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SOUTH HAMS EXECUTIVE - THURSDAY, 24TH APRIL, 2014

Agenda, Reports and Minutes for the meeting

Agenda No Item

1. **Agenda Letter** (Pages 1 - 2)

2. **Reports**

Reports to Executive:

- a) Item 7 - Our Plan (Pages 3 - 52)
- b) Item 8 - Yealmpton Car Park (Pages 53 - 56)
- c) Item 9 - Capital Programme Monitoring (Pages 57 - 68)
- d) Item 10 - 1Salcombe Fish Quay and Slipways: Review of Fishermens' Quay and Slipway Charges and All Slipway Charges in Salcombe for 2014/15 (Pages 69 - 76)
- e) Item 11 - Risk Based Verification Policy (Pages 77 - 94)
- f) Item 12 - Transfer of Plympton RDC Chain (Pages 95 - 100)
- g) Item 13 - Write-off Report (Pages 101 - 106)

3. **Minutes** (Pages 107 - 118)

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Agenda Item 1

To: Members of the Executive
(Cllrs Bastone, Gilbert, Hawkins, Hicks,
Saltern, Tucker, Ward and Wright)

Our Ref. CS/KT

cc: Remainder of Council (for information)
Usual officer and press circulation

14 April 2014

Dear Member

A meeting of the **Executive** will be held in the **Cary Room**, Follaton House, Plymouth Road, Totnes on **Thursday, 24 April 2014 at 10.00 am** when your attendance is requested.

Yours sincerely

Kathryn Trant
Member Services Manager

<p>FOR ANY QUERIES ON THIS AGENDA, PLEASE CONTACT KATHRYN TRANT MEMBER SERVICES MANAGER ON DIRECT LINE 01803 861185</p>
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AGENDA

1. **Minutes** - to approve as a correct record and authorise the Chairman to sign the minutes of the meeting of the Executive held on 6 March 2014 (previously circulated);
2. **Members in Attendance** – the Chairman is advised of non Executive Members wishing to speak;
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 Question Time** – a period of up to 15 minutes is available to deal with questions submitted to the Council in accordance with the Executive Procedure Rules (page 1 only);

7. **Our Plan** – to consider a report which seeks recommendation to Council of formal approval of the principle of ‘Our Plan’ as the Council’s single overarching strategic plan for the South Hams and approval of associated documents (pages 2 to 48);
8. **Yealmpton Car Park** – to consider a report which updates Members on discussions with Yealmpton Parish Council and the community in relation to the car park (pages 49 to 52);
9. **Capital Programme Monitoring** – to consider a report which advises Members of the progress on individual schemes within the approved capital programme including an assessment of their financial position (pages 53 to 63);
10. **Salcombe Fish Quay and Slipways: Review of Fishermens’ Quay and Slipway Charges and All Slipway Charges in Salcombe for 2014/15** – to consider a report which sets out proposals for fees and charges for the use of Salcombe Fish Quay and Slipway Charges and All Slipway Charges in Salcombe for 2014/15 (pages 64 to 69);
11. **Risk Based Verification Policy** – to consider a report that advises Members of the new approach to verifying claims for Housing Benefit and Council Tax Reduction and to seek approval of the Risk Based Verification Policy (pages 70 to 85);
12. **Transfer of Plympton RDC Chain** – to consider a report which seeks to transfer ownership of the chain that previously belonged to Plympton St Mary Rural District Council to Plymouth City Council (pages 86 to 89);
13. **Write-off Report** – to consider a report which informs Members of the debt written off for all revenue streams within the Revenue and Benefits service (pages 90 to 95);
14. **Reports of Other Bodies** – to receive, and as maybe necessary to approve, the minutes and any recommendations of the under-mentioned body:-
 - (a) Corporate Performance and Resources Scrutiny Panel: 13 March 2014 (pages 96 to 102);
 - (b) Economy and Environment Scrutiny Panel: 20 March 2014 (pages 103 to 114);
 - (c) Community Life and Homes Scrutiny Panel: 27 March 2014 (pages 115 to 122).

Members of the public may wish to note that the Council's meeting rooms are accessible by wheelchairs and have a loop induction hearing system

Please note that this agenda is available on audio cassette for those with a visual impairment

**MEMBERS ARE REQUESTED TO SIGN THE ATTENDANCE REGISTER
THIS AGENDA HAS BEEN PRINTED ON ENVIRONMENTALLY FRIENDLY PAPER**

If you or someone you know would like this publication in a different format, such as large print or a language other than English, please call Kathryn Trant on 01803 861185 or by email at: kathryn.trant@southhams.gov.uk

AGENDA
ITEM

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SOUTH HAMS DISTRICT COUNCIL

AGENDA
ITEM

7

NAME OF COMMITTEE	Executive
DATE	24 April 2014
REPORT TITLE	Our Plan
Report of	Head of Planning, Economy and Community
WARDS AFFECTED	All wards

Summary of report:

This report seeks formal approval of the principle of 'Our Plan' as the Council's single, overarching strategic plan for the South Hams. As the Local Plan will form a central part of the plan this report also seeks approval of the Local Development Scheme and the Regulation 18 Document for consultation purposes. Further, approval is sought to sign the Duty to Cooperate Memorandum of Understanding which is also now part of our formal planning process. Finally, approval is also sought for the corporate Community Engagement Strategy.

Financial implications:

There are no direct financial implications relating to this report. The financial strategy will be an integral part of "Our Plan" ensuring resources and direct financial costs are managed as part of the process. Our Plan will also link directly into the new commissioning cycle enabling more effective commissioning decisions.

RECOMMENDATIONS:

It is recommended that Executive:-

- **RECOMMEND to Council to approve the principle of 'Our Plan' being the single, over-arching strategic plan for the South Hams**
- **Approve the Local Plan 'Local Development Scheme'**
- **Approve the Regulation 18 Document for consultation purposes**
- **Approve the signing of the Duty to Cooperate Memorandum of Understanding**
- **Approve the corporate Community Engagement Strategy**
- **Note the engagement timetable**

Officer contact: Marion Playle or email marion.playle@swdevon.gov.uk or telephone 01822 813647

1. BACKGROUND

- 1.1 Historically the Council has had two strategic plans; the Development Plan and the Connect Strategy. Given the need to work more efficiently in the new operating model and the new duty for us to produce a Local Plan with a much wider remit that goes beyond traditional planning policy, it is logical for the Council to produce 'Our Plan' as our one over-arching, strategic planning document.
- 1.2 This report seeks formal approval of the approach and various other related documents which enable us to start engaging with communities, working with our partners and producing the plan.

2. OUR PLAN – THE PRINCIPLE

- 2.1 Informal discussions with members regarding the principle of 'Our Plan' have been received positively and work has been progressing to start shaping the process in earnest.
- 2.2 The plan will set out our vision for South Hams and the longer term aims and objectives for the District. Central to the plan will be our future development strategy for homes and jobs and our formal planning policies.
- 2.3 This more comprehensive approach to organisational planning will ensure a more cohesive, corporate approach and will directly inform our annual delivery plan, our financial plans and our commissioning cycle. It will also ensure our corporate planning cycle is fit for purpose as we move into the new operating model.

3. LOCAL DEVELOPMENT SCHEME

- 3.1 As part of our Local Plan process we are required to prepare and maintain a Local Development Scheme (LDS). The LDS has to contain particular information including the geographical area covered by the plan, the scope and the timetable for production of the plan. Consequently, Executive approval is sought for the LDS as attached at Appendix "A".

4. REGULATION 18 – FORMAL CONSULTATION

- 4.1 Over the coming year we will be working with our partners, stakeholders and the wider community to develop the plan. As we commence this work we are required to go through a formal consultation stage as part of the Local Plan statutory process; this is known as the Regulation 18 consultation.
- 4.2 To a certain extent the Regulation 18 consultation is a scene setting document. It sets out the context and scope of the proposed plan, the timetable for preparation and it explains how individuals, communities and stakeholders can engage in the process. It is proposed that the consultation will commence on the 9th of May for a six week period. Executive approval is therefore sought for the draft Regulation 18 document attached at Appendix "B" for consultation purposes.

5. DUTY TO CO-OPERATE – MEMORANDUM OF UNDERSTANDING

- 5.1 We now have a statutory Duty to Cooperate. This means that Local Planning Authorities, County Councils and public bodies are required to engage constructively, actively and on an ongoing basis to ensure that strategic, cross boundary matters are discussed effectively. The 'Duty to Cooperate' is not a duty to agree. We are, however, required to demonstrate how we have complied with the duty at an independent examination. If we are unable to do so then our Plan will not be sound.
- 5.2 Accordingly, we have worked alongside other Councils and agencies to establish a Devon wide Memorandum of Understanding. This document sets out a strategic framework to enable efficient, coordinated and consistent co-operation on agreed matters. It is a living document which will continue to develop and grow as working arrangements change and examples of best practice are shared. The document entitled 'Planning Strategically across Local Boundaries' is attached at Appendix "C" and Executive approval is sought to sign the document on behalf of the Council.

6. COMMUNITY ENGAGEMENT STRATEGY AND TIMETABLE OF EVENTS

- 6.1 As a more corporate approach is taken to strategic planning then a more corporate approach can be taken to community engagement. We often hear how individuals and communities suffer 'consultation fatigue' as we have historically shared information and consulted on a piecemeal basis across the organisation.
- 6.2 Consequently, our Community Engagement Strategy has been revised to achieve a more joined up approach. In particular, it seeks to make much better use of social media and empower elected members at all levels to represent their communities. It also offers a far greater choice of engagement methods thereby ensuring more effective access to all age groups. Executive approval is therefore sought for the Community Engagement Strategy attached at Appendix "D"
- 6.3 Further to the over-arching strategy we will agree a timetable of events on an annual basis which, over time, individuals and communities will become familiar with. This year's timetable of events is attached for information at Appendix "E" and Executive is requested, in particular, to note the dates of the single topic discussions for Members.

7. LEGAL IMPLICATIONS

- 7.1 Executive approval is required to combine the Local Plan and the Council's corporate plan
- 7.2 Section 15 of the Planning and Compulsory Purchase Act (as amended by Section 111 Localism Act 2011) requires Local Planning Authorities to prepare and maintain a Local Development Scheme.

- 7.3 The Regulation 18 consultation must be carried out in accordance with Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012.
- 7.4 Section 33A of the Planning and Compulsory Purchase Act 2004 (PCPA)(as amended by Section 110 of the Localism Act) places a legal duty on local planning authorities to cooperate.

8. FINANCIAL IMPLICATIONS

- 8.1 There are no financial implications directly relating to this report. The financial strategy will be an integral part of “Our Plan” ensuring resources and direct financial costs are managed as part of the process. Our Plan will also link directly into the new commissioning cycle enabling more effective commissioning decisions.

9. RISK MANAGEMENT

The Risk Management implications are shown at the end of this report in the Strategic Risks Template.

Corporate priorities engaged:	Homes, Economy, Environment and Community Life
Statutory powers:	
Considerations of equality and human rights:	There are no direct implications relating to this report on equality and human rights. However, these issues will be considered as the plan is developed
Biodiversity considerations:	Biodiversity issues will form part of the overall plan
Sustainability considerations:	Sustainability considerations will be central in shaping ‘Our Plan’ but there are no direct considerations as a consequence of this report
Crime and disorder implications:	None
Background papers:	
Appendices attached:	<i>Appendix “A” – Local Development Scheme Appendix “B” – Regulation 18 Document Appendix “C” – Duty to Cooperate Memorandum of Understanding Appendix “D” – Community Engagement Strategy Appendix “E” - Engagement Timetable</i>

STRATEGIC RISKS TEMPLATE

No	Risk Title	Risk/Opportunity Description	Inherent risk status			Mitigating & Management actions	Ownership
			Impact of negative outcome	Chance of negative outcome	Risk score and direction of travel		
1	Strategic Direction	Provide strategic direction for the future of the district and organisation	High - Plans and priorities that don't meet local needs	Low	8 ↓ Our Plan will reduce current risk	<p>One overarching plan bringing together corporate plan, local plan and financial plan giving clearer strategic direction</p> <p>Effective engagement and consultation with Members, partners, community and stakeholders</p> <p>Regular review and updating with annual delivery plan</p>	SMT
2	Planning Policy	Planning policies that comply with the NPPF and meet the needs of the district	<p>High - Speculative development that doesn't meet local needs</p> <p>Poor planning decisions and loss at appeal</p>	Medium	12 ↓ Our Plan will reduce current risk	<p>Local Plan integral part of "Our Plan"</p> <p>Policies developed in line with principles of NPPF and local need</p> <p>Saved Core Strategy/previous Local Plan Policies to be carried forward and used as appropriate</p> <p>Effective engagement and consultation with Members, partners, community and stakeholders</p>	Head of Planning, Economy and Community
2	Community Engagement	Effectively engage communities in developing plans for their locality to meet local needs	Medium - Local People unable to influence and shape plans	Medium	9 ↔	<p>Development of new corporate engagement strategy</p> <p>One corporate annual engagement timetable</p> <p>Role of Members and towns/parishes as community representatives</p> <p>Use of a variety of engagement tools including social media and website</p>	Head of Planning, Economy and Community

No	Risk Title	Risk/Opportunity Description	Inherent risk status				Mitigating & Management actions	Ownership
			Impact of negative outcome	Chance of negative outcome	Risk score and direction of travel			
3	Economic Conditions and Funding	Difficult economic conditions and reducing funding could impact on delivery	High - Unable to deliver outcomes to meet local needs	Medium	12	↓ Our Plan will reduce current risk	Financial strategy integral part of “Our Plan” with resources identified during development stages of the plan Commissioning cycle used to identify most efficient methods of delivery Regular monitoring and updating to identify and address emerging issues	SMT
4	New Government Policy	Actions need to be in conformity with Government legislation	Medium - Actions don't deliver outcomes in line with Government policy	Low	6	↔	Maintaining understanding of Government legislation Working closely with stakeholders, partners and community to develop action plans that reflect Government policy and meet local need	SMT

Direction of travel symbols ↓ ↑ ↔



Our Plan

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Shaping our communities to 2031

Local Development Scheme

April 2014



South Hams
District Council

South Hams Local Development Scheme 2014

What is a Local Development Scheme (LDS)?

A LDS sets out the timetable for production for new or revised Development Plan Documents.

The Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011) requires Local Planning Authorities to prepare and maintain a Local Development Scheme (LDS). This 2014 LDS supersedes all previous versions of the LDS and sets out the timetable for the preparation of Our Plan.

What are the current adopted Development Plan Documents for South Hams?

2006 Core Strategy

2007 Sherford New Community Area Action Plan (AAP)

2008 Affordable Housing Development Plan Document (DPD)

2010 Development Policies Development Plan Document (DPD)

2011 Site Allocations Development Plan Document (DPD) for:

- Page 10
- Dartmouth
 - Ivybridge
 - Kingsbridge
 - Totnes
 - Rural Areas

There are also a number of policies from the saved 1996 Local Plan which are still in use.

Devon County Council is responsible for preparing plans for waste and minerals and these documents also form part of the development plan.

- Devon Waste Plan
- Devon Minerals Local Plan

Any Neighbourhood Development Plans which are brought into force by the Council will also form part of the Council's development plan.

We also have a number of Supplementary Planning Documents (SPDs) to support the delivery of the Development Plan and to add further detail and guidance. These are:

- Open Space, Sport & Recreation Supplementary Planning Document (Adopted 2006)
- Affordable Housing Supplementary Planning Document (Adopted 2008)
- Planning Obligations Supplementary Planning Document (Adopted 2008)

Our Plan will cover the whole of the South Hams as shown on the map below. The statutory planning part of the plan will cover the area of South Hams outside of the National Park. The area of South Hams within the Dartmoor National Park is covered by a separate planning authority:



What new Development Plan Documents are to be prepared?

The current adopted Development Plan Documents are in the process of being replaced by the preparation of a new plan for South Hams. These plans need to be reviewed to take into account recent changes to the planning system through the Localism Act and the National Planning Policy Framework (NPPF), and to ensure that there is a plan which enables the Council to deliver its vision and priorities. The new 'Local Plan' for South Hams will be part of an overarching strategic plan for the area. The Local Plan element of the Strategic Plan will cover the area of South Hams outside of the Dartmoor National Park.

The strategic plan will be known as '**Our Plan' South Hams** and will focus on delivering the vision and objectives for South Hams alongside long term priorities and outcomes. This document will set out local planning policy for the area outside of the Dartmoor National Park and corporate policy and will be the key strategic document for the Council. Our Plan will set out a vision, a path to improvement and provide strategic policies to guide this future change. The document will clearly set out how the Council intends to deliver its aspirations and set out how the area can achieve sustainable long term growth which meets the needs of its communities. The document will also provide policies to help guide the preparation of Neighbourhood Plans within South Hams. If during the preparation of Our Plan there is an identified need to prepare other Development Plan or Supplementary Planning Documents (DPD and SPD), the LDS will be amended to take those into account. The Council has not yet made a decision regarding the progression of a Community Infrastructure Levy (CIL). If and when the Council chooses to pursue one, a separate timetable will be prepared and made available on the Council's website.

This key strategic plan will inform the Council's operational plan, which sets out the annual work programme, our proposed improvement plans, and the Council's financial plan. Progress will be monitored and measured to determine achievement against the targets and this in turn will help inform the commissioning of services. Our Plan will cover the following topics.

