4.4 Both a CLG and a CBS are suitable corporate forms for not-for-profit entities – i.e. entities that are incapable of distributing profits to their members/shareholders. Both forms are commonly employed in the social housing sector.
- 4.5 CBS's are registered with the Financial Conduct Authority and their objects must be focused on the benefit of the community.
- 4.6 A CLG, like a CLS, only requires registration at Companies House. As such, the administrative burden (and the cost of establishment) associated with a CLG tends to be less than that for a CBS.

- 4.7 As a CBS, it will be required to submit an annual return each year which sets out its activities and demonstrates, to the FCA's reasonable satisfaction, that it is complying with its community benefit purpose.
- 4.8 There are only two circumstances in which a CBS or CLG would be recommended over a CLS for the housing company. Those are:
- 4.8.1 Where the Council is minded to seek registration of the LHC as a Registered Provider. A Registered Provider is a provider of social housing that is registered with the Regulator of Social Housing. This is because of the restrictions, imposed by the Regulation of Social Housing (Influence of Local Authorities) (England) Regulations 2017, on the ability of a local authority to exert influence over a for-profit Registered Provider; and/or
- 4.8.2 Where the LHC is to seek charitable status. Charitable status for the LHC would offer it an exemption from stamp duty land tax on land acquisitions and an exemption from paying Corporation Tax in relation to its charitable activities; but it would restrict the activities of the LHC – a charity may only undertake activities that are necessary or expedient to enable it to further its charitable objects.
- 4.9 If charitable status for the LHC is to be sought, one of the advantages that a CBS offers over a CLG is that a CBS does not require to be registered with the Charity Commission. It should be noted that once an entity has been established as a charity, it cannot cease to be one. Accordingly, the assets of a charitable entity are often referred to as asset-locked. On dissolution, a charity may only transfer its assets to an entity with similar purposes.
- 4.10 It is recommended that the Council progress with the LHC in the form of a CBS, so as to give it every competitive advantage to deliver high quality, low cost homes to its communities .

5 The Commercial Case – How would it be done?

- 5.1 The power to form a company rests with the Council. It can rely on the powers granted under the Local Government Act (2003) which enable the creation of Local Authority Trading Companies, and the general power of competence granted under the Localism Act (2011) which enables local authorities in England to do "anything that individuals generally may do." It is an intentionally wide power which permits, for example, the Council to:
- Acquire, develop and dispose of land;
 - Establish legal entities; and
 - Subscribe for shares and/or providing loans.
- 5.2 It is necessary under the Council's Constitution for the formation of an LHC to be granted permission by the Council, there are no delegated powers to officers to do it.

- 5.3 Should the Council, following an Executive recommendation, approve the formation of an LHC in any form and give officers delegated authority to proceed the following steps would be taken:
- 5.3.1 Devonshires / Altair (our legal and housing advisors) would be commissioned to draft the detailed “rules” of the LHC (see section 7 – the management case) setting out the powers of the LHC and what it can and can’t do.
 - 5.3.2 They would also undertake the legal and administrative work required to actually form the company and start it running. The cost of this would be funded from the Affordable Housing Earmarked Reserve, of up to £40,000.
 - 5.3.3 The Company would then remain “dormant” until such time as the first affordable house or flat is developed at which time the Company would buy it, using money loaned to it from the Council.
 - 5.3.4 The Council has already approved £8.5 million in its capital programme for the delivery of Community Housing in line with its forward programme (see 3.1 of the Strategic Case). It is part of this money that will be lent to the LHC.
 - 5.3.5 The LHC can not simply take on debt from the Council, unless the Council has already approved it.

6 The Financial Case

- 6.1 The LHC will require funding to support its activities. The Council is able to rely upon:-
- 6.1.1 its investment powers (set out in the Local Government Act 2003); and
 - 6.1.2 in the case of the LHC, the power to provide financial assistance (set out in Section 24 Local Government Act 1988 (Section 24)), to justify the provision of funding.
- 6.2 The power to provide financial assistance under Section 24 is subject to a requirement that the relevant local authority obtains the Secretary of State’s consent (under Section 25 of the same Act). Financial assistance (for the purposes of Section 24) includes the subscription for shares, a loan, a grant, a guarantee and/or a land disposal at an undervalue.
- 6.3 The Secretary of State has issued a number of General Consents which, if capable of being relied upon, obviate the need to seek specific consent. Paragraph C of the General Consents permits a local authority to provide any form of financial assistance to an entity for the purpose of providing privately let accommodation other than any related to a disposal of land. Accordingly, the grant

of a loan by the Council and/or any subscription for shares in a LHC established as a CLS would be covered by this consent.

