

# Public Document Pack



## **SOUTH HAMS EXECUTIVE - THURSDAY, 5TH JUNE, 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 - Application for Area Designation to Neighbourhood Plans for Dartington, Newton and Noss and Stoke Fleming (Pages 3 - 20)

b)    Item 8 - Community Reinvestment Projects Fund 2013/14 Allocations (Pages 21 - 32)

c)    Item 9 - Changes Required to Off-Street Parking Order (Pages 33 - 36)

d)    Item 10 - Banking Arrangements (Pages 37 - 42)

3.    **Minutes** (Pages 43 - 48)

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# Agenda Item 1

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

Our Ref. CS/KT

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

28 May 2014

Dear Member

A meeting of the **Executive** will be held in the **Cary Room**, Follaton House, Plymouth Road, Totnes on **Thursday, 5 June 2014 at 10.00 am** when your attendance is requested.

Yours sincerely

Kathryn Trant  
Member Services Manager

<p><b>FOR ANY QUERIES ON THIS AGENDA, PLEASE CONTACT KATHRYN TRANT MEMBER SERVICES MANAGER ON DIRECT LINE 01803 861185</b></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 24 April 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. **Application for Area Designation to Neighbourhood Plans for Dartington, Newton and Noss and Stoke Fleming** – to consider a report that seeks approval of the applications to the Council submitted by the parish councils to designate Neighbourhood Plan areas in the parishes of Dartington, Newton and Noss and Stoke Fleming (pages 2 to 18);
8. **Community Reinvestment Projects Fund 2013/14 Allocations** – to consider a report that provides the Executive with a summary of the applications to the Community Reinvestment Projects Fund in 2013/14 and to seek approval for allocating grants of over £10,000 to these projects (pages 19 to 29);
9. **Changes Required to Off-Street Parking Order** – to consider a report that makes recommendations in respect of reviewing the arrangements for Blue Badge holders when parking in the District Council's car parks (pages 30 to 33);
10. **Banking Arrangements** - to consider a report that sets out arrangements for the existing bank contract which expires on 31 March 2016 (pages 34 to 38).

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**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**

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**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**

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AGENDA ITEM <b>7</b>
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## SOUTH HAMS DISTRICT COUNCIL

AGENDA ITEM <b>7</b>
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<b>NAME OF COMMITTEE</b>	<b>Executive</b>
<b>DATE</b>	<b>5 June 2014</b>
<b>REPORT TITLE</b>	<b>Applications to designate Neighbourhood Plan areas for Dartington, Newton &amp; Noss and Stoke Fleming parishes</b>
<b>REPORT OF</b>	<b>Strategic Planning Officer</b>
<b>WARDS AFFECTED</b>	<b>Dartington, Newton &amp; Noss and Skerries and adjacent wards</b>

### Summary of report:

Dartington, Newton & Noss and Stoke Fleming Parish Councils have submitted applications to the Council to designate Neighbourhood Plan areas in their parishes.

The applications have been advertised for a six week period (4 April - 16 May 2014), during which comments have been invited about whether the plan area is appropriate.

### Financial implications:

The financial implications of the duty to support the preparation of a Neighbourhood Plan will be neutral, due to the Council being able to claim back associated costs as detailed in paragraph 4.3.

Where applications for plan areas are successful, the Council can bid for central government funding up to £5,000 per plan to help cover the associated costs of preparation. The Council intends to submit a bid in respect of these Neighbourhood Plan areas within three months of a decision to approve them.

### RECOMMENDATIONS:

It is recommended that Executive:

1. Approves the designation of Dartington, Newton & Noss and Stoke Fleming parish boundaries for the purposes of preparing their respective Neighbourhood Plans.
2. Supports a bid for central government funding to help cover the costs associated with preparing these Neighbourhood Plans.

### Officer contact:

Bridget Green/Graham Swiss  
Strategic Planning Officers  
01803 861138/861290

## **1. BACKGROUND**

1.1 The Localism Act and National Planning Policy Framework (NPPF) both came into effect in 2012. These encourage and support communities to prepare plans for their area.

1.2 The Council has adopted a Neighbourhood Planning Protocol which provides clear information on the procedures that will guide the neighbourhood planning process.

1.3 The first step in the neighbourhood planning process is to designate a plan area. This requires communities to make an application to the Council. Such applications are then subject to a six week period during which those who live, work or carry out business in the area are invited to comment on whether the proposed area is appropriate. There are other opportunities during the neighbourhood planning process to put forward ideas about what the plan should contain.

1.4 This Executive report considers applications to designate three Neighbourhood Plan areas. They are to be assessed against the following five criteria set out in the Neighbourhood Planning Protocol:

1. The applicant is an appropriate body with responsibility for leading the plan process (i.e. a town or parish council);
2. Terms of Reference for the group have been prepared and signed by all members of the group;
3. The proposed area is suitable and reasons have been adequately demonstrated if it does not follow the boundaries of existing parishes;
4. The plan area does not overlap any other designated Neighbourhood Plan area; and,
5. The plan area does not prejudice other Neighbourhood Plan areas coming forward in the future.

## **2. ISSUES FOR CONSIDERATION**

2.1 Dartington, Newton & Noss and Stoke Fleming Parish Councils each submitted an application to the Council to designate the area they intend their Neighbourhood Plan to cover. In each case the proposed area covers the extent of the parish boundary. These are shown as part of the applications appended to this report.

2.2 The applications are accompanied by a set of Terms of Reference (ToR) for the groups that will be responsible for leading the processes in Dartington, Newton & Noss and Stoke Fleming, and these have been endorsed by the respective parish councils that are proposing the areas for designation. The three sets of ToR are also included in the appendices.

2.3 Details of the applications have been displayed in Dartington, Newton & Noss and Stoke Fleming and the parish councils were asked to publicise the proposed designations. Details have also been available on the district council's and parish councils' web pages.

### **Dartington responses:**

2.4 Responses to the proposed plan area have been received from English Heritage, the Environment Agency, Natural England, the Police Architectural Liaison Officer (ALO) and South West Water. No objections to the proposed plan area were received.

2.5 A brief summary of the responses follows:

- English Heritage has no objection to the proposal.
- The Environment Agency has no objections to the application and highlights the environmental constraints within the parish that will need to be considered as the NP progresses.
- Natural England does not have any comments on the extent of the Neighbourhood Plan area. However, the Plan should reference the South Hams Bat SAC guidance and it must not propose any development itself that would require a mitigation scheme to be agreed as part of any development.
- The Police ALO has no comments at this stage.
- South West Water has advised that there are no particular constraints for Dartington but site locations and densities of any proposed development are needed for formal confirmation of this.

### **Newton & Noss responses:**

2.6 Responses to the proposed plan area have been received from the AONB Manager, English Heritage, the Environment Agency, Natural England, the Police Architectural Liaison Officer and Yealmpton Parish Council. No objections to the proposed plan area were received.