Our Plan

Our Vision

- Aims and framework for future growth
- Our priorities and challenges

Our Communities

- The development strategy
- Role for neighbourhood planning
- Defining 'sustainable development'
- Infrastructure
- Sustainability Appraisal
- Community empowerment and enabling

Our Homes

- Future housing numbers
- Affordable housing
- Self-build
- Gypsy and traveller provision
- Housing mix and type
- Design standards

Our Nature

- Designated and protected landscapes
- Green infrastructure
- Trees and hedges
- Coastal change

Our Economy

- Employment strategy
- Employment policies
- Town centre and retail policies
- Tourism
- Regeneration
- Diversification
- Enabling flexibility and supporting change

Our Resources

- Renewable energy
- Zero carbon
- Climate change
- Energy hierarchy
- Sustainable construction
- Flood risk

Our Heritage

- Conservation areas
- Listed buildings
- Heritage assets
- Reuse of land and buildings
- Archaeology

Our Wellbeing

- Social inclusion
- Public safety
- Open space and sport
- Community assets
- Health infrastructure

How can you be involved?

The Council is committed to engaging with communities and stakeholders to understand the needs of our area and to ensure that development, economic growth; services and facilities meet these needs and are delivered in the most cost-effective and efficient way.

Key components of engaging effectively will be to build on existing links with communities, stakeholders, local organisations and elected Members (at all levels of local government) as community representatives and to develop new relationships and new ways of working. This will ensure everyone in the community has the opportunity to participate in shaping their area. The Council has prepared a Community and Stakeholder Engagement Strategy which sets out:

- what we mean by engagement;
- key principles for engaging our communities and stakeholders; and
- when and how engagement will take place;

There will be annual engagement plan setting out a timetable of engagement for each year.

The strategy is available on the Council's website. It includes the Council's approved **Statement of Community Involvement** (April 2012) which sets out how and when we will involve the community in preparing development plans and processing planning applications.

The Council also has a legal Duty to Co-operate with specific partners to engage constructively, actively and on an on-going basis to address cross-boundary issues when preparing key plans. Devon County Council has worked with the Devon Local Authorities and other Agencies included on the Duty to Cooperate list to prepare a Devon Wide Duty to Cooperate protocol called '**Planning Strategically across Local Boundaries**'.

Both of these documents are available on the Council's website.

If you would like to be kept in touch with progress on the preparation of 'Our Plan' please contact us with your details by emailing strategic.planning@southhams.gov.uk or calling 01803 861234.

The timetable for preparing Our Plan is shown below. We will review this timetable on an annual basis and amend it and identify the need for additional documents as appropriate.

Document Title	Subject matter and geographical area	Chain of conformity	Publication of Regulation 18 document	Ongoing informal engagement	Publication of Reg 19 submission document	Submission	Policies it will replace
Our Plan South Hams & Proposals Map	<p>Sets out the Council's vision and objectives including a strategy for spatial development. Sets out the policies against which planning applications will be considered.</p> <p>The planning policies will cover the South Hams Local Authority area excluding the Dartmoor National Park.</p>	Conformity with the NPPF	May 2014	<p>Work with the local community, Duty to Cooperate partners, and other stakeholders on the issues to be covered by the plan</p> <p>May – October 2014</p>	Winter 2014	<p>Spring 2015</p> <p>Examination in Public (EIP) to follow</p> <p>Adoption anticipated Winter 2015/16 depending on the length of the EIP</p>	<p>All policies contained in the 1996 Local Plan, 2006 Core Strategy and adopted DPDs unless saved/carried forward in Our Plan.</p> <p>NB: All SPDs will be saved until otherwise reviewed or replaced.</p>

Further Information Sources

Below are links to websites which will assist should you require further information on LDSs

Document	Weblink
The Planning and Compulsory Purchase Act 2004	http://www.legislation.gov.uk/ukpga/2004/5/contents
The Localism Act (2011)	http://www.legislation.gov.uk/ukpga/2011/20/contents/enacted
National Planning Policy Framework (2012)	https://www.gov.uk/government/publications/national-planning-policy-framework--2
The Town and Country Planning (Local Planning) (England) Regulations 2012	http://www.legislation.gov.uk/uksi/2012/767/contents/made



Shaping our communities to 2031

April 2014

Our District – the area Our Plan will cover

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Foreword

Welcome to the first formal stage of us working with you to shape 'Our Plan'. I am assuming if you are reading this that you are interested in what we are doing and how you might be involved.

Our current Core Strategy runs from 2001-2016, and as we are fast approaching the end of that plan period there is a clear need to begin work on a new plan. Another reason for doing so is because central Government has significantly changed the planning system by introducing the National Planning Policy Framework (NPPF) and we need to ensure our plans are fit for purpose and in conformity with this new national policy. Also, the new plan that we are required to produce has to cover a wider range of issues that go beyond traditional planning policy and it makes more sense to write a new plan rather than try and amend the existing ones. Therefore, 'Our Plan' will be an overarching strategic plan for the District of South Hams up to 2031.

Developing our plans is always challenging. It is always controversial and different sectors and individuals in our community understandably see things very differently. However, we need to hold on to the fact that we are planning for the communities of tomorrow not just for ourselves today. What we do now will have a significant impact on how people live their lives in South Hams in the future.

Our biggest challenge is enabling growth and providing much needed homes and jobs whilst, at the same time, protecting the beautiful place that is South Hams – no mean feat as I'm sure you can appreciate. To do this we need to gather evidence of local need and think about what we need to provide and where to meet those needs.

Your views are important to us as we shape our plans and I do hope you will work with us over the next few months to do so. Unfortunately most people only get involved at a much later stage in the process, normally when a planning application directly affects them. By then it's normally too late as the principle of development has already been established and we are keen to try and engage more people much earlier in the process.

Again this is a challenge and engaging people isn't easy. Some of our more traditional methods such as holding exhibitions in village halls have limited success and we struggle to attract new people to get involved at these events. Whilst we will continue to do this we will also be making better use of technology and social media to try and reach a wider audience.

As the first stage of engagement this document sets out the proposed scope of our plan. It reflects on how things have changed in the area in the last decade or so and shows the major challenges ahead as we see them. It also sets out our timetable and the various ways that you can be involved. What do you think? Are we focussing on the right things or do you feel we are missing something? Do please let us know.

Yours... **John Tucker, Leader, South Hams District Council**

About the Plan

This is a high level, strategic plan for South Hams which will set out how the needs and aspirations of our communities will be met up to 2031. The high level plan applies to the entire District. The planning policies set out in the plan will cover the area of the South Hams outside of the Dartmoor National Park who have their own plans and policies for their area.

To produce the plan we gather a significant amount of local evidence of need and put this alongside national guidance and policy. We also work with neighbouring areas and other public authorities, to ensure we plan effectively for the wider region as well as working with our local community and stakeholders to understand local needs and aspirations. The information we have gathered so far suggests that the plan should cover the following areas:-

Our Plan

Our Vision

- Aims and framework for future growth
- Our priorities and challenges

Our Communities

- The development strategy
- Role for neighbourhood planning
- Defining 'sustainable development'
- Infrastructure
- Sustainability Appraisal
- Community empowerment and enabling

Our Homes

- Future housing numbers
- Affordable housing
- Self-build
- Gypsy and traveller provision
- Housing mix and type
- Design standards

Our Nature

- Designated and protected landscapes
- Green infrastructure
- Trees and hedges
- Coastal change

Our Economy

- Employment strategy
- Employment policies
- Town centre and retail policies
- Tourism
- Regeneration
- Diversification
- Enabling flexibility and supporting change

Our Resources

- Renewable energy
- Zero carbon
- Climate change
- Energy hierarchy
- Sustainable construction
- Flood risk

Our Heritage

- Conservation areas
- Listed buildings
- Heritage assets
- Reuse of land and buildings
- Archaeology

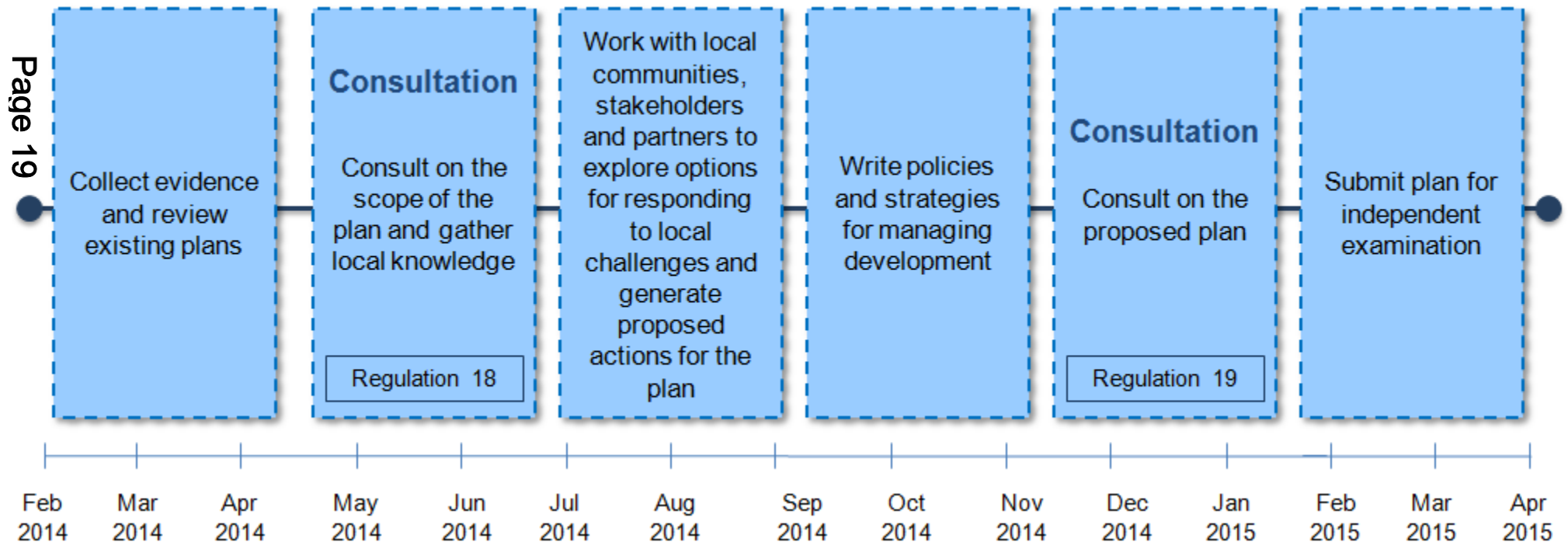
Our Wellbeing

- Social inclusion
- Public safety
- Open space and sport
- Community assets
- Health infrastructure

Our Plan – how will it be prepared?

The diagram shows the plan preparation stages. In particular it shows when we will engage and consult with others.

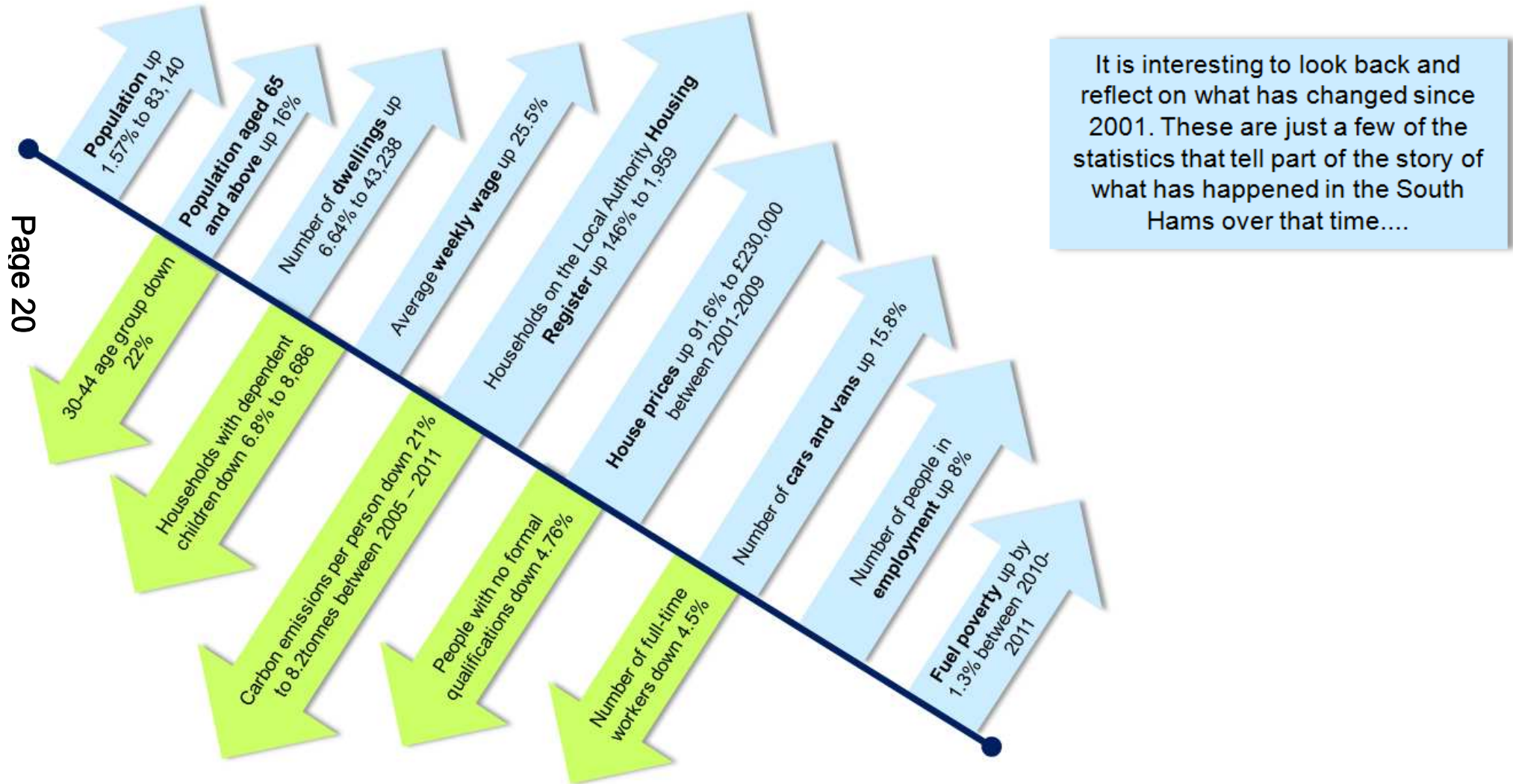
We are required to undertake two formal consultations and this is the first of them. This first stage is quite broad and sets out what the plan will cover. Over the summer months there will be much informal engagement with individuals, communities and stakeholders to discuss various topics which will help us shape the detail of the plan. In the winter we will undertake the second formal consultation which will consult on the draft plan.



Our District - what are the big challenges we need to address?

Before we can start planning for the future we need to fully understand the big challenges we face as a district. The evidence we have gathered thus far has given us a fairly clear picture of what these challenges are but we would be keen to know whether you agree with us.

These challenges are not new to us and our previous plans have made significant inroads into addressing these issues.



However, there is still much to do. We still have many people in need of homes and jobs and we need to meet these needs whilst at the same time protecting the very special place that is the South Hams. We need to do all we can to ensure a good quality of life for our communities now and in the future.

The diagrams on the following pages set out the challenges as we see them. What do you think? Have we missed anything? Is there something you would like us to consider?

Our population is changing with an **increasing older age** population

We have a sustained need for more **market and affordable housing**

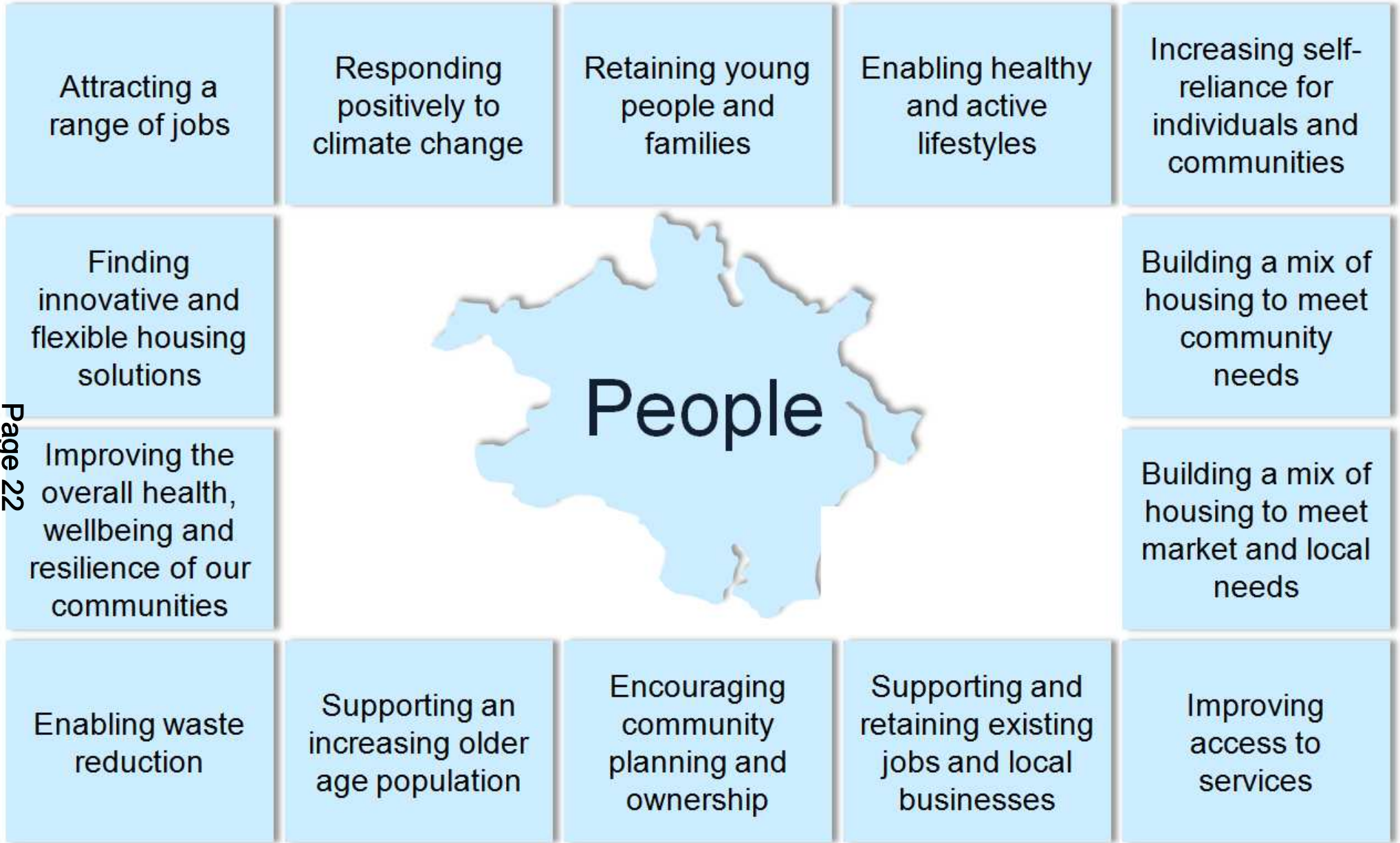
There is an **out migration of young and working age people**

Energy security is a growing issue. We need to find ways to **increase renewable energy** generation and reduce fuel poverty

Climate change means we need to respond and **adapt to changing weather patterns** and reduce carbon emissions

We need to **improve the health and wellbeing** of our communities

We need to empower our communities to **produce Neighbourhood Plans** and take ownership of local planning matters



Ensuring adequate access to recreation and open spaces

Protecting and enhancing our natural landscapes

Encouraging sustainable construction methods

Recognising and promoting what makes the area 'special'

Making the most of new technologies

Maintaining and enhancing infrastructure (e.g. Schools, roads, healthcare etc.)