- 6.4 Assuming that any land to be transferred from the Council to the LHC is to be transferred at market value, there will be no further consent required under Section 25. A disposal at an undervalue by the Council to its LHC would require specific Secretary of State's consent under Section 25 (as none of the General Consents will assist in these circumstances). Government's stated policy is that it will not support applications for consent which are designed to circumvent Government policy (which includes its commitment to home ownership).
- 6.5 In addition to the consideration of the vires for the provision of funding to the LHC by the Council, the question of compliance with state aid rules must be considered.
- 6.6 State aid may come in many guises and can include the provision of loans at a rate below a market rate, grant funding, lenient taxation regimes, sale of assets at an under value or the provision of certain types of guarantees. If unlawful state aid is deemed to have been provided, the powers of the EC Commission are extensive. Notably, it has the power to stop further transactions and order the repayment of any aid already paid, with interest.
- 6.7 There are two exemptions which are noteworthy in the context of this report:-
 - 6.7.1 Where financial assistance is provided on terms which are regarded as no more favourable than those that a private lending institution would supply (where there is a market for such lending) the provision of such investment may not be regarded as state aid. This is known as the Market Economy Investor Principle (MEIP). This asserts that a public body is not providing state aid when it is acting like a private investor in the market economy. The test is whether a private investor (who would want to make a financial return) would invest on those (or comparable) terms.
 - 6.7.2 Where the financial assistance is provided to facilitate the provision of assets which are services of general economic interest ("SGEI"), that assistance may constitute permitted state aid. There is no formal definition of SGEI in the EC Treaty but it is generally understood to mean services which the market does not provide or does not provide to the extent or at the quality which the state desires and which are in the general interest. Social (or affordable) housing, provided that the

assistance is no more than is required to make the activity viable (allowing for a reasonable element of developer profit), is capable of benefitting from this exemption.

- 6.8 Accordingly, the LHC funding will be capable of being structured on state aid compliant terms.
- 6.9 In practice, this means that the Council will lend money to the LHC at a market interest rate and on an acceptable term, which it will then use to purchase property from either the market (affordable housing from developers) or from the Council following development from community housing projects.
- 6.10 The LHC will receive the rent from tenants which will allow it to pay back repayments (capital plus interest) on the loan from the Council and manage the property.
- 6.11 The selection of tenants for these properties will be in line with the Council's allocation policy and Devon Home Choice. Management of the property will be undertaken by the Council's in house ethical letting agents SeaMoorLettings. Maintenance contracts will be set up to keep the property in good condition. These contracts will be commissioned by the LHC and may well utilise the Council's in house maintenance capacity.
- 6.12 A financial example is included in Appendix A, setting out how the finances could work between the Council and the LHC. The principle of this will be adopted for housing within the LHC.
- 6.13 Specialist tax advice would also need to be taken from tax advisers in advance of finalising the structure.

7 The Management Case (including Governance arrangements)

- 7.1 As explained above, the LHC would be a separate legal entity with its own directors.
- 7.2 The Council will retain control, through its shareholding / membership of the LHC, the right to appoint and/or remove all of the directors. It is this control mechanism that makes each LHC a subsidiary of the Council.
- 7.3 It is recommended that the Council looks to supplement those controls with an intra-group agreement which would, amongst other matters impose:
 - 7.3.1 A requirement for the LHC to submit its business plan for approval each year and an obligation to operate within those approved business plans;

- 7.3.2 Reporting requirements and compliance with audit arrangements;
- 7.3.3 Covenants not to bring the Council's reputation in to disrepute and to ensure compliance with all laws;
- 7.3.4 Covenants restricting the activities of the LHC including prohibitions on:
 - 7.3.4.1 acquiring subsidiaries or participating in joint ventures without consent;
 - 7.3.4.2 the appointment of a company secretary or employees (or only senior employees) without prior approval;
 - 7.3.4.3 accepting any form of indebtedness without approval; and
 - 7.3.4.4 entering into contracts that are material in nature without prior approval (unless such contract(s) are in the ordinary course of business or are compatible with the approved business plan).
- 7.3.5 A requirement for the LHC to adopt standing orders approved by the Council and to operate within them.
- 7.4 It is recommended that the board of the company is kept small and recognising the existing skill set in the housing sector within the Council, kept to existing employees only. The proposal for the Board is therefore:
 - The S151 Officer
 - The Director of Place and Enterprise
 - MD of the LHC – Head of Housing
- 7.5 The LHC Board would commission services from the Council and the market to run the LHC. This would include accountancy services from the Council.
- 7.6 The Council would also have to account for the LHC submitting annual returns.