2.7 A brief summary of the responses follows:

- The AONB Manager welcomes the application, refers to the statutory duty of regard for the AONB and recommends contact with the AONB team at an early stage in the NP preparation process.
- English Heritage has no objection to the proposal.
- The Environment Agency has no objections to the application and highlights the environmental constraints within the parish that will need to be considered as the NP progresses.
- Natural England points out that part of the parish area lies within a Special Area of Conservation (SAC) and that care should be taken to ensure that any proposals of the NP are certain of not having a significant effect on features of the SAC. Attention is also drawn to the significance of the AONB, local wildlife sites and the South West Coast Path.
- The Police ALO has no comments at this stage.
- Yealmpton PC reports that it is perfectly happy with the application.
- A letter was received on behalf of a landowner promoting a development site which did not comment on the proposed designation of the NP area. Responses were received from three individuals; one, supporting the designation of the whole parish area to enable the proper investigation and evaluation of all the opportunities available to the community for housing, employment and recreation; one affirming the proposed area as the correct one, and one commenting on the accuracy of the map base.

### **Stoke Fleming responses:**

2.8 Responses to the proposed plan area have been received from the AONB Manager, English Heritage, the Environment Agency, Natural England, the Police Architectural Liaison Officer and Dartmouth Town Council. No objections to the proposed plan area were received.

2.9 A brief summary of the responses follows:

- The AONB Manager welcomes the application, refers to the statutory duty of regard for the AONB and recommends contact with the AONB team at an early stage in the NP preparation process.
- English Heritage has no objection to the proposal.
- The Environment Agency has no objections to the application and highlights the environmental constraints within the parish that will need to be considered as the NP progresses.
- Natural England does not have any comments on the extent of the plan area, but points out the importance of the AONB, local wildlife sites and the South West Coast Path.
- The Police ALO has no comments at this stage.
- A response was also received from Dartmouth Town Council commenting that “the West Dartmouth development is primarily a Dartmouth Town Council matter, but where land falling within Stoke Fleming is involved, we will happily work positively with our neighbours.”

### **3. LEGAL IMPLICATIONS**

3.1 The Localism Act and National Planning Policy Framework make provision for communities to prepare plans that influence planning and development in their area.

3.2 These three applications are also made in accordance with the Council’s adopted Neighbourhood Planning Protocol.

3.3 The Town and Country Planning, England, Neighbourhood Planning (General) Regulations 2012 set out the procedures which govern the processes of neighbourhood planning.

### **4. FINANCIAL IMPLICATIONS**

4.1 The financial implications of the duty to support the preparation of a Neighbourhood Plan will be neutral, due to the Council being able to claim back associated costs as detailed in paragraph 4.3.

4.2 When applications for plan areas are approved, the Council can bid for central government funding of up to £5,000 per area to support the communities in the preparation of their plans. If the bids are successful, the money will be held by the Council to cover any costs incurred as a result of supporting the communities with the progression of their plans. The Council intends to submit bids in this respect within the three month period following Executive.

4.3 For Member’s information, the government has set out a programme of financial support for local authorities’ neighbourhood planning activities during 2014/15. The authority is able to claim for financial support for up to 30 designations over the two year period. There are various payment stages to reflect the work involved. These are as follows:

- The first payment of £5,000 will be made following designation of a Neighbourhood Plan area.
- A second payment of £5,000 will be made when the local planning authority publicises the Neighbourhood Plan prior to examination.
- The third payment of £20,000 will be made on successful completion of the examination and any other further steps that may be needed for the plan to come into legal force, including the mandatory referendum.



## 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:	All
Statutory powers:	National Planning Policy Framework (NPPF) 2012 Localism Act 2011 Town and Country Planning, England Neighbourhood Planning (General) Regulations 2012
Considerations of equality and human rights:	This report seeks to ensure that communities are enabled to prepare community-led plans for their areas and that the process undertaken is fair, transparent and inclusive for everyone.
Biodiversity considerations:	There are no direct biodiversity implications arising from the report.
Sustainability considerations:	The designations will enable the communities to prepare a plan to secure a sustainable future for their areas.
Crime and disorder implications:	There are no proposals contained within this report that have direct crime and disorder implications to consider.
Background papers:	Neighbourhood Planning Protocol

**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	Lack of plan to guide local development initiatives in Dartington, Newton & Noss and Stoke Fleming	If the plan areas are not designated then Dartington, Newton & Noss and Stoke Fleming Parish Councils cannot progress work on their Neighbourhood Plans. Without a plan in place, decisions relating to development in these communities will defer to national and district wide planning policies, which seek to secure sustainable development.	2	2	4	↑	Approve the designation of the Neighbourhood Plan areas	Strategic Planning