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Maintaining services with less public funding



Place

Enabling renewable energy

Enabling effective waste management

Enabling more affordable housing options

Improving transport links

Enabling the right amount of development in the right places

Adapting to changing weather patterns

Enhancing the role of town centres

Making the most of our historic environment and heritage assets

Our Plan – what happens next and how can you be involved?

We will review all of the comments that you make and use these to help shape Our Plan. We are also required to prepare other supporting documents such as a Sustainability Appraisal which allows us understand the social, environmental and economic effects of our plans and policies. Your comments will help inform these documents as well.

We would like to know whether we have identified the right challenges and topics that Our Plan will cover or whether there are things missing. We have prepared a short response form (link) for you to complete – just add your comments and press ‘submit’.

Please remember to have your comments back to the Council by Friday 20th June!

You can make your comments between **Friday 9th May and Friday 20th June 2014**. We would like to encourage you to send us your views electronically wherever possible.

However, should you wish to read a hard copy, you can find one at South Hams District Council, Follaton House, Plymouth Road, Totnes, TQ9 5NE. Your comments can be sent to the Strategic Planning Team at the same address.

We will add as much information as we can about Our Plan on the Council's website at www.southhams.gov.uk/ourplan.

This will include consultation events that we plan to attend, with an Event Timetable ([provide direct link](#)) explaining where we will be over the summer months. This will be regularly updated over the coming weeks as we confirm our attendance at more events.

Follow us on Twitter and find us on Facebook to keep up to date with progress being made on Our Plan and to find out about events near you.



@OurPlanSH



[insert facebook logo and page name]



South Hams District Council

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This document can be made available in large print, Braille or tape format on request.

This document meets the requirements of Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations (2012) and incorporates the Local Plan as required by the National Planning Policy Framework.

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The Duty to Co-operate:

A Devon-wide co-operation protocol

**Planning strategically
across local boundaries**

March 2014



West Devon
Borough Council



South Hams
District Council



HEART OF THE SOUTH WEST

Local Enterprise Partnership



Safe roads, reliable journeys, informed travellers

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1. Introduction

- 1.1 The duty to co-operate in relation to planning of sustainable development is enshrined in law through Section 33A of the Planning and Compulsory Purchase Act 2004 (PCPA) (inserted by Section 110 of the Localism Act 2011). It is also included within the National Planning Policy Framework (NPPF) specifically in terms of planning strategically across local boundaries. The NPPF also states that in two tier areas, County and District Authorities should cooperate with each other on relevant issues. National Planning Practice Guidance provides further detail regarding the Duty to Cooperate.
- 1.2 The establishment of this wider-Devon protocol forms a firm basis for discussing and understanding strategic issues, evaluating options to address such issues and agreeing shared outcomes and conclusions wherever possible. It will therefore help to inform decision-making by individual Local Authorities and other organisations, but does not constrain their ultimate responsibilities for policy making or replace formal consultation processes. In addition, it does not replace any existing co-operation regimes which have already been established.
- 1.3 The protocol applies to strategic matters needing to be addressed jointly and/or consistently by at least two Local Authorities. The protocol applies to a range of strategic matters, particularly:
- Exercising strategic functions and responsibilities;
 - Matters of policy and strategy (in particular plan preparation, implementation, monitoring and other cross-boundary policy issues); and
 - Matters of infrastructure, development and plan delivery.
- 1.4 These three areas of work should be supported by co-operation on:
- Agreed and shared data and evidence;
 - Agreed collection and analysis methodologies;
 - Monitoring of data collected; and
 - The development of consistent policy approaches and principles.
- 1.5 This protocol identifies principles and mechanisms for co-operation between Local Authorities in the wider Devon area together with a range of other organisations. Although it is recognised that co-operation will also be required with a number of other organisations this framework does not specifically cover these relationships.
- 1.6 For the purpose of this protocol, the administrative areas within wider Devon are those covered by:
- Devon County Council (including all District Council areas, Dartmoor National Park and the western part of Exmoor National Park);
 - Plymouth City Council; and
 - Torbay Council.
- 1.7 The Duty to Co-operate is required by legislation. However, the signatory organisations also recognise that on-going co-operation will proactively identify potential opportunities for joint working which could deliver efficiency savings. It is likely that there will significant savings through joint working, particularly by front-

loading data collection and analysis, joint commissioning and shared policy development.

- 1.8** The protocol sets out a strategic framework to enable efficient, coordinated and consistent co-operation on agreed matters. This does not preclude co-operation arrangements between organisations on specific spatial issues as is appropriate. Such relationships will specifically operate between Authorities covered by this protocol and other neighbouring Councils. The protocol also identifies the topic areas which may require specific co-operation between some, or all, of the organisations listed. Finally, the protocol sets out the governance arrangements that have been agreed in order to ensure the efficient functioning of co-operation activities as covered by the protocol.
- 1.9** The protocol is intended to be a living document setting the overarching framework for co-operation as part of fulfilling strategic planning responsibilities. Co-operation between organisations will develop and grow over time as procedures become clear, working arrangements mature and examples of best practice are disseminated.
- 1.10** Irrespective of the timetables for plan preparation, and whether or not Local Authorities already have policy documents adopted, on-going co-operation will still be required to ensure the soundness of emerging plans. This protocol supports this by providing a framework for on-going co-operation.

2 Organisations covered

- 2.1 There are a number of organisations which should co-operate on the various strands of work identified in this protocol. The way in which co-operation should operate will vary according to the activities being undertaken and the needs and responsibilities of the organisations involved.
- 2.2 Significant co-operation is a characteristic of the work undertaken by Local Authorities, Government Agencies and other public bodies and is therefore on-going. Organisations have existing co-operative relationships with specific bodies depending on the spatial nature of the work being undertaken and the issues being considered. This should continue.
- 2.3 Meeting the Duty to Cooperate suggests the need to formalise such relationships, particularly in terms of evidencing how these have worked. The Planning and Compulsory Purchase Act also specifically identifies Local and County Planning Authorities within the scope of the Duty, while a list of prescribed organisations is set out in Regulation 4 of the Town & Country Planning (Local Planning) (England) Regulations 2012 as amended (the Regulations). In particular, co-operation is required in order to develop sound plans.
- 2.4 As per the Town and Country Planning (Local Planning) (England) Regulations 2012, the organisations with whom Local Planning Authorities are required to co-operate include a range of organisations including government Agencies. Upper tier Authorities are also required to co-operate with these organisations. It is considered particularly important to liaise closely and through an on-going mechanism with the following organisations:
- Environment Agency;
 - Natural England;
 - Highways Agency; and
 - Highway Authorities.
- 2.5 Although not included specifically within this list, there are other groups with whom Local Authorities will need to co-operate. These are set out by the Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2012). Relevant organisations are:
- The relevant Local Enterprise Partnership; and
 - The relevant Local Nature Partnership.
- 2.6 The full list of organisations listed within the Town and Country Planning (Local Planning) (England) Regulations 2012 is included in Appendix A.
- 2.7 Although all these organisations are referenced in some way in the Regulations it is not appropriate for all such organisations to be covered by this protocol due to the number of organisations, their spatial scope and the requirements they themselves have for co-operation for exercising their own functions. The organisations specifically covered by this protocol are included in Appendix B.
- 2.8 It should be noted that this protocol does not aim to provide the entire framework for co-operation in the Devon area and the list of organisations which should co-operate in the exercising of their functions is not exhaustive. Within the overarching

framework provided by this Protocol, the Devon Local Authorities, Agencies, Local Enterprise Partnership and the Local Nature Partnerships will continue to work together through more local arrangements as appropriate.

- 2.9** Co-operation activities are also on-going with Authorities outside of Devon, particularly Cornwall Council, Somerset County Council and Dorset County Council and the Local Planning Authorities. These activities should continue.
- 2.10** Although the various organisations are specifically identified for co-operation on issues of plan preparation, co-operation should also extend to additional activities as may be required by the Agencies, Local Enterprise Partnership and the Local Nature Partnerships as they exercise their functions.

3 Co-operation required between Local Authorities

3.1 Exercising strategic planning functions and responsibilities

- 3.1.1 The duty is most important in relation to the preparation of Development Plan Documents that are subject to an Examination. In this case, compliance with the duty is a first essential test at the Examination. However, there is a requirement that the duty to co-operate be satisfied on an on-going basis in exercising the functions of Local Authorities and other organisations. There are on-going strategic matters over which the Local Authorities in Devon and other organisations already co-operate and this should continue.
- 3.1.2 The signatories to this protocol have agreed the specific aspects of various planning-related topic areas that should be encompassed in co-operative activities and therefore are covered by this protocol.
- 3.1.3 The nature of the co-operation on these issues is explored and explained in more detail in Appendix C in terms of the scope of co-operation, the outcomes sought, and how co-operation may take place. This also sets out the specific actions which the Planning Authorities have agreed to undertake.
- 3.1.4 The specific aspects of the topic areas for co-operation are based on the content of the NPPF. There are likely to be other matters that should be addressed on an on-going basis as they arise. These topics and issues are to be discussed through the Officer Steering Group associated with this protocol (and discussed in section 6) in order to consider which associated discussions need to take place within the framework of the protocol.
- 3.1.5 It should be noted that co-operation between all Authorities covered by this protocol will not always be required for every aspect of every topic area. This is because some issues and topics are only relevant to a defined spatial area and specific Authorities.
- 3.1.6 This approach ensures that the protocol is flexible to acknowledge additional, but uncertain, issues which will require co-operation. It also ensures that co-operation does not become over laborious or prescriptive.
- 3.1.7 A key outcome of the agreement enshrined within the protocol is to ensure that co-operation will be undertaken in a comprehensive and systematic way. Agreed, evidence-based outcomes will be presented clearly to allow political agreement to be sought and identified.

3.2 Co-operation on matters of plan and strategy preparation

- 3.2.1 In preparing plans and strategies, particularly documents which are subject to Examination, fulfilling the duty to co-operate is a legal requirement. The Devon Local Authorities have, however, agreed that there are a number of other plans which should be prepared in the context of the duty to co-operate. A list of plans which will require co-operation is included in Appendix D. This list is not intended to be exhaustive. This list will be kept up to date by the Officer Steering Group for the duty to co-operate protocol.

3.2.2 Co-operation on plan preparation will cover the following:

- Cross-boundary issues, particularly in relation to strategy development and policy alignment;
- The establishment of consistent data sets (potentially including Sustainability Appraisal, Strategic Environmental Assessment, Habitats Regulation Assessment, sharing of evidence/data and joint commissioning where appropriate);
- Agreed mechanisms for on-going engagement through the plan preparation process and the provision of consultation responses;
- Master planning;
- Infrastructure planning;
- Demographic forecasting and housing projections; and
- Agreeing guiding principles and strategic priorities.

3.2.3 The breadth of co-operation on these areas of work will depend upon the extent of the strategic and cross-boundary issues associated with them. This means that there will not always be a need for detailed co-operation with all signatories of this protocol.

3.2.4 In some cases it may be appropriate to consider the potential for a joint plan, however, in most cases, joint evidence, discussion and consistent plan preparation timetables can provide an effective and flexible way of joint working to secure a consistent approach to cross-boundary issues.

3.2.5 There are likely to be resource implications associated with co-operation on plan preparation and infrastructure delivery. Organisations should endeavour to provide the required resources available to enable the lead organisation to undertake its functions effectively and in a timely manner. Where resources are limited or unavailable the organisation should inform the lead organisation of the level of input which they can offer

3.2.6 This protocol provides a framework through which the signatories will act/respond formally to issues and matters of discussion. It forms the basis for discussing issues, evaluating options to address such issues and agreeing outcomes wherever possible but ultimately respects the individual identities and interests of its signatory organisations. Should agreements on strategic issues not be achieved, positions of compromise should be negotiated. Where such compromises cannot be achieved, records should be kept identifying points of common ground, points of disagreement and the attempts made to resolve concerns.

3.3 Co-operation on plan and infrastructure delivery

3.3.1 Infrastructure delivery is vital to both plan implementation and development delivery. In this context, infrastructure delivery will include more traditional 'grey infrastructure' together with green, blue and flood defence infrastructure. It is vital to draw together different Local Authorities, Agencies, Local Enterprise Partnership and the Local Nature Partnerships in a consistent and systematic way to ensure appropriate infrastructure and development delivery which will also help to deliver the content of plans and support sustainable development. In particular such infrastructure will mitigate the impact of development and helped to ensure the achievement of plan objectives and strategy.

3.3.2 Co-operation on infrastructure delivery will particularly include:

- Infrastructure planning (including capacity and needs assessments and the preparation of Infrastructure Delivery Plans);
- Agreeing infrastructure priorities through appropriate governance mechanisms;
- Enabling infrastructure to provide multiple benefits and fulfil shared priorities;
- Consideration of the phasing of infrastructure delivery;
- The co-ordination of funding sourcing;
- The monitoring of funding revenue and availability; and
- The agreement of infrastructure programme management.

3.3.3 The breadth of co-operation on these areas of work will depend upon the extent of the strategic and cross-boundary issues associated with them. This means that there will not always be a need for detailed co-operation with all signatories of this protocol.

3.3.4 In many cases it will be necessary to co-operate specifically with private sector bodies, particularly utilities companies and infrastructure providers.

3.3.5 In order to ensure that the success of Local Plans in achieving strategic objectives can be assessed, plan monitoring will be vital. A strategic, and where possible, co-ordinated approach to this issue, looking at cross-boundary issues and priorities will be required.

4 The role of Agencies, Partnerships and other organisations

4.1 Although the duty to co-operate is centred upon the need for co-operation between Local Authorities, it also applies to other organisations, including Government Agencies, the Local Enterprise Partnership and the Local Nature Partnerships. As such, the following organisations are signatories to the protocol:

- Environment Agency;
- Natural England;
- Highways Agency;
- Heart of the South West Local Enterprise Partnership; and
- Devon Local Nature Partnership.

4.2 All organisations listed in Appendix A of this protocol have agreed to co-operate as appropriate and required in matters of strategic planning. This will ensure that all signatory organisations are consistently involved in discussions identifying strategic matters (county-wide and sub-county) that will require cross-boundary co-operation.

4.3 Local Authorities will engage with the organisations listed in Appendix B, as appropriate, in all stages of plan preparation, infrastructure planning and master planning from scoping onwards as appropriate. The Agencies, Local Enterprise Partnership and Local Nature Partnership will respond to this engagement in positive way, providing input into strategic planning matters where it is relevant to their statutory remit.

4.4 It should be noted that in some work areas, detailed discussion with all signatories may not be required. Genuine two-way discussions will take place to ensure that the full range of organisations have an effective and meaningful framework for identifying matters arising from planning activities as soon as they become apparent. This will allow issues to be incorporated as a consideration in on-going planning processes. The lead organisation will approach other relevant organisations to mutually agree the required level of co-operation.

4.5 Co-operation will be meaningful, consistent and iterative. This may therefore result in the need for engagement with organisations not currently covered by the Protocol or invitations for other organisations to endorse it.

Key co-operation commitments

4.6 Government Agencies, the Local Enterprise Partnership and the Local Nature Partnerships will engage, involve and co-operate with all signatories of this protocol in their own functions as is required. In addition, they will identify matters arising from their functions and plan-preparation as soon as they become apparent in order for them to be incorporated as a consideration in on-going strategic decision making processes.