8 Proposed Way Forward

- 8.1 It is recommend to create a wholly owned local housing company structured as a Community Benefit Society. For the reasons set out above this type of charitable structure will not require separate registration with the Charities' Commission.

- 8.2 The CBS will be capable of holding the affordable housing developed via the community housing programme and also that purchased from developers¹.
- 8.3 So as to set up the CBS it is proposed to procure legal assistance from Devonshires LLP who have advised us to date. They would draft the articles of association and advise and prepare all necessary company documentation so as to form the CBS. Detailed tax advice and accountancy advice on Group Accounts would also need to be procured. These costs are recommended to be funded from the Affordable Housing Earmarked Reserve, up to £40,000.
- 8.4 The delegation set out in this report would then allow the formation of the LHC, such that rented housing stock can be transferred into it.

9. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance		<p>The Council has powers to set up a wholly owned company as detailed in the report.</p> <p>The proposed Governance Arrangements of the Local Housing Company (LHC) are set out within Section 7 of the report.</p> <p>The LHC will require funding to support its activities. The Council is able to rely upon:-</p> <ul style="list-style-type: none"> its investment powers (set out in the Local Government Act 2003); and in the case of the LHC, the power to provide financial assistance (set out in Section 24 Local Government Act 1988 (Section 24)), to justify the provision of funding.
Financial implications to include reference		A simple financial example is included in Appendix A, setting out how the finances would work between the Council and the LHC.

¹ The Council's standard s106 wording is such that "**Affordable Housing Provider**" means a registered provider as defined in the Housing & Regeneration Act 2008 who is registered with Homes England or any other provider of Affordable Housing first approved in writing by the Council.

to value for money		<p>So as to set up the CBS, it is proposed to procure legal assistance from Devonshires LLP who have advised us to date. They would draft the articles of association and advise and prepare all necessary company documentation so as to form the CBS</p> <p>Detailed tax advice on the structure and accountancy advice on Group Accounts would also need to be procured. These costs are included within the amount recommended to be funded from the Affordable Housing Earmarked Reserve, up to £40,000.</p>
Risk		<p>There are no risks to setting up a LHC, the legal powers are set out in this report.</p> <p>Risks from housing delivery, purchase, management and maintenance will need to be managed by the LHC. The Council will need to manage housing delivery risk, as it currently does and have oversight of the LHC in the future.</p>
Supporting Corporate Strategy		Homes
Climate Change - Carbon / Biodiversity Impact		To be reconciled as part of the Housing Strategy
Comprehensive Impact Assessment Implications		
Equality and Diversity		N/A
Safeguarding		N/A
Community Safety, Crime and Disorder		N/A
Health, Safety and Wellbeing		N/A
Other implications		N/A

Supporting Information

Appendices:

Appendix A – Housing financial example

Background Documents

Executive March 2019 – Community Housing Programme

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COMMUNITY HOUSING - RESIDENTIAL INVESTMENT MODEL (APPENDIX A)

ASSUMPTIONS	<p>Based on illustrative 4 units for affordable rent in South Hams</p> <p>Rented units - 3 x 2 bedroom and 1 x 3 bedroom</p> <p>Rental at Local Housing Allowance rent for South Hams i.e. £128.19 / week (2 Bedroom) and £153.02 / week (3 bedroom) net of service charge</p> <p>LHA increasing at 1.5% p.a.</p> <p>Management, maintenance, insurance, service charge - assume 15% of gross rent</p> <p>Purchase Price of 4 x rental properties £670k (3 bed house £200k, 2 bed house £160k, 2 bed bungalow £150k)</p> <p>Acquisition Costs - assume 4% to cover fees & SDLT (2% between £125k - £250k property value)</p> <p>Paying back 50% of the capital over the 50 years and 3% on Interest</p> <p>PWLB annuity rate @ Jan 20 is 3%</p>
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INCOME												
Year			1	2	3	4	5	6	7	8	9	10
2 bed LHA prior to management etc	£6,665.00											
3 Bed LHA prior to management etc	£7,957.00											
Man, maint, insur., service charge	15%											
Rental Inflation	1.50%											
Rent / 2 Bed	3	5,665	16,996	17,251	17,509	17,772	18,039	18,309	18,584	18,863	19,146	19,433
Rent / 3 Bed	1	6,763	6,763	6,865	6,968	7,072	7,178	7,286	7,395	7,506	7,619	7,733
Rent Total		1,750,645	23,759	24,116	24,477	24,844	25,217	25,595	25,979	26,369	26,765	27,166
COSTS												
Interest Rate	PWLB (Jan 20)	3.0%										
2 Bed House	2											
2 Bed Bungalow	1											
3 Bed House	1											
Capital Amount £670k + 4% (Costs)		700,000										
Year			1	2	3	4	5	6	7	8	9	10
Interest and Capital Repayments (based on 50% repayment)			24,100	24,100	24,100	24,100	24,100	24,100	24,100	24,100	24,100	24,100
Net Surplus / Net (loss)			- 341	16	377	744	1,117	1,495	1,879	2,269	2,665	3,066