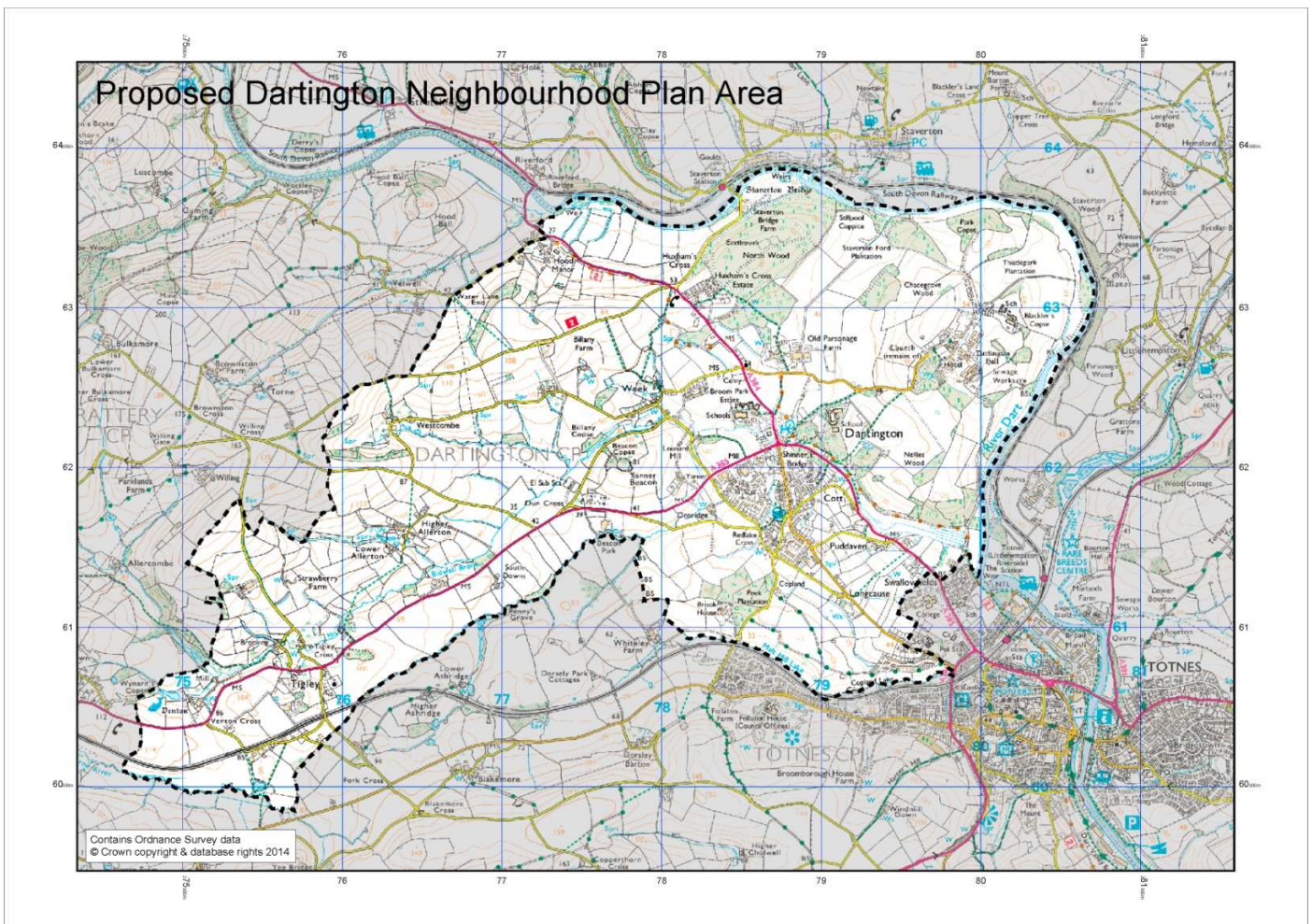
Direction of travel symbols ↓ ↑ ⇄

# Appendices

## Appendices attached:

Appendix A: Application form and terms of reference for Dartington Neighbourhood Plan  
Appendix B: Application form and terms of reference for Newton & Noss Neighbourhood Plan  
Appendix C: Application form and terms of reference for Stoke Fleming Neighbourhood Plan

## Appendix A



# Designation of Plan Area Application Form



Name of Applicant - *Must be a Parish or Town Council*

Dartington Parish Council

Contact Details - *Please supply contact details of project lead*

Name: Rachel Avery (Clerk)

Address:

Email: dartingtonparishcouncil@outlook.com

Tel: 01803 812122

Name of proposed plan area

Dartington Parish

Map of proposed plan area

***Please supply a separate map showing the boundaries of the proposed plan area***

Statement confirming why the proposed plan area is appropriate

*Please explain why the plan area is an appropriate designation, continue on a separate sheet if necessary.*

The proposed area is the Parish boundary. This will allow for the Neighbourhood Plan to not only concentrate on the Village centre, but also including its surrounding hamlets.

Type of plan proposed - *Please tick*

Neighbourhood Development Plan

Community Plan

Plan-It Lite

Neighbourhood Development Order

Community Right to Build Order

Group Terms of Reference

***Please supply a separate sheet detailing the Group's Terms of Reference***

Please return to the Strategic Planning Team,  
South Hams District Council, Follaton House,  
Plymouth Road, Totnes, Devon, TQ9 5 NE.

# **Dartington Neighbourhood Plan**

## **Steering Group – Terms of Reference**

### **1. PURPOSE**

- 1.1. The main purpose of the Steering Group is to oversee the preparation of the Neighbourhood Plan for Dartington ensuring that all issues are addressed properly with high levels of community engagement to maximise the potential that the Plan will be supported at the local referendum.
- 1.2. The Group will be hosted by Dartington Parish Council in recognition of their sponsorship role.
- 1.3. To require Dartington Parish Council to adopt a monitoring and where necessary an enforcement process to ensure the implementation of Dartington Neighbourhood Plan.

### **2. KEY ROLES**

- 2.1. To be accountable for steering and providing strategic management of the Neighbourhood Plan for Dartington, by ensuring that the key milestones are met by the Steering Group.
- 2.2. Agree a position on specific issues to lead to an agreed policy approach.
- 2.3. Identify, encourage and strengthen links between key organisations and ensure they are informed of the work of the Steering Group and progress with the Neighbourhood Plan.
- 2.4. To commission specific areas of evidence and analysis as recommended and required.
- 2.5. To promote the objectives of the Neighbourhood Plan for Dartington.
- 2.6. To sign off the final draft plan prior to the local referendum.
- 2.7. To act as the public face and principal contacts with the neighbouring parishes and media with respect to the Neighbourhood Plan.

### **3. OBJECTIVES**

- 3.1. To provide strategic assistance and advice to the wider Neighbourhood Planning Team in the production of the Neighbourhood Plan.
- 3.2. To bring together appropriate local expertise and facilitate joint community working in developing the Neighbourhood Plan for Dartington.
- 3.3. To identify, assist and help facilitate discussions with relevant and interested parties.
- 3.4. To identify, assist and help facilitate discussions with relevant and interested groups in the community to promote active involvement in the Neighbourhood Planning process.
- 3.5. To establish a multi-faceted policy to monitor progress as the Neighbourhood Plan is developed and implemented.
- 3.6. To develop a vision for Dartington into the future.

### **4. RELATIONSHIP TO OTHER GROUPS**

- 4.1. The Steering Group will seek to have strong links with the Neighbourhood Plan Team which provides operational expertise, suggests actions and refers items of importance to be discussed by the Steering Group.
- 4.2. The Steering Group will also provide updates when and as necessary to Dartington Parish Council. The Steering Group will be responsible for formally coordinating liaison with South Hams District Council and Devon County Council and informing them of progress with the Neighbourhood Plan.
- 4.3. Meetings of the Steering Group can be attended by members of the Neighbourhood Plan Team, and any other relevant person/s or community representatives may be invited to speak. Meetings will be open to the public to attend and the minutes will be available for inspection on the web site.

### **5. DECISION MAKING**

5.1. Decision making by the Steering Group will normally be by means of consensus. If it proves impossible for the Steering Group to reach agreement during any stage of preparing the Plan, every effort shall be made by the membership of the Steering Group to resolve the difference by **negotiation**. Where this does not resolve the situation, the Steering group will ensure that the alternative view is included in the relevant stage of community engagement, and the Steering Group will adopt the position of the majority response from the community arising from that stage.