- 4.7** The Local Authorities will engage in the development of strategies, plans and investment programmes being prepared by the Agencies and Partnerships. This will ensure that such documents are based upon sound evidence and reflect the priorities of the Local Authorities. Specific examples of documents in which the Local Authorities will need specific involvement are the LEP Growth Plans and LNP action plans.
- 4.8** Matters arising which require co-operation will be brought to the attention of the Local Authorities by the relevant organisation as they arise. Issues will be disseminated via the Officer Steering Group.
- 4.9** In some cases, it will be sufficient to identify and agree that there is no need for on-going co-operation between two or more of the bodies. In other cases, detailed and lengthy co-operation will be required. It will be for the lead organisation to suggest the level of co-operation required through discussions and agreement with the other relevant organisations providing input into the process in question. The level of co-operation should be identified as reasonable and proportionate through agreement between the lead organisation and the organisation feeding into the process.
- 4.10** It is acknowledged that not every organisation with whom Local Authorities are required to co-operate during planning activities are signatories to this protocol. On-going co-operation will still be required with other organisations to ensure that their interests are considered appropriately in planning activities.

5 Beyond Devon

- 5.1** There are issues of plan preparation, infrastructure delivery and other responsibilities which cross administrative boundaries with Local Authorities outside of Devon. In particular, there are vital relationships with Cornwall Council, Somerset County Council, Dorset County Council and a number of the neighbouring District Councils.
- 5.2** In addition, it is important that co-operation should also extend to other organisations representing areas with functional relationships to Devon. Particular examples of such organisations would be other Local Enterprise Partnerships and other Local Nature Partnerships. As Local Enterprise Strategic Economic Plans become more formalised, the need for cross-boundary cooperation will become clearer, and the mechanisms stronger.
- 5.3** This protocol does not address the need for co-operation with Local Authorities outside of Devon as doing so would be likely to result in the protocol becoming unwieldy.
- 5.4** However, it is recognised that the principles underpinning the Duty to Co-operate are not constrained by administrative boundaries but relate to the functional relationships that exist between places. The Duty to Co-operate still requires co-operation between appropriate organisations on specific issues which may extend beyond Devon. As such, this protocol does not preclude the need for co-operation with other bodies and Local Authorities on locally specific issues and topics. Such co-operation already takes place and will continue effectively. The signatories to the protocol commit to this wider co-operation on an on-going basis.
- 5.5** The nature of possible co-operation across administrative boundaries into areas outside of Devon is shown schematically in Figure 1. This figure does not show the detail of cross-boundary co-operation with Authorities outside Devon, however it does identify the importance of additional discussions outside the remit of this protocol.

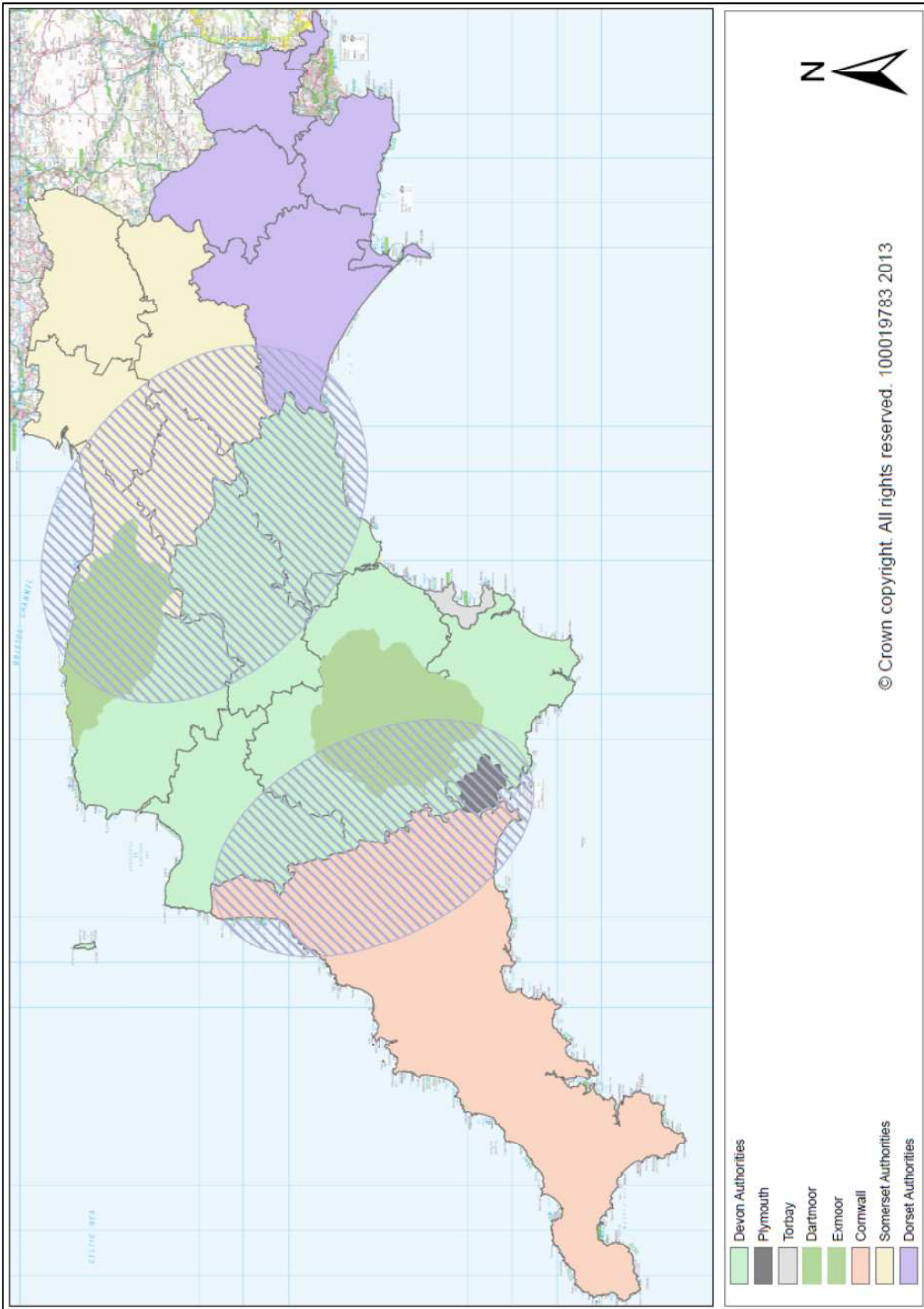


Figure 1: Examples of co-operation outside the scope of this protocol

6 Co-ordination and governance

6.1 Introduction

- 6.1.1 It is vital that the mechanisms of co-operation as identified in this protocol are administered appropriately to ensure the on-going operation of the system.
- 6.1.2 In this regard, the administration and monitoring of the effectiveness of the protocol are managed through a two- tier structure. This will ensure sufficient support for the regime to ensure it operates effectively and sustainably.

6.2 Strategic governance

6.2.1 All organisations covered by this protocol will endeavour to provide representation on an Officer Steering Group as required. The Steering Group will:

- Meet at least biannually as part of the Devon Planning Officer Group (DPOG) sessions;
- Be led by a biennially agreed and rotational Chair. The Chair of DPOG will also Chair the Steering Group. As such, the Chair will be a representative from a Local Authority;
- Be supported by an Officer Steering Group Secretary appointed on a rotational, annual basis, representing the same organisation as the Chair. The Secretary of DPOG will also be secretary for the Officer Steering Group; and
- Agree matters for on-going co-operation, such as the preparation of agreed evidence on specific issues and covering specific areas.

6.3 Operational activities

6.3.1 Protocol signatories will:

- Identify and respond to matters arising through plan preparation and other localised issues that will require cross-boundary co-operation;
- Where issues arise through Local Plan preparation or infrastructure delivery, endeavour to work to the timetable requirements of the organisation responsible for that area of work (the 'lead organisation');
- Present key issues and any additional position statements or Memoranda to Members or relevant senior staff (as considered appropriate) for sign-off;
- Prepare statements (of endorsement) relating to compliance with the Duty to Co-operate on specific spatial issues which may arise;
- In the case of Local Authorities, these statements should be agreed by Senior Officers and approved by appropriate Members if considered appropriate; and
- In the case of the Agencies, the Local Enterprise Partnership and Local Nature Partnerships, these statements should be agreed by appropriate members of staff and approved by senior representatives.

6.3.2 It should be noted that the protocol does not preclude any organisation from exercising its duties according to its own discretion and is not legally binding.

6.3.3 Individual organisations may also choose to report more widely in accordance with their respective constitutions or terms of reference.

6.3.4 The operational mechanisms governing this Duty to Cooperate Protocol and the content of this Protocol itself will be monitored and reviewed according to evolving circumstances. Reviews will be held at least biennially.

6.4 Co-operation reporting

6.4.1 In the case of Local Authorities, discussions held, and decisions made, at the Officer Steering group will be reported to the relevant Members of the Local Authorities. This will involve the relevant Cabinet, Executive Member or Portfolio Holder.

6.4.2 In the case of the Agencies, Local Enterprise Partnership and the Local Nature Partnerships, discussions held, and decisions made, at the Officer Steering group will be reported to the relevant senior representatives.

6.5 Record keeping

6.5.1 It is important to systematically record and retain details of any significant stages of progress on key work areas. There is a requirement for Local Authorities to account for records of compliance with the Duty to Co-operate through monitoring reports that must be published on at least an annual basis. Such reporting should cover topics and issues (as listed in Appendix C) over which there is agreement and, in particular, disagreement.

6.5.2 The Officer Steering Group Secretary will take and retain the minutes from the biannual meetings of the Officer Steering Group. Where appropriate, the minutes and records from other, less formal discussions between organisations covered by this protocol will be sent to the Officer Steering Group Secretary.

7 Protocol signatories

South Hams District Council

In exercising strategic functions and responsibilities, in matters of plan and strategy preparation and in plan and infrastructure delivery, South Hams District Council will co-operate with all other signatories of this protocol. In particular, the Authority will:

- Co-operate fully with all organisations identified within Appendix B, in the preparation of the documents included in Appendix D for which the Council is responsible. The specific co-operation outcomes, and the mechanisms for achieving them with which South Hams District Council will engage, are included in Appendix C;
- Co-operate with all of the Local, Minerals and Waste Planning Authorities in Devon, and other relevant organisations, in the preparation of an appropriate local, minerals and waste planning policy framework, in particular regarding the consideration of planning issues which have a defined spatial element crossing administrative boundaries and authority responsibilities;
- Fully engage, and engage with, other Local Authorities and infrastructure providers in the preparation of planning policy and plan delivery to facilitate on-going specialist input, infrastructure planning and strategic guidance;
- Support other organisations in the preparation of the documents included in Appendix D;
- Proactively seek and provide input into the decision-making processes for the sourcing and allocation of infrastructure funding; and
- Have regard to statutory National Park purposes.

Signed: -----

Date: -----

Position: -----

On behalf of: -----

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Appendix D - Community and Stakeholder Engagement Strategy

1. Purpose

- 1.1 The Council is committed to engaging with communities and stakeholders to ensure that development, economic growth, services and facilities meet local needs and are delivered in the most cost-effective and efficient way enabling local communities to feel supported and enabled to prosper.
- 1.2 Communities are best placed to understand the needs of their local areas and effective engagement leads to better quality plans, decisions and services, with stronger communities who feel empowered and involved in deciding how their communities function.
- 1.3 Key components of engaging effectively will be to build on existing links with communities, stakeholders and local organisations, involvement of elected Members at all levels of local government as community representatives and the development of new relationships as appropriate to ensure that all parts of the community are able to participate and shape their locality.
- 1.4 This Strategy sets out our commitment to engagement and defines:
 - what we mean by engagement;
 - key principles for engaging our communities and stakeholders;
 - when and how engagement will take place.
- 1.5 The Council has a legal Duty to Co-operate with specified partners to engage constructively, actively and on an on-going basis to address cross-boundary issues when preparing key plans.
- 1.6 This strategy forms part of the Council's strategic plan "Our Plan" which sets out the Council's vision, values and objectives alongside the long term priorities and planning and corporate policy. Progress will be monitored and the plan reviewed and updated to ensure it is delivering outcomes that benefit the community and organisation.
- 1.7 The Council's approved Statement of Community Involvement setting out how and when we will involve the community in preparing development plans and processing planning applications is in conformity with this strategy.

2. Defining Engagement

- 2.1 Engagement in this context is the process whereby communities, organisations, stakeholders and individuals work together to identify and agree priorities, and develop proposals that will deliver outcomes of benefit to local communities.
- 2.2 Engagement differs from both consultation and communication in that it empowers and enables communities and stakeholders to shape and influence what happens in the locality. Consultation is whereby views are sought on a set of usually pre-determined proposals and communication is the conveying of information. Both these strands form part of the overall engagement process and should be used to support and test decisions made during, or as a consequence of, engagement.

3. Engaging Stakeholders and Communities

- 3.1 Stakeholders and communities may be both internal and external and might include officers in other areas of the Council, staff, elected Members, town and parish councils, contractors, businesses, community groups, specific interest groups, the voluntary sector, local residents, landowners, statutory and non-statutory partners, developers, planning agents, registered providers, healthcare providers, social services, local education providers and other public sector bodies.
- 3.2 The above list is not exhaustive but gives an idea of the breadth of those who might be involved in the engagement process. Those actually engaged will depend on the nature and subject of the engagement.
- 3.3 We aim to ensure that all relevant stakeholders and communities are enabled to participate in the engagement process to have a voice, including those that are vulnerable or hard to reach.
- 3.4 We will involve the local community and stakeholders in planning engagement wherever possible and ensure that engagement is publicised and promoted in advance.
- 3.5 Elected Members at all levels of local Government: county, district and town/parish are at the heart of engagement, having been elected to represent their local communities. We will principally engage with local communities through Town and Parish Councils and local Ward Members. We will:
- Set up a timetable of events/workshops with them to discuss key issues;
 - Use the Town and Parish Voice arrangements to update, feedback and discuss specific issues and concerns;
 - Use existing Member meetings to update, feedback and discuss specific issues and concerns;
 - Ensure elected Members and Town and Parish Councils are provided with information to enable their local residents to engage with the work of the Council.

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- 3.6 Communities will be at the heart of what we do and be empowered to take responsibility for their local area and shape local plans and the delivery of services.
- 3.7 Local community and stakeholder views and feedback will be used to inform recommendations and decisions as to future plans and service delivery.
- 3.8 Feedback will be provided to all those who participate in the engagement process and the wider community.

4. When and how we will engage

- 4.1 The Council will engage communities and stakeholders to help shape:
 - the overall direction of the authority to include key corporate plans and strategies,
 - service delivery and service related policies,
 - localities
- 4.2 We will work with communities and stakeholders to agree the best format for engagement and the most appropriate times and locations for events.
- 4.3 We will use the Voice forums (Town and Parish Voice, Business Voice, Voluntary Voice and Young People's Voice), regular stakeholder meetings, Connect outreach and existing local shows and events wherever possible to engage rather than setting up separate events.
- 4.4 We will make every attempt to avoid duplication and consultation fatigue by developing a co-ordinated annual engagement plan to include a timetable of engagement for the year. All planned engagement will be included.
- 4.5 A range of tools and techniques will be used that are most appropriate to the subject, groups and localities we are engaging with and may include:
 - Single Topic discussions;
 - Workshops;
 - Focus/discussion groups;
 - On-line tools - Website, Social Media, YouTube and Video diary;
 - Open days, events, outreach;
 - Surveys;
 - Newsletters.
- 4.6 Local residents, community groups, organisations and businesses can ask to be added to the Council's consultation database to receive regular information on consultations being undertaken by the Council.
- 4.7 The primary platform for statutory and non-statutory consultations will be on-line but we will ensure that those who do not have access are able to participate through written responses or telephone/personal interview, as appropriate.

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5. Equality and Human Rights

- 5.1 The provisions of the Human Rights Act 1998 and Equalities Act 2010 have been taken into account in developing this strategy.

6. Review

- 6.1 This strategy will be reviewed annually.

DRAFT

Appendix E - Member/Community Engagement Event Timetable

When will engagement take place?

MAIN ENGAGEMENT PHASE: APRIL – OCTOBER 2014



Statutory Consultations required in respect of Local Plan (6 weeks per consultation) but will also be used to inform overall strategic plan:

Statutory Consultation

One:

Consult on scope of plan and gather local knowledge

WHEN: 9th MAY-20th JUN 2014

Statutory Consultation

Two:

Consult on proposed plan

WHEN: DEC 2014 – JAN 2015

Member/Community Engagement Events:

Who?	How?	When?
Members	Single Topic Discussions plus additional discussions if required	Renewable Energy – 21 st May 2014 Development Strategy first discussion to include Community Infrastructure Levy (CIL) – 3 rd July 2014 Health and Wellbeing – 4 th September 2014 Development Strategy second discussion – 9 th October 2014 NOTE: July – October dates provisional and will be confirmed closer to time.

Town and Parish Councils	Workshops Cluster meetings Community Housing and Planning Surgeries Individual consultations with key towns and local centres as appropriate	Introducing the plan, community engagement and Land Availability Assessment - 2 nd May 2014 Development Strategy – July 2014, date to be agreed Cluster meetings – Sept 2014, dates to be agreed Coleridge Association - 25 th June 2014, 7 p.m. Community Housing and Planning Surgeries – Sept 2014, dates to be agreed
Local businesses	Business Voice	14 th May 2014
Community and Voluntary Sector	Voluntary Voice	20 th May 2014
Local Community	Use existing community events	Kingsbridge Community Day - 28 th June 2014 AONB attending shows at Totnes - 27 th July 2014, Yealmpton - 30 th July 2014 and Kingsbridge - 6 th September 2014 Dartmouth Regatta? 28-30 August 2014
Developers	Development Forum	6 th June 2014
Planning Agents	Agents Forum	23 rd May 2014
Young People	Youth Forum South Hams School Councils Youth Connect school events Youth Leisure nights iBox Facebook page	Arranging attendance at Youth Forum with Lindsay Ward Working with Gill Till on potential engagement opportunities May and Sept likely months for schools/ youth nights

Monthly timeline:

	April	May	June	July	August	Sept	Oct
Members							
Towns and Parishes							
Local Businesses							
Community and Voluntary							
Local Community							
Developers							
Agents							
Young People							

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SOUTH HAMS DISTRICT COUNCIL

NAME OF COMMITTEE	Executive
DATE	24 April 2014
REPORT TITLE	Yealmpton Car Park
Report of	Street Scene Manager
WARDS AFFECTED	Yealmpton

Summary of report:

Following the review of free parking areas in South Hams, this report is to update Members on discussions with Yealmpton Parish Council and the community.