11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26
19,724	20,020	20,320	20,625	20,935	21,249	21,567	21,891	22,219	22,553	22,891	23,234	23,583	23,936	24,295	24,660
7,849	7,967	8,087	8,208	8,331	8,456	8,583	8,711	8,842	8,975	9,109	9,246	9,385	9,525	9,668	9,813
27,574	27,987	28,407	28,833	29,266	29,705	30,150	30,602	31,061	31,527	32,000	32,480	32,967	33,462	33,964	34,473
11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26
24,100	24,100	24,100	24,100	24,100	24,100	24,100	24,100	24,100	24,100	24,100	24,100	24,100	24,100	24,100	24,100
3,474	3,887	4,307	4,733	5,166	5,605	6,050	6,502	6,961	7,427	7,900	8,380	8,867	9,362	9,864	10,373

27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42
25,030	25,405	25,786	26,173	26,566	26,964	27,369	27,779	28,196	28,619	29,048	29,484	29,926	30,375	30,831	31,293
9,961	10,110	10,262	10,416	10,572	10,730	10,891	11,055	11,221	11,389	11,560	11,733	11,909	12,088	12,269	12,453
34,990	35,515	36,048	36,589	37,138	37,695	38,260	38,834	39,416	40,008	40,608	41,217	41,835	42,463	43,100	43,746
27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42
24,100	24,100	24,100	24,100	24,100	24,100	24,100	24,100	24,100	24,100	24,100	24,100	24,100	24,100	24,100	24,100
10,890	11,415	11,948	12,489	13,038	13,595	14,160	14,734	15,316	15,908	16,508	17,117	17,735	18,363	19,000	19,646

43	44	45	46	47	48	49	50
31,762	32,239	32,722	33,213	33,712	34,217	34,730	35,251
12,640	12,829	13,022	13,217	13,415	13,617	13,821	14,028
44,402	45,068	45,744	46,431	47,127	47,834	48,551	49,280
43	44	45	46	47	48	49	50
24,100	24,100	24,100	24,100	24,100	24,100	24,100	374,100
20,302	20,968	21,644	22,331	23,027	23,734	24,451	- 324,820

1,750,645

1,555,000

195,645

Response to the Housing Crisis

- [Meeting of South Hams Executive, Thursday, 14th October, 2021 3.00 pm \(Item E.51/21\)](#)

Minutes:

E.51/21

A report in response to the Housing Crisis declared by the Council at its meeting held on 23 September 2021 was presented to the meeting. The report set out a series of responses to the declared Crisis that were proposed to be taken to tackle the identified issues.

The Leader introduced the report and set out the extent of the issues that had led to her submitting a Motion on Notice to the Council calling on Members to formally declare a Housing Crisis. Having declared a Crisis on 23 September 2021, the Leader also wished to record her thanks to officers for their swift response in ensuring that a report had been produced in time for this Meeting.

In discussion, reference was made to:-

- (a) the actual evidence of the impact caused by Airbnb. To gauge the actual impact, it was intended that a sample would be carried out at two locations in the South Hams before an assessment was they undertaken as to whether or not any further works were necessary;
- (b) the recognised national definition of 'affordable housing'. In citing how the current definition was wholly inappropriate in the South Hams, some Members felt that it was now time for the Council to adopt its own local definition;
- (c) a recent inaccurate press article. The local Ward Member for Charterlands highlighted the inaccuracies that had been contained within a recent press article and put on record his wish for Modbury Parish Council to take greater care when contacting the press;
- (d) an additional recommendation. Such was the significance of this subject matter that the Chairman of the Overview and Scrutiny Committee asked the Executive to consider requesting that the Committee also be given the opportunity to debate the report at its next meeting to be held on 4 November 2021. As a result, the following addition was **PROPOSED** and **SECONDED** and when put to the vote was declared **CARRIED**:

'That the Overview and Scrutiny Committee be given the opportunity to comment on the published agenda report at its next meeting (to be held on 4 November 2021) before reporting its views back to the next Executive meeting (to be held on 2 December 2021).'