## **6. MEMBERSHIP**

6.1. Initial Membership of the Steering Group (as nominated on 18.01.14, confirmed 15.02.14). To comprise a minimum of four and a maximum of five persons in each sector as follows:

**Community Sector:** Anne Mitchell (Dartington Women's Institute / Village hall Committee)  
Oliver Tringham (Dartington Community Action Group)  
Richard Orr (Hunter's Moon Resident's Assoc.)  
Dominique Cowell  
Amanda Bourne

**Economic Sector:** Zav Bowden (Transition Town Totnes, Transition Homes project)  
Dartington Hall Trust (Rachel Williams / representative to be confirmed)  
Jenny Payne (Dartington Recreational Assoc.)  
Cathy Day (Dartington Steiner School)  
Susie Dunster (Landowner / Farmer)

**Public Sector:** Cllr. Ashton Chadwick (Dartington Parish Council)  
Cllr Peggy Prout (Dartington Parish Council)  
Cllr. Pam Gorman (Dartington Parish Council)  
Teresa Lakeman (King Edward VI Community College / Co-operative Trust)

**Planning / Environmental Expertise Sector:** Anne Phillips (Schumacher)  
Frank Bennatt  
Dave Chapman (Triformis UK)  
Prof. Chris Balch (Plymouth University - tbc)  
Dr John Rae (Schumacher) to be invited

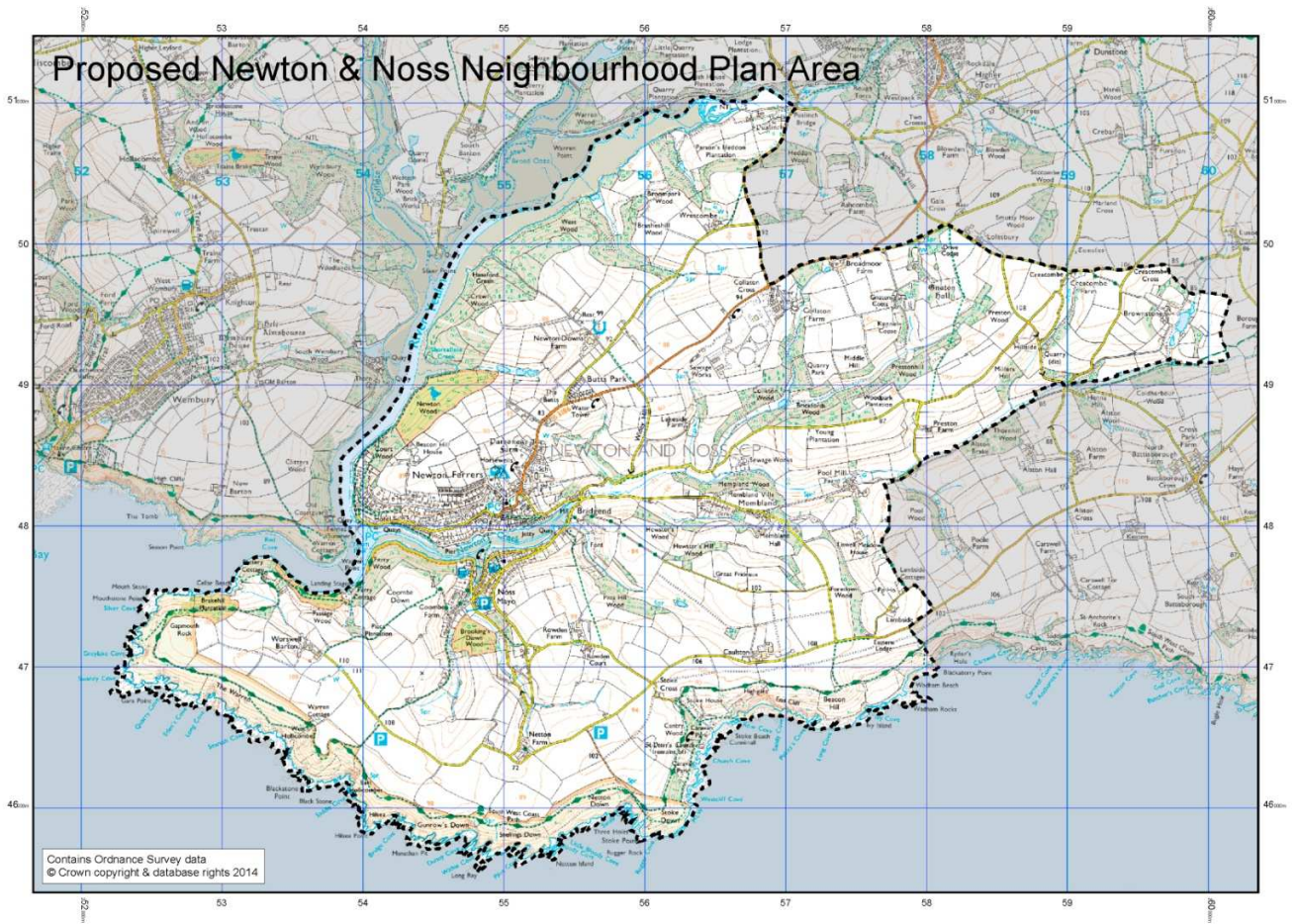
**Neighbouring Parishes (non-voting) Sector:** No representatives confirmed

6.2. New or additional Members of the Steering Group:

- Professional Advisors by invitation
- Powers to co-opt new Members as needed, subject to agreement of Dartington Parish Council

6.3. Quorum for meetings:

# Appendix B



# Designation of Plan Area Application Form



Name of Applicant - *Must be a Parish or Town Council*

Newton & Noss Parish Council

Contact Details - *Please supply contact details of project lead*

Name: Mrs Shona McDonough, Parish Clerk

Address: c/o Fasgadh  
92 Yealm Road  
Newton Ferrers PL81BL

Email: newtonnossclerk@aol.com

Tel: 1,752,873,013

Name of proposed plan area

Newton & Noss Parish Boundary

Map of proposed plan area

***Please supply a separate map showing the boundaries of the proposed plan area***

Statement confirming why the proposed plan area is appropriate

*Please explain why the plan area is an appropriate designation, continue on a separate sheet if necessary.*

The proposed Neighbourhood Plan will encompass the entire Parish so that it can address all parish-wide issues. The Parish is sufficiently homogeneous that it would be irrational to omit any part of it.

Type of plan proposed - *Please tick*

Neighbourhood Development Plan

Community Plan

Plan-It Lite

Neighbourhood Development Order

Community Right to Build Order

Group Terms of Reference

***Please supply a separate sheet detailing the Group's Terms of Reference***

Please return to the Strategic Planning Team,  
South Hams District Council, Follaton House,  
Plymouth Road, Totnes, Devon, TQ9 5 NE.



## NEWTON & NOSS NEIGHBOURHOOD PLAN GROUP – TERMS OF REFERENCE

### Purpose of the Group

#### What is the main aim of the Group?

To deliver a completed Neighbourhood Plan which will “*contribute neighbourhood development policy to the South Hams District Council Local Plan that will ensure that the people of Newton and Noss live in the community of their choice in the year 2030*”.

### Objectives of the Group

#### What is the Group hoping to achieve?

The key output will be the completed Neighbourhood Plan. However, apart from the end product, a fundamental objective will be to get meaningful engagement from as diverse groups within the community as possible.