Financial implications:

A saving of approximately £2,000 will be generated from Yealmpton car park.

RECOMMENDATIONS:

1. It is recommended that officers finalise the agreement with Yealmpton Parish Council, as detailed in paragraph 2, and as resolved previously by the Executive, in order to achieve the proposed saving of £2,000.

2. It is further recommended that, should the Parish Council find that it is unable to proceed with an agreement to generate and pay the anticipated income to the District Council, the District Council will proceed with the implementation of a Pay & Display scheme in the car park, as detailed in paragraph 3.

Officer contact:

Cathy Aubertin
 Street Scene Manager
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1. BACKGROUND

- 1.1 Following a review of all free parking areas throughout the South Hams, it was considered that Yealmpton car park was one of four identified where it was possible for savings to be made by generating income from the car park in order to meet running costs.

1.2 Members will recall that during the 2012/13 budget setting process a saving was agreed from this piece of work of £10,206, and Yealmpton is the final car park to be considered.

2. SUMMARY OF ACTIONS TAKEN AND PREFERRED OPTION

2.1 Meetings have been held with Yealmpton Parish Council and with the interested local community.

2.2 As a result, at the time of writing the report, it is anticipated that Yealmpton Parish Council will wish to enter an agreement with the District Council to lease the car park for an initial period of one year.

2.3 This will give the Parish Council the opportunity to establish whether it can raise income of £2,000 by selling parking permits to Yealmpton Parish residents, leaving the remainder of the car park available for short-stay parking, up to a maximum of two hours.

2.4 The Parish Council has requested that the District Council support this initiative by providing a parking enforcement service, and this request can be accommodated within the current staffing resource, in return for PCN income.

2.5 The agreement is to include the requirement for £2,000 to be paid in two equal sums, the first at the start of the agreement and the second after six months. The agreement is also to include a termination period of three months by either party.

3. ALTERNATIVE OPTION

3.1 The Parish Council has raised concerns in respect of its ability to raise the anticipated income, it has agreed that, should this not prove possible, that a Pay & Display scheme should be implemented. Because the Council is keen to encourage vehicle turnover, the following tariffs are recommended, and as agreed with the Parish Council:

½ hour	£0.20
1 hour	£0.50
2 hours	£1.40
3 hours	£2.00
4 hours	£2.80

3.2 A verbal update in respect of the two options above will be given at the meeting of the Executive.

3.3 Should an agreement be reached with the Parish Council, which is then subsequently terminated for any reason, the Parish Council is aware that the District Council will proceed with the implementation of a Pay & Display scheme.

4. LEGAL IMPLICATIONS

4.1 The Council has power to provide off-street parking under the Road Traffic Regulation Act 1984 (as amended).

4.2 The Council has the power to deal with the provision, management and control of car parks.

5. FINANCIAL IMPLICATIONS

- 5.1 During the 2012/ 13 budget setting process a saving was agreed from this overall piece of work of £10,206. This amount was to be taken from strategic reserves until such time as the free car parking reviews were complete.
- 5.2 Anticipated income from Yealmpton car park is £2,000, either by an agreement with the Parish Council or through the implementation of a Pay & Display scheme.

6. RISK MANAGEMENT

The Risk Management implications are shown at the end of this report in the Strategic Risks Template.

Corporate priorities engaged:	Community well-being Access to services Towards excellence Customer first
Statutory powers:	As stated in paragraph 4
Considerations of equality and human rights:	Not applicable
Biodiversity considerations:	None
Sustainability considerations:	None
Crime and disorder implications:	None
Background papers:	None
Appendices attached:	None

STRATEGIC RISKS TEMPLATE

No	Risk Title	Risk/Opportunity Description	Inherent risk status				Mitigating & Management actions	Ownership
			Impact of negative outcome	Chance of negative outcome	Risk score and direction of travel			
1	Public reaction to P&D	The Parish Council is being given the opportunity to propose an alternative scheme	3	1	3	↓	Should P&D have to be implemented, reasonable charges have been recommended	C Aubertin

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NOT FOR PUBLICATION

This report contains exempt information as defined in
Paragraph 3 of Part 1 of
Schedule 12A to the Local Government Act 1972
(applies to Appendices only)

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SOUTH HAMS DISTRICT COUNCIL

AGENDA
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NAME OF COMMITTEE	EXECUTIVE
DATE	24 April 2014
REPORT TITLE	CAPITAL PROGRAMME MONITORING REPORT
REPORT OF	Head of Assets and Head of Finance and Audit
WARDS AFFECTED	ALL

Summary of report:

To advise Members of the progress on individual schemes within the approved capital programme including an assessment of their financial position.

Financial implications:

The anticipated level of expenditure is within the existing approved budget for the approved programme as a whole (Appendix A).

RECOMMENDATIONS:

That the Executive notes the report.

Officer contact:

Kate Cassar, Head of Assets
Kate.cassar@swdevon.gov.uk

Michael Tithecott, Chief Accountant
Mike.tithecott@swdevon.gov.uk

1. BACKGROUND

The capital programme for 2013/14 was approved by Council on 14 February 2013 (70/12 and E63/12 refer). This report provides an update on that programme and also on those schemes that remain outstanding from previous programmes (Appendix A). The update for the Strategic Asset Review is included within this report to provide an integrated approach to the monitoring of capital expenditure and asset disposals.

2. ISSUES FOR CONSIDERATION

Introduction

- 2.1 A summary of the capital programme is shown in exempt Appendix A. The award of contracts is subject to the Council's procurement rules on competitive tendering and therefore the allocated budget is commercially sensitive.
A summary of the Capital Disposal Programme is shown in exempt Appendix B. Progress is shown against each relevant project.

Project updates

- 2.2 Members are requested to note the following under the capital programme:

Ivybridge Leisure Centre - Improvements and Refurbishment

- Works substantially complete and snagging / defects correction due to complete by end of April.
- Final account agreement meeting held and anticipate final agreement by the end of April 03/04/2014

Dartmouth Lower Ferry - Replacement of slipways and fendering systems

- Project completed on 20th May, 2013
- Defects and snagging to be completed.
- Post contract negotiations are continuing to agree the final account

Dartmouth Lower Ferry – Replacement Ticket Machines

- New Ticket Machines operational from 2 April for cash and FerrySaver paper tickets
- The digital FerrySaver cards are programmed to start in June and online sales in October

Salcombe Fish Quay - Refurbishment

- Project completed August 2013
- Defects and snagging to be completed
- Final Accounts completed.

Quayside Leisure Centre - Customer lift refurbishment

- Project completed March 2014 and within budget.

Ermington Workshops - Replacement of fibre cement roofing

- Work due for completion by the end of April.

East Way Lee Mill – Replacement of fibre cement roofing

- Work due for completion by the end of April

Follaton House - New Door entry system

Project completed April 2014. As indicated in the last report to Executive there is an additional budget requirement of £25k which can be funded from the Contingency sum.

South Embankment Shelter Dartmouth

- Orders have been placed and the target delivery date is early June.

Affordable Housing

- Appendix C provides an update on the delivery of the approved schemes

Disabled Facilities Grants

- The Council continues to deliver its statutory function to facilitate and fund means-tested Disabled Facilities Grants (DFGs) to help people, of all ages, to remain living independently within their own homes. A range of procurement exercises and process changes have helped reduce the capital and revenue cost of delivering individual adaptations in the wake of increasing demand arising from a shift away from residential care. It is very difficult to predict demand for DFG's or their cost as an individual adaptation can range from £1,200 up to £30,000 for an extension.
- A total of 114 (South Hams) and 119 (West Devon) DFGs were approved during 2013/14. In addition, grants approved in 2012/13 were completed during this year. Of these adaptations the majority consisted of stair lifts (41 SH, 42 WD) and Level Access Showers (64 SH, 75 WD) with the rest comprising extensions, heating and relocation.

2.3 Strategic Asset Review – update

The procurement of Development Consultants is underway to provide feasibility and pre-marketing advice to the Council on major disposal sites in the District. Progress on other sites is included in exempt Appendix B. Specific progress to note on minor sites:

- Trailer Park, Batson Creek, Salcombe - expressions of interest have been sought for the development of this site. Eight responses have been received to date and these are now being discussed to enable a comprehensive evaluation of the options prior to undertaking a detailed design and layout appraisal.
- RA4 Site, Gould Road, Salcombe – discussions are underway with the Planning Department to prepare a planning brief for this site and consultation with the local Member and Town Council have taken place. A dialogue has also been initiated with an interested party who is seeking to develop a master plan for the area, amalgamating the sites to enable a comprehensive mixed development.

- Extension to Mayors Avenue Car Park, Dartmouth – detailed plans have been prepared and consulted upon. Planning application to be submitted by 30/4/2014.
- Fore street Car Park, Kingsbridge – preliminary feasibility plans have been prepared illustrating various residential layouts. A financial appraisal is being prepared in advance of consultation with Members for preferred option to advance.
- Island Street, Salcombe – decision taken to retain and advance refurbishment of asset. Detailed proposals are currently being prepared.
- Millbay & East Portlemouth Toilet Blocks – discussions commenced with interested party to take over responsibility for future running costs.
- Long Marsh Car Park, Totnes – capital scheme completed. Car park is now capable of being used for boat storage during the winter months.

3. LEGAL IMPLICATIONS

- 3.1 Statutory powers are provided by the Local Government Act 1972 Section 148(5) and Section 2 of the Local Government Act 2000.
- 3.2 The capital programme is implemented in line with the Council's legal requirements, which are examined on a project-by-project basis. To date there are no undue legal concerns.
- 3.3 Since there is commercially sensitive information in the appendices regarding the budgets for individual projects, there are grounds for the publication of these appendices to be restricted, and considered in exempt session. The public interest has been assessed and it is considered that the public interest will be better served by not disclosing the information in the Appendices. Accordingly this report contains exempt information as defined in paragraph 3 of Schedule 12A to the Local Government Act 1972.

4. FINANCIAL IMPLICATIONS

- 4.1 The anticipated level of expenditure is within the existing approved budget for the approved programme as a whole (Appendix A).

5. RISK MANAGEMENT

The Risk Management implications are shown at the end of this report in the Strategic Risks Template.

6. OTHER CONSIDERATIONS

Corporate priorities engaged:	Sound financial management underpins all of the Council's corporate priorities.
Statutory powers:	Local Government Act 1972, s148(5)
Considerations of equality and human rights:	This matter is assessed as part of each specific project.
Biodiversity considerations:	This matter is assessed as part of each specific project
Sustainability considerations:	This matter is assessed as part of each specific project
Crime and disorder implications:	This matter is assessed as part of each specific project
Background papers:	<ol style="list-style-type: none"> 1. Report to and minute 82/09 of South Hams District Council on 04 February 2010 2. Reports to and minute of Executive on 26 January 2012 (E.69/11, Cncl 74/11). 3. Reports to and minutes of Executive on 31 May 2012 ((E.13/12, (E.14/12) 4. Report to and minutes of Executive on 6 September 2012 ((E.34/12). 5. Report to and minutes of Executive on 6 December 2012 (E.63/12) 6. Report to and minutes of Executive on 6 June 2013 (E.05/13)
Appendices attached:	<p>EXEMPT - Appendix A – Summary of the approved programme plus allocated budget.</p> <p>EXEMPT - Appendix B – Update on the Strategic Asset Review – Capital Disposal Programme</p> <p>EXEMPT - Appendix C – Update on the Affordable Housing Capital Programme</p>

STRATEGIC RISKS TEMPLATE

No	Risk Title	Risk/Opportunity Description	Inherent risk status				Mitigating & Management actions	Ownership
			Impact of negative outcome	Chance of negative outcome	Risk score and direction of travel			
1	Council Priorities	Meeting existing Council priorities in line with the Council's Asset Strategy and the opportunity to assess emerging projects, which could contribute to the Council's priorities	4	2	8	↔	This requires a project appraisal for each proposal. This needs to be taken into account when assessing possible implementation timescales. Complex capital programmes have a relatively long lead-in period.	Head of Service
2	Providing value for money	The Council must demonstrate that capital investment contributes to corporate priorities, provides value for money and takes account of the revenue implications of the investment.	4	2	8	↔	Regular monitoring of the capital programme and consideration of new pressures enables Members to control the programme and secure appropriate mitigation where problems arise.	Head of Finance and Audit Head of Assets
3	Cost overruns	Risk of cost overruns on the Capital Programme.	5	2	10	↔	There is regular quarterly monitoring of the Capital programme to Members where any cost overruns are identified at an early stage. There is a contingency budget within the Capital Programme (Appendix A).	Head of Finance and Audit Head of Assets

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AGENDA
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SOUTH HAMS DISTRICT COUNCIL

AGENDA
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NAME OF COMMITTEE	Executive
DATE	24 April 2014
REPORT TITLE	Salcombe Fish Quay and Slipways: Review of Fishermen's Quay and Slipway Charges and All Slipway Charges in Salcombe Charges for 2014-15
REPORT OF	Head of Finance and Audit & Head of Assets
WARDS AFFECTED	All

SUMMARY OF REPORT

This report sets out proposals for fees and charges for the use of Salcombe Fish Quay and Slipway Charges and All Slipway charges in Salcombe for 2014/15.

FINANCIAL IMPLICATIONS

The estimated additional income that could be generated from the review of fees and charges for 2014-15 totals £10,000 as shown in Section 4.1.

RECOMMENDATIONS

That the Executive **RECOMMEND** to Council:

- 1 To approve the proposed fees and charges set out in this report; and**
- 2 That authority be delegated to the Head of Assets, in consultation with the Lead Executive Member for Assets to be able to vary all pricing charges on the Salcombe fish quay and all slipways as and when deemed necessary to respond to changes in market forces.**

Officer contact:

Kate Cassar, Head of Assets
 Kate.cassar@swdevon.gov.uk
 Michael Tithecott, Chief Accountant
michael.tithecott@swdevon.gov.uk

1. BACKGROUND

- 1.1 This report sets out proposals for fees and charges for Salcombe Fish Quay and all Slipways for 2014/15. The Council has the power to levy fees and charges for various services and functions it undertakes. Some of these fees are set by statute while for others the Council can make “reasonable” charges for the services it provides. The undertaking of regular reviews of charges allows, where possible, for the Council to recover the cost of officers’ time in providing the service.

2. PROPOSALS FOR CHARGES 2014/15

Fish Quay and All Slipway Charges Salcombe

- 2.1 Members will be aware that charges have been made for the use of the slipways at Salcombe for some years. It is now proposed to charge for additional items set out in Appendix A of this report including the use of the quay by commercial vehicles and charges for marine engineers working on the Quay.
- 2.2 The proposed charges have been derived from comparable charges from similar harbour operations within the South West.

The proposed increase in slipway charges and introduction of new charges have been consulted upon with the Salcombe Fishermen, this has led to the delay in reporting process to the Executive. If the recommended charges are approved by Council then the charges become applicable from the date of Approval. Slipway charges for April 2014 to this date remain at existing 2013/14 level.

- 2.3 Leaving the slipway charges neither unchanged nor introducing new charges is not recommended. The newly provided facilities at the Fish Quay and improved estate management in place provide the opportunity to derive additional income currently enjoyed by other similar harbour operations. However, Members are requested that the Head of Assets has delegated authority to adjust the charges during any financial year for commercial reasons should the need arise in consultation with the Executive Portfolio Holder. A summary of the proposed charges are in Appendix A.

3. LEGAL IMPLICATIONS

- 3.1 The Council has powers to provide these facilities and services under s1 of the Localism Act 2011 General Powers of Competence.
- 3.2 As mentioned, the Council has the power to levy fees and charges for various services and functions it undertakes. Some of these fees are set by statute while for others the Council can make “reasonable” charges for the services provided. The need to undertake an annual review of fees and charges relates to the Council’s priority of improving core services in a cost effective way and the Council’s commitment to value for money.

4. FINANCIAL IMPLICATIONS

4.1 The additional income generated from the review of each of the fees and charges is estimated as follows:

	Amount (£)
Salcombe Fish Quay and All Slipway Charges	£10,000

5. RISK MANAGEMENT

5.1 The Risk Management implications are shown at the end of this report in the Strategic Risks Template.

6. OTHER CONSIDERATIONS

Corporate priorities engaged:	Community Life, Homes, Economy & Environment
Statutory powers:	Local Government (Miscellaneous Provisions) Act 1976 Powers to levy fees and charges are contained within various statutes governing the services in question
Considerations of equality and human rights:	Charging helps to support the provision of a wide range of public facilities available to all ages and all abilities
Biodiversity considerations:	Facilities are set within parks and public spaces being managed for biodiversity net gain. Memorial scheme (Trees) and sponsorship both encourage the planting and improved management of public space
Sustainability considerations:	Charging assists in supporting the running and management of a range of facilities in appropriate locations for local communities.
Crime and disorder implications:	Charging helps to maintain the range of facilities.
Background papers:	Consultation with the Taxi trade
Appendices attached:	Appendix A - Fishermens' Quay and Slipway Charges And All Slipway Charges Salcombe

No	Risk Title	Risk/Opportunity Description	Inherent risk status			Mitigating & Management actions	Ownership	
			Impact of negative outcome	Chance of negative outcome	Risk score and direction of travel			
1	Providing a cost effective service for users of Council Assets in Salcombe	Additional Costs of Use for using Salcombe Harbour restricts use of Salcombe Fishing Trade	4	2	8		The charges are not unreasonable and, unlike other harbours there are no charges for landing shell fish. Delegated powers to Head of Assets to adjust charging would assist with identified anomalies during the year	Head of Assets Head of Finance and Audit
2	Robustness of income targets	Achieving anticipated income targets in the current financial climate	4	3	12	↔	Monitoring of income stream throughout the year.	Head of Finance & Audit

SOUTH HAMS DISTRICT COUNCIL

ALL SLIPWAY CHARGES AT SALCOMBE

(charges shown are exclusive of V.A.T.)