- (e) building additional housing. Members recognised that simply building more housing in its own right was not the answer to the Crisis.






It was then:

RESOLVED

1. That the proposed measures to address the identified Housing Crisis (as set out in Section 4 of the published agenda report) be approved;
2. That the revised Downsize Incentive Policy (as set out in Appendix 1 of the published agenda report) be adopted;

3. That a needs based (not proximity based) principle for the spending of affordable housing contributions (within the legal framework of the Community Infrastructure Levy Regulations 2010 – the governing regulations for planning agreements) be formally recognised and supported;
4. That Council be **RECOMMENDED** to agree to form a Community Benefit Society (CBS) and delegate authority to the Director of Place and Enterprise, in consultation with the Chief Executive; Section 151 Officer and Monitoring Officer and with the Leader of the Council to undertake full due diligence and the necessary steps to set up the CBS;
5. That the draft letter (as set out in Appendix 2 of the published agenda report) be sent to the Rt Hon Michael Gove (Secretary of State for Levelling Up, Housing and Communities); and
6. That the Overview and Scrutiny Committee be given the opportunity to comment on the published agenda report at its next meeting (to be held on 4 November 2021) before reporting its views back to the next Executive meeting (to be held on 2 December 2021).

Supporting documents:

- [Response to the Housing Crisis, item E.51/21](#)  PDF 155 KB
- [Appendix 1 – Downsizing policy, item E.51/21](#)  PDF 71 KB
- [Appendix 2 – Letter to Secretary of State for Levelling Up, Housing and Communities, Michael Gove MP., item E.51/21](#)  PDF 188 KB
- [Appendix 3a – Previous report to Executive on Housing Company, item E.51/21](#)  PDF 109 KB
- [Appendix 3b – Previous report to Executive on Housing Company, item E.51/21](#)  PDF 462 KB

Report to: **Overview and Scrutiny Committee**

Date: **4th November 2021**

Title: **South Devon and Dartmoor Community Safety Partnership**

Portfolio Area: **Customer First**

Wards Affected: **All**

Relevant Scrutiny Committee: N/A

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

Date next steps can be taken:
(e.g. referral on of recommendation or implementation of substantive decision)

Author: **Rebecca Hewitt/Claire Birch** Role: **Chair, Community Safety Partnership/Community Safety Specialist South Devon and Dartmoor Community Safety Partnership**

Contact: Rebecca.hewitt@teignbridge.gov.uk
Claire.birch@swdevon.gov.uk

Recommendations:

- 1. That the Committee identifies any issues to be raised at the next Community Safety Partnership meeting**

1. Executive summary

The purpose of this report is to provide Members with the opportunity to scrutinise the work of the South Devon and Dartmoor Community Safety Partnership (CSP).

2. Background

The CSP operates across Teignbridge, South Hams and West Devon and is a statutory partnership.

The CSP works collaboratively across Devon and the Peninsula to tackle issues such as child sexual exploitation, modern slavery, drug misuse, prejudice related crime, preventing violent extremism and domestic violence and abuse.

3. Outcomes/outputs

The CSP sets its priorities each March, with all partners using information from the Devon Strategic Assessment and also the Police and Crime Plan. The CSP also responds to emerging risks. CSP Staff attend fortnightly tactical meetings with Police.

The focus of the CSP is addressing areas where risk of harm is the most significant for our communities.

The outcomes of the CSP are monitored at each CSP meeting through the Local Delivery Plan (LDP) and annually through a performance review with the Office of the Police Crime Commissioner (OPCC).

In 2021/22 the CSP received a £25,000 grant of Safer Communities funding from the OPCC. This funding plan is developed alongside the Local Delivery Plan.

The CSP has also been successful in obtaining £900,000 over four years for delivery of the Turning Corners Programme.