### Membership and Governance

#### What are the main governance arrangements?

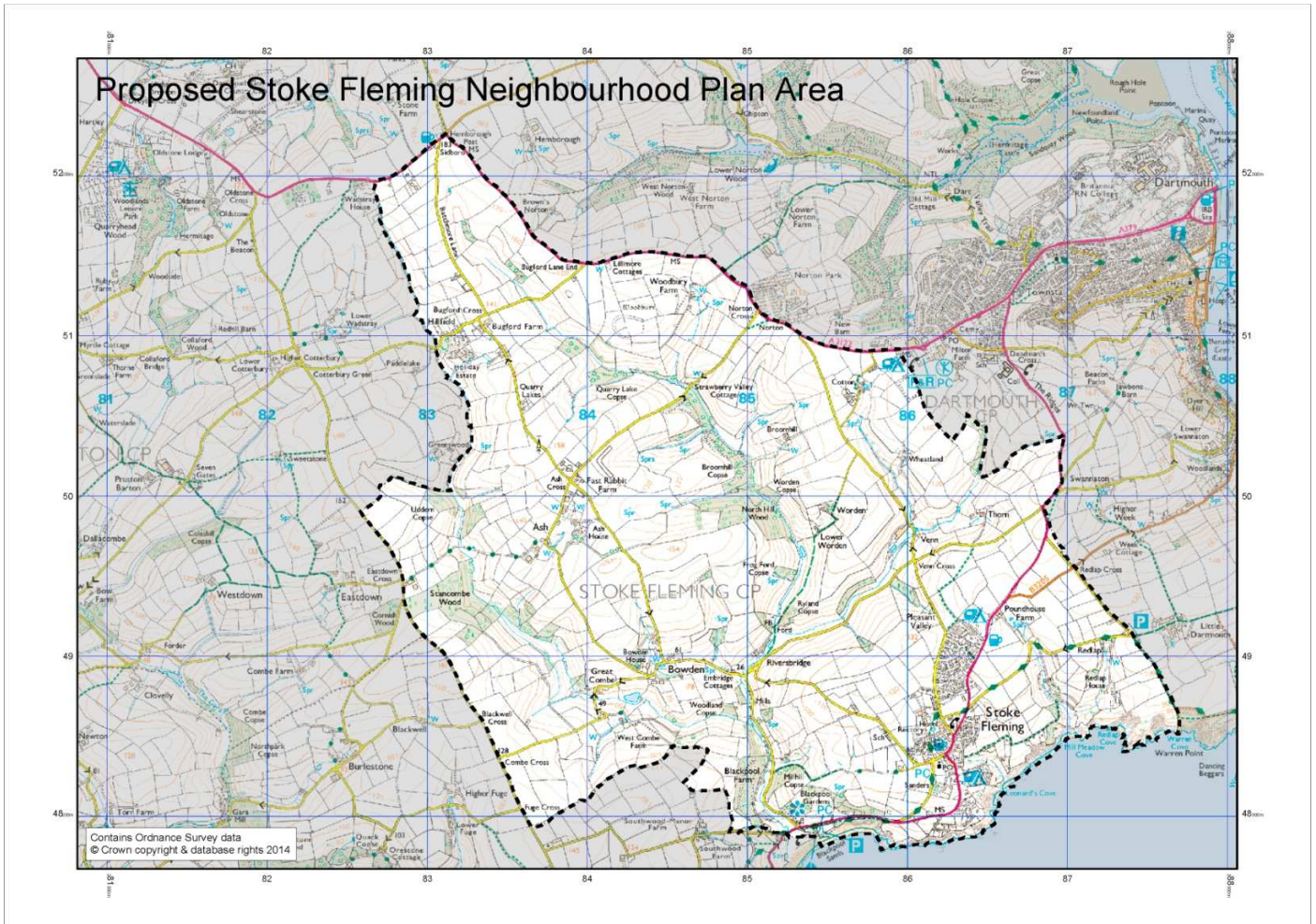
As the Qualifying Body, the Parish Council will have ownership of the entire Neighbourhood Plan process although this will be hands-off as much as possible so that it is a community-led project. All significant decisions will either be taken or endorsed by the Parish Council. This includes financial expenditure, particularly regarding the expenditure of public funds.

#### Who are the members of the Group?

Aside from the Parish Council itself, it is intended that there will be 3 levels of management and governance of the project:

- a. Steering Group. This will provide oversight of the project and give strategic direction to it. It is proposed that it will comprise about 10 individuals; 5 Parish Councillors and 5 members drawn from the wider community, such as existing local organisations and other non-affiliated individuals. It is proposed that the Group will be chaired by one of the Parish Councillors. He/she will have delegated powers and personal responsibility to the Parish Council for decisions taken.
- b. Project Team. This is the workhorse of the project and will coordinate and run the project. The Project Team Leader will also sit on the Steering Group. The core team will be about 5 and include any specialists (eg planning lawyer, accountant, webmaster etc). The leaders of the Single Subject Area (SSA) Groups will also be members of the Project Team. The Project Team will coordinate and task the SSAs.
- c. Single Subject Area (SSA) Groups. There will be about 8 SSAs such as Housing, the Harbour, Recreation and Leisure, Heritage etc.

# Appendix C



# Designation of Plan Area Application Form



Name of Applicant - *Must be a Parish or Town Council*

Stoke Fleming Parish Council

Contact Details - *Please supply contact details of project lead*

Name: Jenny Farmer

Address: Seremban, Rectory Lane  
Stoke Fleming  
TQ6 0QB

Email: farmer.jenny@gmail.com

Tel: 01803 770433

Name of proposed plan area

The Parish of Stoke Fleming

Map of proposed plan area

***Please supply a separate map showing the boundaries of the proposed plan area***

Statement confirming why the proposed plan area is appropriate

*Please explain why the plan area is an appropriate designation, continue on a separate sheet if necessary.*

The Boundary of Stoke Fleming Parish is well defined and does not impinge on any contentious areas of neighbouring Parishes, therefore we consider that the whole of the Parish is suitable for this Neighbourhood Plan.

Type of plan proposed - *Please tick*

Neighbourhood Development Plan

Community Plan

Plan-It Lite

Neighbourhood Development Order

Community Right to Build Order

Group Terms of Reference

***Please supply a separate sheet detailing the Group's Terms of Reference***

Please return to the Strategic Planning Team,  
South Hams District Council, Follaton House,  
Plymouth Road, Totnes, Devon, TQ9 5 NE.

# **Stoke Fleming Parish Council**

## **Neighbourhood Development Plan**

### **Terms of Reference**

#### **Purpose of the Group**

The Preparation of a Neighbourhood Development Plan for the Parish, in consultation with the wider community, local groups and interested parties.

#### **Objectives of the Group**

To facilitate the process of achieving an adopted Neighbourhood Development Plan for the future development and sustainability of the Parish of Stoke Fleming.

#### **Membership & Governance**

Membership of the Steering Group will comprise nine Parish Councillors initially, volunteers drawn from local groups, and those who expressed an interest during the initial consultation with a maximum of 15 members at any one time.