2014/15

1.	Temporary storage - yacht trailers, crab pots and other tackle per square metre per day by agreement:	£0.42/sqmtr
2.	Lay-up berth on quay - Maximum 11 metres and 9 ton vessel - maximum stay to be agreed at booking	
	Per 24 hours	£10.00
	Per seven days	£49.33
3.	Temporary laying up on any slipway or alongside the Creek Quay or any other Harbour Quay (not launching or slipping) Per metre L.O.A. per day or part:	£1.67/mtr
4.	Use of Quays for commercial cars and vehicles up to 2 ton unladen weight Per working day or part does not include spur charge payers	£20.83
5.	Use of Quays for commercial vehicles from 1 -20 ton unladen weight Per working day or part to include fuel tankers:	£41.67
6.	Use of Quays for commercial vehicles from 20-40 ton unladen weight Per working day or part:	£83.33
7.	Marine Contractors Annual charge for use of quays and slipway (Does not include Parking)	£166.67
8.	Marine contractor's daily charge for working on Quay	£12.50
9.	Unauthorised use of quayside or surrounding area, any overstay of the pre-booked period will be charged at standard charges plus:	£41.67
10.	Annual charge for loading/unloading of catch on quay for commercial vehicles up to 2 ton unladen weight:	£484.17
11.	Annual charge for loading/unloading of catch on quay for commercial vehicles from 2-20 tons unladen weight: To include fuel tankers	£916.67
12.	Annual charge for loading/unloading of catch on quay for commercial vehicles from 20-40 tons unladen weight:	£1666.67
13.	Overnight parking for any commercial vehicles 1-40 tons	£25.00

(All prices will be reviewed annually)

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SOUTH HAMS DISTRICT COUNCIL

FISHERMENS QUAY AND SLIPWAY CHARGES

(Charges shown are exclusive of V.A.T.)

2014/15

Spur charges include the use of the fish quay for loading and unloading, davits, ice, water, rubbish and toilets. It does not include parking or overnight berthing. See SHDC's 'All Slipway Charges' for stowage/lorry rates.

1. Annual Spur charge per registered metre of vessel	£60.28mtr
2. Spur charge per day for visiting Fishing boats	£40
3. Overnight berthing per registered metre of vessel	£2.00/mtr
4. Annual parking for reserved places	£496.88
5. Temporary laying up on slipway by agreement over tide	No charge
6. Fish Quay Pontoon (maximum 5.5 metres)	£60.12
7. For "Wet" fish only a landing charge of 1.5% of the gross value of each catch to be declared on landing (i.e. £1000 landing £15 fee)	No charge

Note: All charges are subject to change and annual inflation
Wet fish charge will be waived for the foreseeable future.

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SOUTH HAMS DISTRICT COUNCIL

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NAME OF COMMITTEE	Executive
DATE	24 April 2014
REPORT TITLE	Risk Based Verification Policy
Report of	Head of Customer Services and ICT
WARDS AFFECTED	All

Summary of report:

To advise Members of the new approach to verifying claims for Housing Benefit and Council Tax Reduction. There is a requirement that the Risk Based Verification Policy be approved by Members.

Financial Implications

There are no financial implications directly related to this report, however, this new approach to claim verification will improve processing times of benefit claims which will in turn reduce overpayments made to claimants that then need to be recovered.

RECOMMENDATIONS:

To recommend to Council the approval of the Risk Based Verification Policy (Appendix 1)

Officer contact: Darren.Cole@swdevon.gov.uk

1. BACKGROUND

- 1.1 South Hams District Council must adhere to Housing Benefit and Council Tax Reduction legislation. The regulations within the legislation do not specify what information and evidence they should obtain from a customer. However, it does require an authority to have information which allows an accurate assessment of a claimant`s entitlement, both when a claim is made and renewed because of a change in circumstances.

- 1.2 In the early 1990s the Department for Works and Pensions (DWP) introduced a Verification Framework policy for administering Housing and Council Tax Benefit claims. The policy strongly recommended that Local Authorities should obtain a substantial amount of original documentary evidence and carry out numerous checks before making any payment. Although the policy was voluntary, South Hams along with virtually all other councils adopted the framework policy.
- 1.3 The Verification Framework policy has proved to be labour intensive, costly and caused significant delays in processing claims but although the scheme ended in 200, most councils including South Hams, continued to use the framework policy to determine the level of proof and verification required before deciding a claim.

2 ISSUES FOR CONSIDERATION

- 2.1 The DWP have now developed and approved a new Risk Based Verification policy which sets out the information and evidence required before assessing claims for Housing Benefit and Council Tax Reduction. Risk Based Verification is a method of applying different levels of checks according to the risk of fraud associated with those claims.
- 2.2 The Risk Based Verification policy (**Appendix 1 attached**) defines the risk categories and this information is system based so that claims are automatically allocated a risk category prior to payment. Claims are put into 1 of 3 categories – **Low, Medium or High.**

Low Risk

- Photocopies or original documentation to prove identity, National Insurance number and Student status.

Medium Risk

- Must have the same checks as low risk plus
- Photocopies or original documentation to prove every type of declared income and capital.

High Risk

- All high risk categorised cases must have original documentation to prove Identity, National Insurance number and Student status.
 - Original documentation only for proof of every type of declared income and capital
 - Verification plus which may include some cases having a credit reference check completed to determine if there are any discrepancies between the information provided by the customer and the information available via the credit reference check.
- 2.3 Once the category is identified, individual claims cannot be downgraded by the benefit processor to a lower risk group. They can however, exceptionally, be upgraded, with approval of the Senior Benefits Officer, if the processor has reasons to think this is appropriate. All cases which are upgraded will be recorded along with the reasons for doing so.

- 2.4 In adopting RBV there is still the obligation to get all the facts and make an accurate assessment but there is not the need to gather documentary evidence in all cases.
- 2.5 This in effect means being able to focus resources appropriately on those claims that pose the greatest risk and simplify and reduce the processing time for those that pose the least risk.
- 2.6 In line with the Department of Work and Pensions guidance around 55% of cases will be Low Risk, 25% Medium and 20% High.
- 2.7 The RBV policy will be reviewed annually in accordance with the DWP instructions but must not be changed in-year as this would complicate the audit process.
- 2.8 The introduction of RBV will bring about the following benefits including links to T18:
- Reduce outgoing post by up to 75% and post received by up to 30%. Thereby reducing postal costs, demands on the post and scanning team and decreasing administration duties within the benefits team.
 - Improve time taken to process claims by up to 50% reducing customer contact and improving customer satisfaction.
 - Identify up to 25% more fraud and error at the gateway. Thus moving the emphasis from fraud detection to fraud prevention.
 - RBV is system based and automatically categorises the level of risk thus transferring work to the frontline.
 - Reduction in the number of benefit and fraud administration staff.
- 2.9 The DWP are clear that Risk Based Verification is a voluntary scheme not a mandatory scheme. See DWP circular S11/2011 (Appendix 2).

3. LEGAL IMPLICATIONS

- 3.1 Although Risk Based Verification is a voluntary scheme there is a mandatory requirement to have the Risk Based Verification policy detailing the risk profiles, verification standards which will apply and the minimum number of claims to be checked (Appendix 1) approved by members. This is stated in the DWP circular S11/2011 (Appendix 2)
- 3.2 The councils legal obligation to verify information for Housing Benefit claims is defined in Housing Benefit Regulation 86 which states;
- “a person who makes a claim, or a person to whom housing benefit has been awarded, shall furnish such certificates, documents, information and evidence in connection with the claim or award, or any question arising out of the claim or the award, as may reasonably be required by the relevant authority in order to determine that person`s entitlement to, or continuing entitlement to housing benefit”.

4. FINANCIAL IMPLICATIONS

- 4.1 There are no financial implications directly related to this report, however, this new approach to claim verification will improve processing times of benefit claims which will in turn reduce overpayments made to claimants that then need to be recovered.

5. OTHER CONSIDERATIONS

Corporate engaged:	priorities	Economy, Community Life, Homes
Considerations of equality and human rights:		These are considered on a case by case basis when assessing entitlement to benefit
Biodiversity considerations:		There are no biodiversity issues relating to this report.
Sustainability considerations:		This change in approach will generate efficiencies through reduced workload and better targeting of resources.
Crime and disorder implications:		There are no crime and disorder implications
Background papers:		None
Appendices attached:		Appendix 1 – RBV Policy Appendix 2 – DWP Circular S11/2011

STRATEGIC RISKS TEMPLATE

No	Risk Title	Risk/Opportunity Description	Inherent risk status				Mitigating & Management actions	Ownership
			Impact of negative outcome	Chance of negative outcome	Risk score and direction of travel			
1	Adherence to Legislation	Breach of Mandatory Regulations will result in loss of benefit administration subsidy	5	2	10	↑	% check of all assessed claims will be made to ensure compliance with the mandatory regulations.	Head of ICT & Customer Services

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Housing Benefit and Council Tax Benefit Circular

Department for Work and Pensions

1st Floor, Caxton House, Tothill Street, London SW1H 9NA

HB/CTB S11/2011

SUBSIDY CIRCULAR

WHO SHOULD READ	All Housing Benefit (HB) and Council Tax Benefit (CTB) staff
ACTION	For information
SUBJECT	Risk-Based Verification of HB/CTB Claims Guidance

Guidance Manual

The information in this circular does not affect the content of the HB/CTB Guidance Manual.

Queries

If you

- want **extra copies of this circular/copies of previous circulars**, they can be found on the website at <http://www.dwp.gov.uk/local-authority-staff/housing-benefit/user-communications/hbctb-circulars/>
- have any queries about the
 - **technical content of this circular**, contact
Email: HBCTB.SUBSIDYQUERIES@DWP.GSI.GOV.UK
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Risk-Based Verification of HB/CTB Claims Guidance

Introduction

1. This guidance outlines the Department's policy on Risk-Based Verification (RBV) of Housing Benefit and Council Tax Benefit (HB/CTB) claims.

Background

2. RBV allows more intense verification activity to be focussed on claims more prone to fraud and error. It is practiced on aspects of claims in Jobcentre Plus (JCP) and the Pension Disability and Carers Service (PDCS). Local authorities (LAs) have long argued that they should operate a similar system. It is the intention that RBV will be applied to all Universal Credit claims.
3. Given that RBV is practised in JCP and PDCS, the majority (up to 80%) of HB/CTB claims received in an LA may have been subject to some form of RBV. Already 16 LAs operate RBV. Results from these LAs have been impressive. In each case the % of fraud and error identified has increased against local baselines taken from cells 222 and 231 of the Single Housing Benefit Extract (SHBE). In addition, in common with the experience of JCP and PDCS there have been efficiencies in areas such as postage and storage and processing times have improved.
4. We therefore wish to extend RBV on a **voluntary basis** to all LAs from April 2012.

This guidance explains the following;

- What is RBV?
- How does RBV work?
- The requirements for LAs that adopt RBV
- How RBV claims will be certified
- What are the subsidy implications?

What is RBV?

5. RBV is a method of applying different levels of checks to benefit claims according to the risk associated with those claims. LAs will still be required to comply with relevant legislation (Social Security Administration Act 1992, section 1 relating to production of National Insurance numbers to provide evidence of identity) while making maximum use of intelligence to target more extensive verification activity on those claims shown to be at greater risk of fraud or error.
6. LAs have to take into account HB Regulation 86 and Council Tax Benefit Regulation 72 when verifying claims. The former states:

“a person who makes a claim, or a person to whom housing benefit has been awarded, shall furnish such certificates, documents, information and evidence in connection with the claim or the award, or any question arising out of the claim or the award, as may reasonably be required by the relevant authority in order to determine that person’s entitlement to, or continuing entitlement to housing benefit and shall do so within one month of being required to do so or such longer period as the relevant authority may consider reasonable.”

Council Tax Benefit Regulation 72 is similar.

7. These Regulations do not impose a requirement on authorities in relation to what **specific** information and evidence they should obtain from a claimant. However, it does require an authority to have information which allows an **accurate assessment** of a claimant’s entitlement, both when a claim is first made and when the claim is reviewed. A test of reasonableness should be applied.

How does RBV work?

8. RBV assigns a risk rating to each HB/CTB claim. This determines the level of verification required. Greater activity is therefore targeted toward checking those cases deemed to be at highest risk of involving fraud and/or error.
9. The classification of risk groups will be a matter for LAs to decide. For example, claims might be divided into 3 categories:
 - **Low Risk Claims:** Only essential checks are made, such as proof of identity. Consequently these claims are processed much faster than before and with significantly reduced effort from Benefit Officers without increasing the risk of fraud or error.
 - **Medium Risk Claims:** These are verified in the same way as all claims currently, with evidence of original documents required. As now, current arrangements may differ from LA to LA and it is up to LAs to ensure that they are minimising the risk to fraud and error through the approach taken.
 - **High Risk Claims:** Enhanced stringency is applied to verification. Individual LAs apply a variety of checking methods depending on local circumstances. This could include Credit Reference Agency checks, visits, increased documentation requirements etc. Resource that has been freed up from the streamlined approach to low risk claims can be focused on these high risk claims.
10. We would expect no more than around 55% of claims to be assessed as low risk, with around 25% medium risk and 20% high risk. These figures could vary from LA to LA according to the LA’s risk profiling. An additional expectation is that there should be more fraud and error detected in high risk claims when compared with medium risk claims and a greater % in medium risk than low risk. Where this proves not to be the case the risk profile should be revisited.
11. LAs may adopt different approaches to risk profile their claimants. Typically this will include the use of IT tools in support of their policy, however, the use of clerical systems is acceptable.

12. Some IT tools use a propensity model¹ which assesses against a number of components based on millions of claim assessments to classify the claim into one of the three categories above. Any IT system² must also ensure that the risk profiles include 'blind cases' where a sample of low or medium risk cases are allocated to a higher risk group, thus requiring heightened verification. This is done in order to test and refine the software assumptions.
13. Once the category is identified, individual claims cannot be downgraded by the benefit processor to a lower risk group. They can however, exceptionally, be upgraded if the processor has reasons to think this is appropriate.

The requirements for LAs that adopt RBV

14. RBV will be voluntary. However, all LAs opting to apply RBV will be required to have in place a **RBV Policy** detailing the risk profiles, verification standards which will apply and the minimum number of claims to be checked. We consider it to be good practice for the Policy to be examined by the authority's Audit and Risk Committee or similar appropriate body if they exist. The Policy must be submitted for Members' approval and sign-off along with a covering report confirming the Section 151 Officer's (section 85 for Scotland) agreement/recommendation. The information held in the Policy, which would include the risk categories, should not be made public due to the sensitivity of its contents.
15. The Policy must allow Members, officers and external auditors to be clear about the levels of verification necessary. It must be reviewed annually but not changed in-year as this would complicate the audit process.
16. Every participating LA will need a robust baseline against which to record the impact of RBV. The source of this baseline is for the LA to determine. Some LAs carry out intensive activity (along the lines of the HB Review) to measure the stock of fraud and error in their locality. We suggest that the figures derived from cells 222 and 231 of SHBE would constitute a baseline of fraud and error currently identified by LAs.
17. Performance using RBV would need to be monitored monthly to ensure its effectiveness. Reporting, which must be part of the overall Policy, must, as a minimum, include the % of cases in each risk category and the levels of fraud and error detected in each.

How RBV claims will be certified?

18. Auditors will check during the annual certification that the subsidy claim adheres to the LA's RBV Policy which will state the necessary level of verification needed to support the correct processing of each type of HB/CTB claim. The risk category will need to be recorded against each claim. Normally the LA's benefit IT/clerical system will allow this annotation.

¹ Whilst DWP is of the opinion that the use of IT will support the success of RBV, it does not in anyway endorse any product or company

² The same safeguard must be applied to clerical systems

Other considerations

19. The sample selection for HB/CTB cases will not change i.e. 20 cases will be selected for each headline cell on the claim form. The HB COUNT guidance used by the external auditors for certification will include instructions for how to deal with both non-RBV and RBV cases if selected in the sample. For non-RBV cases, the verification requirements will remain the same i.e. LAs will be expected to provide all the documentary evidence to support the claim.

What are the subsidy implications?