KEY ACHIEVEMENTS

3.1 Achievements across the whole of South Devon and Dartmoor area

Priority	Activity
Sexual Violence, Domestic Violence and Abuse (SVDVA)	<ul style="list-style-type: none">• Quarterly SVDVA forums are convened with a range of partners and are well attended by all.• 'Later in life' toolkit was created and launched to partner agencies to address SVDVA in the older population.• Engagement in Domestic Homicide Reviews, no Domestic Homicide reviews have been undertaken in South Hams during the reporting period.• Toolkit for parents to support vulnerable young people in relation to behaviours

	<p>and gender, online delivery undertaken in April to sixteen families who gave positive feedback and now being considered as a Devon wide initiative.</p> <ul style="list-style-type: none"> • Regular engagement with South Devon MARAC (Multi Agency Risk Abuse Conference) to create safety planning for those experiencing domestic abuse in South Devon.
Exploitation	<ul style="list-style-type: none"> • South Devon Exploitation Network – Two monthly meetings of the network are held to raise awareness of current risks. • Attendance at the Devon Anti-Slavery Partnership. • Attendance at the Devon and Torbay Prevent Partnership. • Continuing to promote the Exploitation Prevention Toolkit. The CSP presented as part of a Devon wide webinar on the impact of COVID on exploitation. The session was massively oversubscribed and further webinars are planned. Excellent feedback was received. • Promotion of the Partnership Information Sharing Form. • Engagement with the Adolescent Safety Framework to safeguard individuals and communities from risk of exploitation and harm. • Working with partner agencies to address concerning rise in hate crime and increase in offensive racist graffiti. • CSP facilitated the child centered policing team and counter terrorism specialists to deliver training directly to safeguarding leads in schools to support them in addressing concerning increases in inappropriate hate language within school environments. • The CSP hosted a training session delivered by the illegal money lending team from Bristol. Training was well received and attended by over fifty individuals.
Drug and Alcohol Misuse	<ul style="list-style-type: none"> • Increased awareness of drugs and alcohol issues within a wide range of organisations through county lines awareness raising. • Targeted interventions with Students at a South Hams school as part of a multi-

	<p>agency approach.</p> <ul style="list-style-type: none"> • Operation Moorland intelligence briefings around blue pills that were thought to cause harm were circulated to partners.
Changes in Youth Culture / Youth Gang Activity	<ul style="list-style-type: none"> • CSP working with WAVE Academy to deliver the Motiv8 programme. • Following conversations with schools concerns were raised about increased suicide ideation, the CSP funded Pete's Dragon charity to deliver an online session to school safeguarding leads within two weeks of concerns being raised. • Engagement with the Adolescent Safety Framework which reviews contextual safeguarding risks in the individual, peer and school context. • Members of Devon Youth Crime Prevention Partnership. • Key partner in the Turning Corners project (South Hams and Teignbridge). • Initiatives in schools working with a professional music partner to understand the impact of drill music and youth culture. • Fifty delegates attended training on gangs, youth violence, knives and criminal exploitation. Professionals from agencies including social care, police, secondary schools, NHS and District Council staff benefited from the training. • The CSP developed a pilot project working with the police, a local church and Young Devon to provide a safe place for vulnerable young people who were out and about in the night time economy. Once at the venue they would be safeguarded and directed to support services. The decision was taken to cease the project after the initial three sessions as there were no young people in and around the town centre, the learning and risk assessments are now in place should demand and risk suggest a similar scheme is required within the CSP area.
Emerging issues	<ul style="list-style-type: none"> • Engagement with agencies to respond to the COVID crisis. • Delivery of training to raise awareness of the impact of trauma. Online training

	<p>was delivered over six sessions with a total of 96 delegates attending. Feedback has been incredibly positive and good practice shared with the Devon Trauma network.</p> <ul style="list-style-type: none"> • Provision of 100 hand held domestic abuse alarms. • Literature review and engagement with partner agencies to identify best practice for interventions to address weapons and the fear of weapons. • Concern was raised about increasing anti-social behaviour on Dartmoor, the CSP worked with the Police, each Council and officers from Dartmoor National Park to develop a protocol for issuing community protection notices, this is currently under consideration by Dartmoor National Park.
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The annual CSP Forum took place online on the 9/12/20, more than 100 delegates from at least 50 different organisations engaged in the meeting and feedback was incredibly positive.

"Thank you for such an informative morning. The breadth of work is staggering, the attention to local need is excellent and the drive and success of partnership working is encouraging."

"A positive fusillade of information, passionately delivered."