Members of the Steering Group will debate the issues and policies inherent in the production of the Plan in consultation with the community. Members with particular expertise in certain areas will head up specific projects / policies.

When required, members can be replaced or invited to attend to further a project or policy, or if a member is not willing or able to continue as a member of the Steering Group. The community will be encouraged to share knowledge and contribute during the process.

Declarations of Interest will be dealt with as per the Parish Council's Standing Orders, in that anyone who has a pecuniary interest in the policy/project under discussion will be asked to declare it, and if deemed necessary will not take part in that discussion.

Voting by Members of the Steering Group will be by a show of hands, and a majority decision adopted, with a quorum of 6 required for any vote, the Chairman having a casting vote if necessary.

The Parish Council should oversee the expenditure and programme of work as advised by the Steering Group, in consultation with the community. Any recommendation to amend the numbers of the Steering Group, or change the projects/policies already confirmed, will be referred to the Parish Council for a decision.

Any contentious issue not able to be dealt with by the Steering Group, will be put to the Parish Council for resolution.

#### **Reporting and Feedback**

All meetings, minutes and notices will be in the public domain and will be put on the Parish Council's website and in the Parish Magazine, copies will be kept by the Parish Clerk for public inspection. Meetings are open to all members of the Parish to attend, and all groups and interested parties will be encouraged to participate. The production of a Neighbourhood Plan is an inclusive process with the whole community deciding on the future of the Parish.

## **Resources and Finance**

Grant funding applications from the Sustainable Community Locality Fund will be applied for and other funding streams investigated, with mentoring and guidance from Officers at South Hams District Council to ensure that we achieve the best possible outcome for the Parish. Subsequent resources required will be determined by the Steering Group.

## **Monitoring & Review**

Monitoring of the plan will be ongoing, with regular reports from the Steering Group, and progress will be monitored by the Parish Council. The adoption of a Neighbourhood Development Plan is vital to ensure a vibrant, sustainable and environmentally healthy Parish for future generations.

26-11-13

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AGENDA  
ITEM

**8**

## SOUTH HAMS DISTRICT COUNCIL

AGENDA  
ITEM

**8**

<b>NAME OF COMMITTEE</b>	<b>Executive</b>
<b>DATE</b>	<b>5 June 2014</b>
<b>REPORT TITLE</b>	<b>Community Re-investment Projects Fund 2013/14 Grant Allocations</b>
<b>Report of</b>	<b>Amanda Harvey, Community Projects &amp; Policy Officer, Planning, Economy &amp; Community</b>
<b>WARDS AFFECTED</b>	<b>Eastmoor, Totnes Town, Skerries, Cornwood &amp; Sparkwell and Stokenham</b>

**Summary of report:**

- To provide the Executive with a summary of the applications to the Community Re-investment Projects Fund in 2013/14 and to seek approval for allocating grants of over £10,000 to these projects.

**Financial implications:**

The Executive is asked to approve grants from an approved budget of £153,900 as per the recommendation below. (The remaining £18,100 has been allocated under delegated authority as set out in paragraph 2.1 below).

**RECOMMENDATIONS:**

**That the Executive RESOLVES:**

1. To approve six grants of over £10,000, totalling £135,800, as follows:
  - £15,146.50 to Rattery Parish Council towards replacement play equipment at Garden Close, Rattery.
  - £11,514.09 to Totnes Town Council for Civic Hall regeneration (projection equipment, wireless broadband and toilet refurbishments to allow the Civic Hall to be used as a cinema or a conference facility).
  - £18,912.00 to Dart Area Landscape Access Group for A379 verge footpath at Stoke Fleming.
  - £22,294.85 to Lee Mill Community Association for Multi Use Games Area at Bottle Park Play Park, Lee Mill.
  - £54,214.56 to Stokenham Parish Council towards path surface improvements between Chillington and Torcross.

- £13,718.00 to Totnes Development Trust Ltd for improvements to the Rotherfold (creation of an improved public square / garden in the raised receding alcove).

**Officer contact:**

Amanda Harvey, Community Projects & Policy Officer ([amanda.harvey@southhams.gov.uk](mailto:amanda.harvey@southhams.gov.uk) / 01803 861103)

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## **1. BACKGROUND TO THE COMMUNITY RE-INVESTMENT PROJECTS FUND**

- 1.1 The Council's New Homes Bonus Strategy was discussed at the Community Life & Housing Scrutiny Panel meeting on 29 November 2012. It was recommended to support the use of the New Homes Bonus funding for 2013/14 for various categories including community re-investment projects, with an underpinning criteria that this fund takes account of wards where housing development has or will be taking place (minute CLH.27/12 refers). This was approved by the Executive on 6 December 2012 (minute E.66/12 refers). The principles for this fund and budget of £153,900 for 2013/14 were approved by the Executive on 18 July 2013 and delegated authority was granted to the Head of Planning, Economy and Community in consultation with the Leader and Portfolio Holder to agree the final criteria based on these approved principles (minute E.13/13 refers). The Community Re-investment Projects Fund was launched in October 2013.

## **2. ISSUES FOR CONSIDERATION**

### **SUMMARY OF 2013/14 COMMUNITY RE-INVESTMENT PROJECTS FUND APPLICATIONS**

- 2.1 Nine applications were received by the 31 March 2014 deadline, eight of which met the eligibility criteria for the Fund detailed in the Guidance Notes. Two of these applications requested grants of up to £10,000. Decisions on these were made under delegated authority by the Head of Planning, Economy and Community in consultation with the Leader in the case of the application from Loddiswell and in consultation with the Portfolio Holder in the case of the Yealmpton application, as follows:
- £8,100 to Loddiswell Playing Fields and Village Hall Trust towards replacement heaters and maximisation of loft insulation for the Village Hall and repairs to the slide.
  - £10,000 to Yealmpton Pre-School towards a decked area at the Community Centre and a new relocated outdoor space with fixed wooden play equipment.



2.2 Appendix A provides summaries of the six applications requesting grants of over £10,000, including the Community Team's assessment of each in terms of community need, community support, how the project provides or improves community infrastructure, deliverability, value for money and lasting impact. Decisions on these grants of over £10,000 need to be made by the Executive as per the approved criteria for the Fund. It is suggested that these projects are supported as per the recommendation above.

### 3. LEGAL IMPLICATIONS

3.1 There are no legal implications arising from this report as South Hams District Council accepts no liability for projects beyond the provision of Community Re-investment Projects Fund grants. The Council has powers to give these grants in order to support its priorities through the Localism Act's Powers of General Competence.

### 4. FINANCIAL IMPLICATIONS

4.1 This report seeks Executive approval to allocate six grants totalling £135,800 as set out in the recommendations above out of an approved budget of £153,900 for 2013/14. (The remaining £18,100 has been allocated under delegated authority as set out in paragraph 2.1 above).