20. Failure by a LA to apply verification standards to HB/CTB claims as stipulated in its RBV Policy will cause the expenditure to be treated as LA error. The auditor will identify this error and if deemed necessary extrapolate the extent and, where appropriate, issue a qualifying letter. In determining the subsidy implications, the extrapolation of this error will be based on the RBV cases where the error occurred. For this reason, it is important that RBV case information is routinely collected by ensuring that LA HB systems incorporate a flag to identify these RBV cases. If sub-populations on RBV cases can not be identified, extrapolations will have to be performed across the whole population in the particular cell in question.
21. We will now work with the respective audit bodies to incorporate this into the COUNT guidance. If you have any queries please contact Manny Ibiayo by e-mail HBCTB.SUBSIDYQUERIES@DWP.GSI.GOV.UK

AGENDA
ITEM
12

SOUTH HAMS DISTRICT COUNCIL

AGENDA
ITEM
12

NAME OF COMMITTEE	Executive
DATE	24 April 2014
REPORT TITLE	Transfer of Plympton and Totnes Chains
Report of the	Democratic Services Manager
WARDS AFFECTED	None

Summary of report:

To consider a report which seeks to transfer ownership of the chain that previously belonged to Plympton St Mary Rural District Council ('the Plympton Chain') to Plymouth City Council. The report also seeks approval to negotiating the gifting of the Totnes Rural District Council Chain to Totnes Town Council.

Financial implications:

For insurance purposes, the Plympton Chain is currently valued at £6,260 and the Totnes Chain is valued at £16,065.

The annual cost to the Council of insuring these two chains is £300 per year. Therefore, if both Chains are ultimately gifted to the two councils, then this annual cost will be saved by the Council.

RECOMMENDATION:

1. That the Plympton St Mary Rural District Council Chain ('the Plympton Chain') be gifted to Plymouth City Council;
2. That the Democratic Services Manager be given delegated authority, in consultation with the lead Executive Member for Corporate Services, to approach Totnes Town Council with a view to negotiating the gifting of the Totnes Rural District Council Chain ('the Totnes Chain') to Totnes Town Council.

Officer contact: Darryl White (Democratic Services Manager) Ext. 1247

Email: darryl.white@southhams.gov.uk

1. Background

The Plympton Chain

- 1.1 On 7 March 2014, the Chairman of the Council received a letter from the Lord Mayor's Parlour at Plymouth City Council. The letter asked (having received a request from the Chairman of Plympton Community Council) for South Hams District Council to consider a request to either make a permanent loan of, or gift, the chain that previously belonged to Plympton St Mary Rural District Council ('the Plympton Chain') to Plymouth City Council.
- 1.2 Before this time, during the second half of 2009, a similar request was made to the Council by the Plympton and District Civic Society. At that time, and upon learning of this request, Ivybridge Town Council also made a claim to the chain. This claim was made on the basis that Ivybridge was part of the previous Plympton St Mary Rural District Council and Ivybridge Town Council was an elected body whereas Plympton and District Civic Society was not.
- 1.3 As a consequence, the decision was taken at that time to retain the chain within the ownership of South Hams District Council, with it remaining on display in the Nash Room.

The Totnes Chain

- 1.4 A few years ago, Totnes Town Council made a request to be loaned the Totnes Rural District Council Chain. At the time, this request was agreed, subject to the chain being kept in a secure location and within a locked display cabinet. This loan arrangement has remained in place ever since.

2. Ownership of the Plympton Chain

- 2.1 Since Plympton St. Mary, Plympton Erle and Plympton Chaddlewood are all wards located within the boundaries of Plymouth City Council, it would seem a fair conclusion that the Plympton Chain ought to belong to Plymouth City Council rather than South Hams District Council.
- 2.2 The Council has also received confirmation from Ivybridge Town Council that it would now support the chain being gifted to Plymouth City Council, with it being made available to the Plympton Stannator to wear on ceremonial and other occasions throughout the year.
- 2.3 Having also been informed that the chain would be held under lock and alarm, it is now recommended that the Executive approve the gifting of the Plympton Chain to Plymouth City Council.

3. Ownership of the Totnes Chain

- 3.1 Whilst the loan arrangement remains in place and the Council has not received notification from Totnes Town Council that it would wish to be gifted the chain, it is now considered an opportune time for the Council to revisit this matter and approach the town council with a view to opening up negotiations regarding the potential for a permanent transfer of ownership.

4. Risk Management

- 4.1 The risk management implications are shown at the end of this report in the strategic risks template.

5. Other Considerations

Corporate priorities engaged:	None
Statutory powers:	Local Government Act 1972.
Considerations of equality and human rights:	None directly related to this report.
Biodiversity considerations:	None directly related to this report.
Sustainability considerations:	None directly related to this report.
Crime and disorder implications:	None directly related to this report.
Background papers:	Letter to Cllr Carson from the Lord Mayor's Parlour at Plymouth City Council.
Appendices attached:	None

STRATEGIC RISKS TEMPLATE

No	Risk Title	Risk/Opportunity Description	Inherent risk status				Mitigating & Management actions	Ownership
			Impact of negative outcome	Chance of negative outcome	Risk score and direction of travel			
1	The loss of assets to the Council.	By proposing that the Chains be gifted to Plymouth City Council and Totnes Town Council respectively, the Council would lose the ownership of these assets.	1	1	1	↔	The Council would save the annual cost of insuring the chains and these probably ought not to belong to South Hams District Council.	Democratic Services Manager

Direction of travel symbols ↓ ↑ ↔

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SOUTH HAMS DISTRICT COUNCIL

NAME OF COMMITTEE	Executive
DATE	24 April 2014
REPORT TITLE	Write Off Report
REPORT OF	Head of Finance & Audit Head of ICT & Customer Services
WARDS AFFECTED	All

Summary of report:

The Council is responsible for the collection of: Housing Rents; Sundry Debts including Housing Benefit Overpayments, Council Tax and National Non-Domestic Rates.

The report informs members of the debt written off for these revenue streams. Debts up to the value of £5,000 being written off by the Head of Finance & Audit, under delegated authority. Permission needs to be sought from the Executive to write off individual debts with a value of more than £5,000.

This report covers the period 1st January 2014 to 31st March 2014

Financial implications:

South Hams District Council debts totalling £45,754.54 to be written-off.

RECOMMENDATIONS:

The Executive notes that, in accordance with Financial Regulations, the Head of Finance & Audit has authorised the write-off of individual South Hams District Council debts totalling £45,754.54 as detailed in Tables 1 and 2.

There are no individual debts in excess of £5,000 (as shown in Table 3) to be written off by the Executive.

Officer contact: *Lisa Buckle: Tel ext no.3644 e-mail lisa.buckle@swdevon.gov.uk
Darren Cole: Tel ext no. 3626 e-mail Darren.Cole@swdevon.gov.uk*

1. BACKGROUND

The Council's sound financial management arrangements underpin delivery of all the Council's priorities, including the commitment to providing value for money services. This report forms part of the formal debt write-off procedures included in these financial arrangements.

Members have requested that this information be presented in a composite report rather than for each individual revenue stream.

Collection rates for 2012/13 were; Council Tax 99% & Business Rates 99.2%

2. ISSUES FOR CONSIDERATION

In accordance with good financial management principles the Council has, for the revenue streams detailed in this report, made a total bad debt provision of £1,300,000. This provision recognises that a proportion of the authority's debts will prove irrecoverable and ensures that the value of debtors within the authority's accounts is a fair reflection of the amount that will eventually be recovered. The total collectable debt for Council Tax is £55.9 million and for Business Rates is £29.4 million.

All debts, taxes and rates within the Service's control are actively pursued, and in most instances are collected with little difficulty. Sometimes, however, special arrangements are needed to effect recovery, and this may mean extending the period of time to collect the debt or ultimately instigating enforcement proceedings and then using Enforcement Agents to secure payment.

In some cases further pursuit of the debt is not possible for a variety of reasons, such as bankruptcy or liquidation and such cases with arrears under £5,000 are written off by the Head of Finance & Audit under delegated authority. Cases where the debt exceeds £5,000 must, however, be approved by Executive prior to the debt being written off.

Members are reminded that a record is kept of debts written off, together with the reason for doing so, so that if there is a realistic chance of recovery in the future a debt may be resurrected and pursued again.

Members are advised that the Service has access to Experian's Citizenvue database which is currently the most reliable means of tracing absconded debtors. Each case is checked against this system before a decision is taken to write off the debt. A periodic review of write offs against this system may also be carried out to resurrect debts where appropriate.

3. LEGAL IMPLICATIONS

The relevant powers for this report are contained within the following legislation;

Section 151 Local Government Act 1972

Section 44 Local Government Finance Act 1988 (Non Domestic Rate)

Section 14 Local Government Finance Act 1992 (Council Tax)

4. FINANCIAL IMPLICATIONS

South Hams District Council Debts totalling £45,754.54 to be written-off.

5. OTHER CONSIDERATIONS

Corporate priorities engaged:	Economy Homes Community Life
Statutory powers:	Section 151 Local Government Act 1972 Section 44 Local Government Finance Act 1988 (Non Domestic Rate) Section 14 Local Government Finance Act 1992 (Council Tax)
Considerations of equality and human rights:	All enforcement action that is taken prior to this point is undertaken in accordance with legislation and accepted procedures to ensure no discrimination takes place
Biodiversity considerations:	None
Sustainability considerations:	A bad debt provision is built into the financial management of the Authority
Crime and disorder implications:	None
Background papers:	None
Appendices attached:	Tables 1, 2 & 3

RISK MANAGEMENT

No	Risk Title	Risk/Opportunity Description	Inherent risk status				Mitigating & Management actions	Ownership
			Impact of negative outcome	Chance of negative outcome	Risk score and direction of travel			
1	Reputation	Any risk to reputation is managed carefully by prompt recovery of amounts due wherever possible.	3	2	6	↓	This risk is also mitigated by taking a balanced view and ensuring that resources are not expended on debts which are not cost effective to pursue	H of CS & IT
2	Write Off	The obvious risk of debtors subsequently being able to pay a debt which has been written off is mitigated by the activity outlined in issues for consideration.	2	1	2	↔	Any individual debt exceeding £5,000 is referred to members for consideration prior to write-off which accords with Financial regulations.	H of F & A

Direction of travel symbols ↓ ↑ ↔

TABLE 1 SUMMARY OF SOUTH HAMS DISTRICT COUNCIL DEBT UNDER £5000 WRITTEN OFF BY THE HEAD OF FINANCE

TYPE OF DEBT	NUMBER OF CASES		No of people / business	REASON FOR W/OFF	Financial Year 2013/14			Totals for Comparison purposes			
	<£1000	>£1000			Quarter 4	Cumulative Total		Equivalent Quarter 2012/13		Grand Total 2012/13	
					Amount (£)	Cases	Amount	Cases	Amount	Cases	Amount
HOUSING BENEFIT	46	-		Overpaid Entitlement	6,603.08	140	42,460.86	30	15,301.30	94	37,061.92
	-	-		Bankruptcy	-	9	8,382.57	3	1,323.13	15	7,989.93
	1	1		Absconded	2,100.92	13	7,132.56	9	2,030.76	26	10,572.91
	-	-		Deceased	-	3	139.45	3	468.94	6	890.91
	5	-		Not cost effective to pursue	12.08	16	174.08	3	20.00	26	759.92
	10	-		Uncollectable old debt	2,217.24	44	17,067.78	20	11,561.59	45	29,820.24
Total	62	1			10,933.32	225	75,357.30	68	30,705.72	212	87,095.83
COUNCIL TAX	15	3		Absconded	7,675.29	139	81,974.01	34	14,792.78	85	33,802.41
	-	-		Administrative Receivership	-	-	-	-	-	4	2,940.88
	7	3		Bankruptcy	6,975.16	36	24,927.46	10	6,831.10	57	45,916.99
	2	-		Deceased	141.10	6	1,816.58	2	1,881.26	4	2,137.16
	-	-		Small balance	-	18	411.20	4	34.78	24	597.27
	4	-		Other	2,392.00	9	8,194.75	11	3,166.85	19	8,474.28
	1	-		Uncollectable old debt	196.61	2	204.97	2	531.66	6	2,156.53
	-	-		Voluntary Arrangement	-	-	-	-	-	-	-
Total	29	6			17,380.16	210	117,528.97	63	27,238.43	199	96,025.52
SUNDRY DEBTS	-	-	-	Absconded	-	-	-	-	-	21	757.63
	-	-	-	Bankruptcy	-	2	146.06	6	444.30	32	10,068.19
	-	-	-	Not cost effective to pursue	-	4	123.10	-	-	33	1,215.98
	4	-	4	Other	859.74	14	2,360.38	2	703.18	5	745.16
	-	-	-	Administrative Receivership	-	-	-	-	-	-	-
	11	-	8	Small balance	14.59	67	93.69	6	1.86	53	24.33
Total	15	-	12		874.33	87	2,723.23	14	1,149.34	144	12,811.29
HOUSING RENTS	-	-		Bankrupt	-	-	-	-	-	-	-
	22	-		Not cost effective to pursue	627.09	22	627.09	-	-	19	573.24
	-	-		Absconded	-	1	31.94	-	-	11	1,697.78
	-	-		Uncollectable old debt	-	-	-	-	-	1	395.00
	-	-		Other	-	9	378.80	-	-	3	477.81
	-	-		Deceased	-	-	-	-	-	-	-
Total	22	-			627.09	32	1,037.83	-	-	34	3,143.83
Grand Total	128	7			29,814.90		196,647.33	145	59,093.49	589	199,076.47

TABLE 2 SUMMARY OF NON DOMESTIC RATE DEBT UNDER £5000 WRITTEN OFF BY THE HEAD OF FINANCE

TYPE OF DEBT	NUMBER OF CASES		No of people / business	REASON FOR W/OFF	Financial Year 2013/14			Totals for Comparison purposes				
	<£1000	>£1000			Quarter 4		Cumulative Total		Equivalent Quarter 2012/13		Grand Total 2012/13	
					Amount (£)	No.	Amount	No.	Amount	No.	Amount	
NON-DOMESTIC RATE	1	-	1	Absconded	717.80	18	25,414.01	-	-	1	774.84	
	-	-	-	Administrative Receivership	-	3	2,137.62	-	-	2	5,108.05	
	-	4	3	Liquidation	9,842.32	15	21,181.35	4	10,478.06	12	21,480.12	
	1	1	1	Voluntary Arrangement	4,554.19	4	9,015.08	-	-	-	-	
	1	-	1	Other	825.33	3	1,828.64	1	302.90	10	2,284.71	
	-	-	-	Uncollectable old Debt	-	-	-	-	-	-	-	
	-	-	-	Bankruptcy	-	5	11,233.22	1	984.62	6	6,940.96	
	-	-	-	Deceased	-	-	-	-	-	1	2,526.86	
Total	3	5	6		15,939.64	48	70,809.92	6	11,765.58	32	39,115.54	

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

TYPE OF DEBT	NUMBER OF CASES	REASON FOR W/OFF	Financial Year 2013/14			Totals for Comparison purposes				
			Quarter 4		Cumulative Total		Equivalent Quarter 2012/13		Grand Total 2012/13	
			Amount (£)	No.	Amount	No.	Amount	No.	Amount	
NON-DOMESTIC RATE	-	Administrative Receivership	-	1	14,943.32	-	-	-	-	
	-	Liquidation	-	2	22,642.65	1	6,742.96	5	47,798.38	
	-	Absconded	-	-	-	-	-	-	-	
	-	Bankruptcy	-	-	-	1	5,533.19	3	28,864.77	
	-	Uncollectable old Debt	-	-	-	-	-	-	-	
	-	Voluntary Bankruptcy	-	1	6,960.88	-	-	-	-	
Total	-		-	4	44,546.85	2	12,276.15	8	76,663.15	
HOUSING BENEFIT	-	Deceased	-	-	-	-	-	1	61,925.43	
	-	Overpaid Entitlement	-	1	9,386.50	-	-	-	-	
	-	Bankruptcy	-	1	5,516.69	-	-	-	-	
Total	-		-	2	14,903.19		-	1	61,925.43	
COUNCIL TAX	-	Absconded	-	1	6,240.06	-	-	1	6,782.09	
	-	Bankruptcy	-	1	9,160.90	-	-	-	-	
	-	Voluntary Arrangement	-	1	7,689.97	-	-	-	-	
Total	-		-	3	23,090.93		-	1	6,782.09	
HOUSING RENTS	-	-	-	-	-	-	-	-	-	
Total	-		-			-	-			
Grand Total	-		-	9	82,540.97	2	12,276.15	10	145,370.67	

**MINUTES OF A MEETING OF
THE EXECUTIVE
HELD AT FOLLATON HOUSE ON THURSDAY, 24 APRIL 2014**

Members in attendance:			
* Denotes attendance		∅ Denotes apologies	
*	Cllr H D Bastone	*	Cllr M F Saltern
∅	Cllr R D Gilbert	*	Cllr R J Tucker
*	Cllr J D Hawkins	*	Cllr L A H Ward
*	Cllr M J Hicks	*	Cllr S A E Wright

Also in attendance and participating		
Item 7	E.81/13	Cllr Baldry
Item 8	E.82/13	Cllr Baldry
Item 10	E.84/13	Cllrs Baldry, Brazil, Coulson and Cuthbert
Item 11	E.85/13	Cllr Carson
Item 12	E.86/13	Cllrs Hitchins and Cane
Item 14	E.88/13	Cllr Coulson
Also in attendance and not participating		
Cllrs Blackler, Hodgson, Holway, Smerdon, Steer and Stone		

Officers in attendance		
All items		Executive Director (AR) and Member Services Manager
Item 7	E.81/13	Head of Planning, Economy and Community and Strategic Planning Manager
Item 8	E.82/13	Car Parks Manager
Item 9	E.83/13	Head of Assets
Item 10	E.84/13	Head of Assets
Item 11	E.85/13	Head of ICT and Customer Services
Item 12	E.86/13	Democratic Services Manager

E.78/13 MINUTES

The minutes of the meeting of the Executive held on 6 March 2014 were confirmed as a correct record and signed by the Chairman.