3.2 Additional achievements specific to South Hams

- Provision of Motiv8 sessions at the WAVE academy at Dartington. A mentoring programme was delivered to targeted young people to reduce the risk of criminal exploitation and offending in the community. A focus was also placed on addressing substance misuse whilst providing meaningful engagement for the pupils and increasing school attendance. The programme was impeded by disruptions as a result of COVID, however, there were positive outcomes for a number of students. This approach is now being evaluated into other schools.
- Following best practice from Teignbridge on 11th October the first meeting took place between the Police, CSP and Children Care Home Managers across South Hams and West Devon. The purpose of the meeting is to ensure that care home staff can recognise the signs of exploitation, encourage them to report concerns, increase awareness of support and identify themes for our most at risk young people.

- The CSP has been engaged in Channel Panel multi-agency meetings around individuals where there is concern that they may be vulnerable to radicalisation.
- Ivybridge Community College, Kingsbridge Community College, Dartmouth Community College, King Edward VI Community College, Wave Academy all work closely with the CSP in South Hams. The CSP facilitates and chairs quarterly schools meetings, where safeguarding leads and deputy heads attend in addition to Youth Intervention Officers from the Police, Community Safety office and Youth Services. Local trends and concerns are brought for discussion at the meeting.
- The CSP continues to attend South Devon Missing and Child Exploitation (MACE) meetings facilitated by Devon Children and Young People's Service. In addition, the CSP also attends South Devon Tactical Tasking meetings and Tactical Incident Management meetings chaired by Devon and Cornwall Police.

3.3 Turning Corners Programme

Turning Corners is delivered across South Hams and Teignbridge.

The programme is now fully operational. There is a one day per week Project Lead in place, a full time Impact research Analyst and wider project delivery teams. There is also a Turning corners Implementation Board that is chaired by Becca Hewitt as Chair of the CSP and involves a wide range of partners including Police, Space, Devon County Council and Public Health. The programme consists of three projects

3.3.1 Outreach

Space youth service are delivering sessions at two locations weekly and have included both Kingsbridge and Dartmouth. Covid placed restrictions on the early work but now those are reducing engagement has been good and relationships are being built for future engagement

3.3.2 Moving up together

Supports targeted young people and their families from primary school to transition to secondary school. The two secondary schools that are engaged are Kingsbridge and Coombeshead in Newton Abbot. Currently working with 16 families.

3.3.3 Parent Support groups

Referrals are taking place to identify groups of parents who can engage with the project. Staff are in place and the groups are starting this month.

3.3.4 Evaluation – a Theory of Change, which clarifies the outcomes for the project is being developed to ensure all partners are clear on the

outcomes hoped for by the project. From this an evaluation process is being developed. There will be external evaluations at the end of each year with the full evaluation at the end of the 4 year programme.

3.4 Achievements in Anti-Social Behaviour – South Hams

This report covers the period 1st October 2020 to 30th September 2021

John Ward, the ASB Officer continues to chair a monthly ASB meeting, which is regularly attended by Police, Registered Social Landlords, South Hams District Council and the Mental Health Team. At this meeting, individuals believed to be causing ASB are discussed, together with vulnerable adults. This is to ensure they are receiving all appropriate support and all relevant agencies are aware. As a snap shot the meeting in November 2020 six vulnerable adults were discussed and one individual causing ASB. In September 2021 seven vulnerable adults were discussed and one individual causing ASB.

Over the past year, 20 individuals were referred into the ASB escalation process. This is a decrease of 52% compared to the previous year. Of these referrals 13 came from the Police. One came from Dartmouth, six from Ivybridge, one from Kingsbridge and six from Totnes. These referrals resulted in six ASB first stage letters being sent to adults a decrease of 50%. Four youth ASB letters were sent which was a decrease of 66% and three second stage ASB letters which was the same as the previous year. Of the 20 referrals made only three (15%) were escalated to the second stage and only one was escalated to an Acceptable Behaviour Contract.

There have been three Community Trigger activations. One was from a resident in Dartmouth concerned about the way her complaints about the use of cannabis by a neighbour were dealt with by the landlord, Police and the Council. The review meeting found that the complaints had been investigated correctly. Following the review, the landlord served a notice seeking possession and as a result the offending neighbour is in the process of moving away. The second Community Trigger activation was made by a female resident in Totnes who was concerned about the way the Police and the Council dealt with her complaints about access over a neighbour's garden to her property. The review meeting for this has been set for October 2021 and will be chaired by an independent person. The third Community Trigger was activated by a landlady in Totnes concerning the behaviour of her tenant. After discussion with the landlady, this activation was not accepted as it was more a complaint against Police. However, following intervention, the Officer dealing with the complainant's case contacted her with an update. In addition, following discussions with the Border Force concerning the tenant's immigration status, the landlady decided to evict her tenant

The renewal of Public Spaces Protection Orders concerning the use of alcohol have been approved by the Council.