### 5. RISK MANAGEMENT

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

### 6. OTHER CONSIDERATIONS

<b>Corporate priorities engaged:</b>	All
<b>Statutory powers:</b>	Localism Act 2011 (Section 1 – Powers of General Competence)
<b>Considerations of equality and human rights:</b>	Grants will provide funding to a wide range of community groups, therefore promoting equal opportunities
<b>Biodiversity considerations:</b>	None
<b>Sustainability considerations:</b>	Grants contribute to increasing the sustainability of communities in the South Hams
<b>Crime and disorder implications:</b>	None
<b>Background papers:</b>	New Homes Bonus Strategy Community Life & Housing Scrutiny Panel Report 29 Nov 2012 & Minutes (CLH.27/12)

	<p>Executive Minutes 6 Dec 2012 (E.66/12)  Principles and Budget for the New Homes  Bonus Community Re-investment Projects  Fund 2013/14 Executive Report 18 Jul 2013  &amp; Minutes (E.13/13)  Community Re-investment Projects Fund  Guidance Notes</p>
<b>Appendices attached:</b>	<p>Appendix A Community Re-investment  Projects Fund 2013/14 Summary of  Applications and Assessments</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	Delivery of Outcomes and Value for Money	Failure to deliver outcomes to the community and provide value for money for the Council's contributions / communities where development has taken place will be able to benefit from this new Fund	3	2	6 ↔	<p>Grants of over £10,000 need to be approved by the Executive</p> <p>Grants will be paid in arrears on submission of proof of expenditure</p> <p>Annual monitoring report to the Executive</p> <p>The benefits of this new Fund to communities are likely to outweigh the risks associated with its operation</p>	Community Manager

Direction of travel symbols ↓ ↑ ↔

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**Appendix A**  
**Community Re-investment Projects Fund 2013/14**  
**Summary of Applications and Assessments**

<b>Applicant</b>	Rattery Parish Council		
<b>Project</b>	Replacement Play Equipment - Garden Close, Rattery		
<b>Amount Requested</b>	£15,146.50	<b>Total Project Cost</b>	£18,446.50
<b>Assessment Criteria</b>	<b>Score (1-3)</b>	<b>Community Team Comments</b>	
<b>Community Need</b>	2	Allianz inspection of 9 Jan 14 identified defects with existing equipment, some of which is over 30 years old.	
<b>Community Support</b>	2	Discussed and supported at Annual Parish Meeting (9 Apr 13). PC consulted parents whose children use the play area. 3 letters of support from families and letter of support from Cllr Smerdon.	
<b>Provides/Improves Community Infrastructure</b>	2	Improves community infrastructure as current play equipment is in a bad state of repair.	
<b>Deliverable</b>	3	Clerk involved in similar projects for other parishes.	
<b>Value for Money</b>	2	82% requested. No Section 106 funding is available.	
<b>Lasting Impact</b>	3	New equipment will benefit children from toddlers upwards into the future.	
<b>Total Score</b>	14	<b>Recommended Grant Amount</b>	£15,146.50
<b>Recommended Grant Conditions</b>	Parish Council will need to arrange a Post Installation Inspection of the equipment.		

<b>Applicant</b>	Totnes Town Council		
<b>Project</b>	Civic Hall Regeneration – projection equipment, wireless broadband and toilet refurbishments to allow the Civic Hall to be used as a cinema or a conference facility		
<b>Amount Requested</b>	£11,514.09	<b>Total Project Cost</b>	£11,514.09
<b>Assessment Criteria</b>	<b>Score (1-3)</b>	<b>Community Team Comments</b>	
<b>Community Need</b>	2	Demand for centrally located community hall – anecdotal evidence of increase in bookings since refurbishment completed (Dec 13). No other equivalent size venues in town.	
<b>Community Support</b>	3	2012 Annual Town Meeting held on subject of Civic Hall – attended by over 100 people. Number of consultations over the years have identified need for cinema facilities. Letters/emails of support – Chamber of Commerce, Transition Town Totnes, Devon County Council (DCC) Locality Lead for Totnes, arts professional, Soundart Radio and Cllrs Hodgson, Vint and Gorman.	
<b>Provides/Improves Community Infrastructure</b>	2	Improves community infrastructure by widening usage of Civic Hall.	
<b>Deliverable</b>	3	Town Council has previous experience of delivering projects (e.g. 2013 refurbishment of bar and kitchen and installation of energy efficiency and soundproofing measures).	
<b>Value for Money</b>	2	100% requested.	
<b>Lasting Impact</b>	2	Increased usage resulting from a greater range of facilities to appeal to a wider range of users.	
<b>Total Score</b>	14	<b>Recommended Grant Amount</b>	£11,514.09
<b>Recommended Grant Conditions</b>			

<b>Applicant</b>	Dart Area Landscape Access Group		
<b>Project</b>	A379 Verge Footpath – Stoke Fleming		
<b>Amount Requested</b>	£18,912.00	<b>Total Project Cost</b>	£18,912.00
<b>Assessment Criteria</b>	<b>Score (1-3)</b>	<b>Community Team Comments</b>	
<b>Community Need</b>	2	No direct pedestrian route between Dartmouth and Stoke Fleming other than along main coastal road.	
<b>Community Support</b>	3	DALAG carried out residents' survey in 2011 to every home in parish (58% response rate – 195/199 TQ6 residents were in favour). Letters of support from Cllr Brazil (DCC), Parish Council and Cllr Foss.	
<b>Provides/Improves Community Infrastructure</b>	2	Provides new community infrastructure.	
<b>Deliverable</b>	3	Good experience of delivering similar projects (Diamond Jubilee Way, Slapper Hill bridleway, Kingswear, Jawbones Beacon Park and Dartmouth Walk & Talk).	
<b>Value for Money</b>	2	100% requested.	
<b>Lasting Impact</b>	2	Footpath will provide first permanent, safe pedestrian route between Dartmouth and Stoke Fleming. Will connect with Jawbones Beacon Park and Coast Path, giving greater opportunities for circular walks.	
<b>Total Score</b>	14	<b>Recommended Grant Amount</b>	£18,912.00
<b>Recommended Grant Conditions</b>			

<b>Applicant</b>	Lee Mill Community Association		
<b>Project</b>	Multi Use Games Area with basketball net and football goal – Bottle Park Play Park, Lee Mill		
<b>Amount Requested</b>	£22,294.85	<b>Total Project Cost</b>	£22,294.85
<b>Assessment Criteria</b>	<b>Score (1-3)</b>	<b>Community Team Comments</b>	
<b>Community Need</b>	2	Play park equipment removed last year for health and safety reasons. Children currently have nowhere to play in village (nearest facilities in Ivybridge). Additional children from new housing development. Stats provided (childhood obesity/inactivity).	
<b>Community Support</b>	3	Petition with 81 signatures. Letters of support from Parish Council and Cllr Blackler. Children involved in survey re: equipment for park. Plan for project on view at sports day (Jul 13). Project updates in parish magazine. Fundraising events publicised on notice board / leaflet drop.	
<b>Provides/Improves Community Infrastructure</b>	2	Provides community infrastructure for teenagers.	
<b>Deliverable</b>	3	Phase 1 (for toddlers and children up to 12) has taken 2 years and will be delivered in the summer. LMCA has had to secure funding for this, including holding fundraising events. LMCA secured land and planning permission for building a village hall and secured land for allotments.	
<b>Value for Money</b>	2	100% requested. Using phase 1 supplier for consistency and to avoid paying for a second survey of the site.	
<b>Lasting Impact</b>	2	Younger children using phase 1 of the play park will have facilities to use as they become teenagers.	
<b>Total Score</b>	14	<b>Recommended Grant Amount</b>	£22,294.85
<b>Recommended Grant Conditions</b>	Parish Council will need to arrange a Post Installation Inspection of the equipment.		