E.79/13 DECLARATIONS OF INTEREST

Members and officers were invited to declare any interests in the items of business to be considered during the course of this meeting and the following were made:

Cllr M F Saltern declared a disclosable pecuniary interest in Item 14(c) (minute E.88/13(c) refers) in respect of the minutes of the Community Life and Housing Scrutiny Panel as they included an item on Devon and Cornwall Housing for which he was a Member of the Board. As the item on this agenda was only to receive the minutes there was no discussion or decision to be made, and Cllr Saltern abstained from the vote on receipt of the minutes.

E.80/13 PUBLIC QUESTION TIME

In accordance with Executive procedure rules, it was noted that public questions had been received from Mr Brian Boughton. The questions and responses as given by the Executive Portfolio Holder for Planning, Economy and Community are attached as Appendix A to these minutes. Mr Boughton then asked a supplementary question as follows:

‘Did the relevant Executive Portfolio Holders believe that the West Dart development would go ahead, or would it be superseded by ‘Our Plan’?’

In response, the Executive Portfolio Holder for Planning, Economy and Community advised that, in terms of planning, the new local plan and the West Dart development were not connected. The West Dart development was part of a previous plan that was still in force and the new plan would not be in place for approximately eighteen months.

The Executive Portfolio Holder for Environmental Health and Housing added that all district councillors were committed to the West Dart project and would do all they could to ensure those houses and affordable houses would be in place for the people of Dartmouth and Kingswear.

E.81/13 OUR PLAN

Members were asked to consider a report that sought approval of the principle of ‘Our Plan’ as the Council’s single overarching strategic plan for the South Hams. The report also sought approval of the Local Development Scheme and the Regulation 18 Document for consultation purposes and to sign the Duty to Cooperate Memorandum of Understanding which was also sought for the corporate Community Engagement Strategy.

The Executive Portfolio Holder for Planning, Economy and Community introduced the report and outlined the key elements. During discussion the following points were raised:

- One Member welcomed the holistic approach but asked officers to be aware of the difference between consultation and engagement;
- One Member praised the document as being high level but was concerned that not all towns or parishes may have the range of skills needed to produce a Neighbourhood Plan. He asked if DPDs and SPDs would therefore be required. In response, the Head of Planning, Economy and Community advised that this document was about setting the scene and over the following months discussions would take place about how to shape Neighbourhood Planning as part of the process, how to enable communities to progress with a Neighbourhood Plan and to what extent the Council should provide support.

The Strategic Planning Manager added that there were different levels of guidance and ways of managing a Neighbourhood Plan without going through a two year process;

- Another Member commented that the document was not easy to follow and more detail would be needed. He also asked if Plymouth City Council (PCC) were cooperating as this was critical being a two way process. In response, the Leader confirmed that he, the Deputy Leader, and the Head of Planning, Economy and Community had held meetings with PCC.

Finally, Cllr Baldry asked that he and Cllrs Hitchins, Squire and Cane be kept informed of matters relating to the western end of the district.

It was then **RESOLVED** that:

- a) Council be **RECOMMENDED** to approve the principle of 'Our Plan' being the single, over-arching strategic plan for the South Hams;
- b) the Local Plan 'Local Development Scheme' be approved;
- c) the Regulation 18 Document be approved for consultation purposes;
- d) signing of the Duty to Cooperate Memorandum of Understanding be approved;
- e) the corporate Community Engagement Strategy be approved; and
- f) the engagement timetable be noted.

E.82/13 **YEALMPTON CAR PARK**

Members were presented with a report that, following the review of free car parking areas in South Hams, updated them on discussions with Yealmpton Parish Council and the community.

The Leader introduced the report. Following this introduction, the Car Parks Manager added that the Parish Council had met on 14 April 2014 and had confirmed a way forward.

The local Ward Member advised that a new residents group had been formed and would take on payment of approximately £2,000 in return for the car park remaining free. This would enable the residents to undertake a proper study over the next twelve months. A minor amendment to the recommendation was suggested to remove reference to paragraph 2 of the presented agenda report.

It was then:

RESOLVED:

1. That officers be given authority to finalise the agreement with Yealmpton Parish Council as previously resolved by the Executive, in order to achieve the proposed saving of £2,000; and
2. Should the Parish Council find that it would be unable to proceed with an agreement to generate and pay the anticipated income to the District Council, the District Council would proceed with the implementation of a Pay and Display scheme in the car park as detailed in paragraph 3 of the presented agenda report.

E.83/13 CAPITAL PROGRAMME MONITORING

Members were asked to consider a report that advised them of progress on individual schemes within the approved capital programme including an assessment of their financial position.

The Executive Portfolio Holder for Assets introduced the report and particularly drew Members attention to the Disabled Facilities Grant expenditure. He also noted the additional work that the team had undertaken as a result of recent storm damage.

It was then:

RESOLVED

That the report be noted.

E.84/13 SALCOMBE FISH QUAY AND SLIPWAYS: REVIEW OF FISHERMAN'S QUAY AND SLIPWAY CHARGES AND ALL SLIPWAY CHARGES IN SALCOMBE FOR 2014/15

Members were asked to consider a report that set out the proposals for fees and charges for the use of Salcombe Fish Quay and all slipway charges in Salcombe for 2014/15.

The Executive Portfolio Holder for Assets introduced the report and advised Members that the introduction of charges at Salcombe Fish Quay would enable the Council to generate an income from the recent investment in this asset.

A number of Members were concerned and disappointed with the report. One Member stated it was nothing more than a tax on fishermen who already received less than the minimum wage.

Another Member stated that the Council should be supporting and encouraging this industry. In response, the Head of Assets explained that the charges would be comparable with other ports and that there would be no wet fish landing charge as very little wet fish were landed at Salcombe therefore it would not be cost effective to collect. She added that there would be no charge for landing crabs, and that the introduction of charges would be aimed at the big lorries that collected the crabs. She also confirmed that there would be no charge made in the case of an emergency.

Finally, a Member hoped that the charges would encourage fishermen to lift share down to the Quay and felt that after many years it was right to formalise arrangements with the introduction of these charges.

It was then:

RESOLVED

That Council be **RECOMMENDED**:

- 1 To approve the proposed fees and charges as set out in the presented agenda report; and
- 2 That authority be delegated to the Head of Assets, in consultation with the Lead Executive Member for Assets to be able to vary all pricing charges on the Salcombe fish quay and all slipways as and when deemed necessary to respond to changes in market forces.

E.85/13 RISK BASED VERIFICATION POLICY

Members were asked to consider a report that advised of the new approach to verifying claims for Housing Benefit and Council Tax Reduction and to seek approval of the Risk Based Verification Policy.

The Executive Portfolio Holder for ICT and Customer Services introduced the report and took Members through the key elements. The Head of ICT and Customer Services added that the new Policy would enable benefit claims to be paid more quickly. In response to questions he also confirmed that the assessment of risk was by use of an algorithm and, whilst an assessor could manually override the system to increase the risk assessment, it would not be possible to lower the risk assessment as this was a DWP specification.

It was then:

RESOLVED

That Council be **RECOMMENDED** to approve the Risk Based Verification Policy (as set out in Appendix 1 of the presented agenda report).

E.86/13 **TRANSFER OF PLYMPTON AND TOTNES CHAINS**

Members were asked to consider a report that sought to transfer ownership of the chain that previously belonged to Plympton St Mary Rural District Council ('the Plympton chain') to Plymouth City Council. The report also sought approval to negotiating the gifting of the Totnes Rural District Council Chain to Totnes Town Council.

The Executive Portfolio Holder for Corporate Services introduced the report and advised Members that he would be likely to amend the recommendations but wanted to hear from a local Ward Member for Bickleigh and Shaugh before doing so.

The Ward Member for Bickleigh and Shaugh began by advising Members of the history of settlement in the western end of the District. The Rural District Council (RDC) had been formed under the Local Government Act of 1894 that comprised of Bickleigh, Brixton, Cornwood, Harford, Holbeton, Ivybridge, Newton and Noss, Shaugh Prior, Sparkwell, Wembury and Yealmpton Parishes. Whilst Plympton benefited from the Civic status of Plymouth City Council, 85% of the old RDC area still lay within South Hams and the chain represented their heritage. The Council should be mindful of the difficulties of creating new communities; a challenge that would most likely be presented once Sherford had been built. The chain would provide a symbol of history and civic pride that would help to create the new community. He concluded by proposing that the chain be made available on loan to Plymouth City Council until such time as Sherford, in conjunction with surrounding South Hams towns and parishes, were in a position to use it for the benefit of South Ham's residents.

The Executive Portfolio Holder for Corporate Services thanked the Ward Member for his comments, and proposed that the recommendation be amended to state that the Chain would be loaned (rather than gifted) to Plymouth City Council, subject to review in connection with the Sherford development. It was also agreed that the Totnes chain be treated in the same way and formally be loaned to Totnes Town Council.

It was then:

RESOLVED

1. That the Plympton St Mary Rural District Council Chain ('the Plympton Chain') be loaned to Plymouth City Council (PCC), with PCC taking on responsibility for insuring and appropriately securing it, with this arrangement being in place until it is reviewed in connection with the development of the Sherford new town; and
2. That the Totnes Rural District Council Chain ('the Totnes Chain') be formally loaned to Totnes Town Council.

E.87/13 WRITE OFF REPORT

Members considered a composite report that detailed the debts for all revenue streams within the Revenue and Benefits Service remit up to the value of £5,000, written off by the Head of Finance and Audit under delegated authority, and for those debts in excess of £5,000 for which permission to write off was sought.

The Lead Executive Member for Finance and Audit introduced the report and highlighted the key figures. The Lead Executive Member for ICT and Customer Services advised Members that approval of the Risk Based Verification Policy (E.85/13 refers) would help to reduce the need for write offs.

It was then:

RESOLVED

That in accordance with Financial Regulations, the Head of Finance and Audit has authorised the write-off of individual South Hams District Council debts totalling £45,754.54 as detailed in Tables 1 and 2 of the presented report, be noted.

E.88/13 REPORTS OF OTHER BODIES**RESOLVED**

That the following be received and that any recommendations contained therein be approved:

a) **Corporate Performance and Resources Scrutiny Panel – 13 March 2014**

i) **CP&R.38/13 REVIEW OF THE CODE OF CONDUCT**

RECOMMENDED

That Council be **RECOMMENDED** that the South Hams Code of Conduct be amended as shown highlighted in the Appendix A document circulated at the Scrutiny Panel meeting.

ii) **CP&R.42/13 TASK AND FINISH UPDATES – Review of Opportunities for Income Generation**

RESOLVED

1. That the priority areas identified by the Scrutiny Panel for income generation be pursued, with officers being tasked with working up more detailed business cases where appropriate;
2. That the charging principles (as outlined in the presented agenda report to the Panel) be adopted and that the establishment of a programme for reviewing existing fees and charges and introducing new fees and charges utilising existing work-streams where possible be agreed;
3. That an ‘in principle decision’ to form a trading company (name and type to be agreed) in order to allow the Council to pursue appropriate business avenues at commercially advantageous points be considered;
4. That an allocation of a maximum of £25,000 for professional external assistance be approved to evaluate potential market opportunities with respect to income generation with a view to a final work award being delegated to the Corporate Director (Resources) in consultation with the Leader and Deputy Leader. The costs to be shared with West Devon Borough Council where joint trading opportunities are identified;
5. That sponsorship and advertising revenue potential be explored as detailed in the presented agenda report to the Panel;
6. That officers develop the concept of establishing a trading company in line with the developing business cases and a subsequent report on its formation and operation be brought back to Members for consideration.

b) **Economy and Environment Scrutiny Panel – 20 March 2014**

In respect of minute EE.39/13 ‘Presentation from South West Water’, the local Ward Member for Salcombe and Malborough asked that thanks be noted for work undertaken in Salcombe being completed in time for the Easter period.

i) **EE.41/13 SALE OF RECYCLABLE MATERIALS FROM HOUSEHOLD COLLECTIONS**

RESOLVED

- a) That the Executive **RECOMMEND** to Council to take up the tender option (as set out in para. 3.2 of the presented agenda report to the Panel) for the sale of South Hams recyclable materials from household kerbside collections;

- b) That any changes considered necessary to the terms as highlighted in the presented report to the Panel be delegated to the Head of Environment Services in consultation with the Executive Portfolio Holder for Environment Services; and
- c) That a letter be sent on behalf of the Panel to the Prime Minister expressing the concerns in respect of European interference in the day to day management of local authority matters.

ii) **EE.42/13 HOUSEHOLD WASTE AND RECYCLING COLLECTION GUIDE REVIEW**

RECOMMENDED

That Executive **RECOMMEND** to Council that:

1. the changes to recycling and waste collection guidance (as detailed in section 2 of the agenda report presented to the Panel) be approved and the circumstances in which developments in technology and resource levels will be required to enable a full introduction of specific changes be recognised;
2. any changes considered necessary to the guidance (appendix 1 of the presented report to the Panel) be delegated to the Head of Environment Services in consultation with the Executive Member for Environment Services.
3. the impact of delivering a Phase 2 of the waste review project at a later date following further guidance from Central Government be considered.

c) **Community Life and Housing Scrutiny Panel –27 March 2014**

i) **CLH.43/13 (c) TASK AND FINISH GROUP UPDATES – YOUTH ENGAGEMENT**

RESOLVED

1. That the Executive **RECOMMEND** to Council the establishment of a Young Person's Working Group consisting of five Members who meet quarterly and are appointed to at the annual meeting of Council in May; and

2. That the Youth Forum continue to be Member led and operate without any budget implications for the Council.

(NOTE: THESE DECISIONS, WITH THE EXCEPTION OF MINUTES E.81/13 (a), E.84/13, E.85/13, E.88/13 (a) i, E.88/13 (b) i, a, E.88/13 (b) ii and E.88/13 (c) i 1, WHICH ARE RECOMMENDATIONS TO THE COUNCIL MEETING TO BE HELD ON 8 MAY 2014, WILL BECOME EFFECTIVE FROM 5.00PM ON TUESDAY 6 MAY 2014 UNLESS CALLED IN, IN ACCORDANCE WITH SCRUTINY PROCEDURE RULE 18).

(Meeting commenced at 10.00 am and concluded at 11.00 am)

Chairman

APPENDIX A**QUESTIONS AND RESPONSES FOR EXECUTIVE 24 APRIL 2014**

1. *Will SHDC transfer the 4.5 hectares of development land in the West Dart Scheme to its own Admirals Court site so as to free more land for residential units in the phase 1 scheme?*

Transferring the 4.5 hectares of development land from the West Dart Scheme is inappropriate for this development for two reasons. Firstly, the Admiral's Court site is already totally allocated to employment land and secondly, the amount yet to be developed is less than 4.5 hectares.

2. *Will SHDC insist on some higher density housing such as 1 bedroom maisonettes so as to maximise the number of residential units in the West Dart phase 1 scheme?*

SHDC always seeks to maximize the use of any proposed development. Clearly this has to take into account Government Guidance and the normal material planning considerations. There will, of course, be a need for a mix of size and relationship between market and affordable housing. There are two drivers here. One, the local market and need, and the other, the fact that there is no policy which could enable us, even if we wanted to, to influence certain sizes of dwelling. As a Local Planning Authority, we have to consider each application on its merits.

3. *In view of the David Coutie and GV Gimley housing needs figures for Dartmouth, and the duty of SHDC to deliver 405 affordable houses in Dartmouth before 2026, will SHDC only allow a phase 1 scheme of 210 affordable homes to progress if a clear phase 2 scheme is possible?*

Policy D1 of the Dartmouth Site Application DPD does refer to the provision of four hundred and five dwellings. However it does NOT specify any percentage of affordable houses.

SHDC has no policy which can connect different phases of any development unless conditioned.

4. *Does SHDC have a clear idea what constitutes affordable homes in Dartmouth's low rent economy and will SHDC examine the possibility of land trusts and prefabricated building technology to provide homes at the right price for Dartmouth?*

I would refer you to the National Planning Policy Framework definition of 'Affordable Housing'. In a nutshell this says that 'affordable' value will depend on the local housing market but will be less than the equivalent market housing value. This Council fully supports any acceptable method of construction, both in material specification or in development process such as Community Land Trust. The aim is always to obtain the best value in price and AH percentage.

5. *Is SHDC aware that there are 300-400 expensive properties already for sale by Dartmouth estate agents and that Dartmouth does not need any more houses in this price bracket?*

Within the West Dart proposal, the affordable housing element will include different products which the Council will do its best to ensure that the overall need for the area is matched as far as is possible. This will include opportunities to rent or buy an affordable property. As far as market housing is concerned, the LPA will seek to ensure that an optimum balance between scale and density is achieved, but does not have any remit to interfere with pricing.

6. *If £20m - £50m will be needed to build the affordable homes which Dartmouth needs, will SHDC investigate every avenue of funding in order to achieve this?*

SHDC is continually looking for innovative ways to keep housing prices as low as possible. In conjunction with our Housing Association partners, we will work towards a funding package which will maximize the affordable housing level. In this respect the proposed West Dart development is no different from any other major development in the South Hams.

7. *Will SHDC be helping to operate an advice service for Dartmouth applicants to access the government's Homes to Buy 1 and 2 schemes?*

The Council's Affordable Housing Team is available, as usual, to give advice to those in need of affordable housing.

8. *In view of the short 13 week period after which SHDC must respond to a complex planning application for the West Dart scheme, is SHDC anticipating work loads and completing as much work as possible in advance?*

As the question implies, there is much detailed work involved in processing any major housing development application. SHDC is committed to providing the resources necessary to respond to work load. However, it should be noted that Government now allows for an extension to the thirteen week target subject to agreement between the LPA and the applicant.