4. Options available and consideration of risk

The CSP continues to be intelligence led and directed by the findings of the Devon Strategic Assessment. This document guides the CSP to understand the threat, risk and harm that our communities face. From a day-to-day basis engagement with partner agencies ensures that risk is dynamically managed.

5. Proposed Way Forward

Members consider the report and any issues be taken to the next CSP meeting.

6. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance		The Council is required by section 19 of the Police and Justice Act 2006 to have a committee with power to review or scrutinise decisions made, or other action taken, in connection with the discharge by those authorities responsible for crime and disorder strategies of their crime and disorder functions. The Committee undertakes that role.
Financial		2021/22 income to the CSP included a £25,000 grant of Safer Communities funding from the Police Crime Commissioner. The staff costs of South Hams District Council contribution to Community Safety Partnership and Anti-Social Behaviour in 2021/22 was £25,011.
Risk		Members consider the report and any risks be taken to the next CSP meeting.
Supporting Corporate Strategy		Communities, Wellbeing and Homes
Climate Change – Carbon / Biodiversity Impact		No direct carbon/biodiversity impact arising from the recommendations
Comprehensive Impact Assessment Implications		
Equality and Diversity		The CSP addresses issues including hate crime and specific crimes relating to vulnerable members of the community such as exploitation.

Safeguarding		CSP staff engage in a number of safeguarding forums and promote effective safeguarding practice in their work. This links to internal Council safeguarding. The Community Safety Specialist also has a Safeguarding role at SHDC.
Community Safety, Crime and Disorder		The report details the many implications on Community Safety of South Hams District Council's engagement in the CSP.
Health, Safety and Wellbeing		The CSP works closely with public health and other partners on health and wellbeing issues including alcohol, licensing and mental health.
Other implications		

Process checklist	Completed
Portfolio Holder briefed	Yes/No
SLT Rep briefed	Yes/No
Relevant Exec Director sign off (draft)	Yes/No
Data protection issues considered	Yes/No
If exempt information, public (part 1) report also drafted. (Cabinet/Scrutiny)	Yes/No

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OVERVIEW AND SCRUTINY COMMITTEE

DRAFT ANNUAL WORK PROGRAMME PROPOSALS– 2021/22

Date of Meeting	Report	Lead Exec Member/Officer
16 December 2021	Climate Change and Biodiversity Action Plan: Six-Monthly Update	Cllr Tom Holway/Drew Powell
	Council Delivery Against Key Performance Indicators	Cllr Nicky Hopwood/Jim Davis
	Task and Finish Group Updates <i>(if any)</i>	
	Planning Enforcement: Service Update	Cllr Judy Pearce/Pat Whymer/Catherine Bowen
	Council Delivery against Corporate Theme: Adapting & mitigating climate change	Cllr Tom Holway/Drew Powell
	Devon Home Choice	Cllr Hilary Bastone/Isabel Blake
	Dartmoor National Park Authority Chief Executive: Kevin Bishop	
	Third Sector Partner – Council for Voluntary Service: Jill Davies	
	O+S Annual Work Programme <i>(to include preparation for next meeting)</i>	
13 January 2022	Draft Budget Proposals 2022/23 <i>(NB. Joint Meeting with the DM Committee)</i>	
17 March 2022	Task and Finish Group Updates <i>(if any)</i>	
	Fusion (Leisure) Annual Report	Cllr Jonathan Hawkins/Jon Parkinson
	Council Delivery against Corporate Theme: Communities	Cllrs Pearce & Bastone
	O+S Annual Work Programme <i>(to include preparation for next meeting)</i>	
22 April 2022	Task and Finish Group Updates <i>(if any)</i>	
	Council Delivery Against Key Performance Indicators – future actions update – minute O&S.24/21 refers	Cllr Nicky Hopwood/Jim Davis
	O+S Annual Work Programme <i>(to include preparation for next meeting)</i>	
	Council Delivery against Corporate Theme: Housing	Cllrs Pearce & Bastone
	LiveWest (Housing Provider)	

<i>To be considered for scheduling:</i>	Devon Health and Wellbeing Board	
	Broadband & Connecting Devon and Somerset	Gemma Bristow – February 2022 – tbc
	A meeting in February to follow Executive of 27 January 2022	