<b>Applicant</b>	Stokenham Parish Council		
<b>Project</b>	Community Access from Chillington to Torcross – surface improvements to paths		
<b>Amount Requested</b>	£72,850	<b>Total Project Cost</b>	£72,850
<b>Assessment Criteria</b>	<b>Score (1-3)</b>	<b>Community Team Comments</b>	
<b>Community Need</b>	2	Growth in community due to development in parish – connecting rural paths need upgrading due to increase in population and usage. Parish Council has received complaints about surface of paths (wet/muddy).	
<b>Community Support</b>	3	Letters/emails of support – Stokenham Village Community Association, Parish Hall, Kingsbridge Police, Stokenham Area Primary School, Stokenham Short Mat Bowling Club, The Coleridge Bus, resident and Cllr Baverstock.	
<b>Provides/Improves Community Infrastructure</b>	2	Improves community infrastructure for growing population.	
<b>Deliverable</b>	3	Parish Council worked with 8 landowners, SHDC and DCC to provide Permissive Path from Stokenham to Torcross.	
<b>Value for Money</b>	2	100% requested. Priority sections total £56,750.	
<b>Lasting Impact</b>	3	Project will benefit all sections of community as it has no restrictions for usage. Safe walking route between 3 villages will enhance community wellbeing by opening up opportunities for people to access community facilities/businesses.	
<b>Total Score</b>	15	<b>Recommended Grant Amount</b>	£54,214.56 which will largely cover the priority sections and will be the largest single grant allocation.
<b>Recommended Grant Conditions</b>	SHDC Natural Environment & Recreation Team has requested that grant is conditioned to include negotiations with Parish Council. Clarification regarding maintenance responsibility for paths will be required.		

<b>Applicant</b>	Totnes Development Trust Ltd		
<b>Project</b>	Rotherfold Improvements – creation of an improved public square / garden in the raised receding alcove by replacing the flooring and creating improved steps and new planting areas (area is owned by SHDC)		
<b>Amount Requested</b>	£13,718.00	<b>Total Project Cost</b>	£13,718.00
<b>Assessment Criteria</b>	<b>Score (1-3)</b>	<b>Community Team Comments</b>	
<b>Community Need</b>	2	Residents asked TDT to lead a project to improve the condition of the square. Number of public consultations identified poor condition of area.	
<b>Community Support</b>	3	45 people attended initial public meeting (Nov 11), steering committee elected at second public meeting (Jan 12), public consultation (May 12), 157 questionnaires completed (Jan 13). Fun afternoon in the square was attended by over 400 people and raised £2k. SHDC has supported the project with officer time and the funding of some initial consultation and design work. Project supported by local media and Totnes Public Space Forum. Project promoted on social media and TDT website. Emails of support from Cllrs Vint and Gorman.	
<b>Provides/Improves Community Infrastructure</b>	2	Improves community infrastructure.	
<b>Deliverable</b>	3	TDT has experience of delivering major projects, working closely with SHDC (e.g. raised £50k for new community garden and £30k for a garden for the Gardening for Health project which has been running for three years).	
<b>Value for Money</b>	2	100% requested.	
<b>Lasting Impact</b>	3	Improvements will make the area an attractive space which will be welcoming to and usable by residents and will help to increase the number of visitors to the top part of town.	
<b>Total Score</b>	15	<b>Recommended Grant Amount</b>	£13,718.00
<b>Recommended Grant Conditions</b>	SHDC Natural Environment & Recreation Team has requested that grant is conditioned to include SHDC having the final sign off of the scheme and SHDC issuing a license to include the ongoing maintenance of the area.		

AGENDA  
ITEM

9

## SOUTH HAMS DISTRICT COUNCIL

AGENDA  
ITEM

9

<b>NAME OF COMMITTEE</b>	<b>Executive</b>
<b>DATE</b>	<b>5 June 2014</b>
<b>REPORT TITLE</b>	<b>Review of arrangements for Blue Badge holders</b>
<b>Report of</b>	<b>Street Scene Manager</b>
<b>WARDS AFFECTED</b>	<b>All</b>

**Summary of report:**

This report makes a recommendation in respect of reviewing the arrangements for Blue Badge holders when parking in the District Council's car parks.

**Financial implications:**

There is likely to be a very small increase in Pay & Display income, but this is by no means the focus of this report.

There will be no further cost to advertising this change as it may be added to some Parking Order amendments which are already in progress.

**RECOMMENDATIONS:**

The Executive **RESOLVES** to **RECOMMEND** to Council that:

Due to the DVLA making changes to the way in which road tax is handled, all Blue Badge holders should pay appropriate parking fees, regardless of whether or not their vehicle is tax-exempt, and that all Blue Badge holders continue to receive one free hour's parking in addition to paid time.

In addition, it is recommended that the South Hams District Council's Off-Street Parking Places Order be updated to reflect this change.

**Officer contact:**

Cathy Aubertin  
Street Scene Manager  
[Cathy.Aubertin@swdevon.gov.uk](mailto:Cathy.Aubertin@swdevon.gov.uk)

## **1. BACKGROUND**

- 1.1 Currently, all Blue Badge holders, with the exception of those who are vehicle tax-exempt, pay for parking, but are entitled to one free hour's parking. Those whose vehicles are tax-exempt are not currently required to pay for parking, and may park free of charge for three hours.
- 1.2 When Civil Enforcement Officers (CEOs) carry out their duties, they are able to see, from information on vehicle tax discs, whether the driver of the vehicle is tax exempt and, therefore, whether or not the motorists should have paid the appropriate Pay & Display fee.
- 1.3 From 1<sup>st</sup> October 2014, the DVLA will no longer issue paper tax discs to prove that tax has been paid so CEOs will be unable to distinguish which motorists should have paid.

## **2. PROPOSAL**

- 2.1 In order to provide a fair and equitable service, it is proposed that all Blue Badge holders should pay for their parking, regardless of whether or not they are tax-exempt, whilst still allowing a free hour's parking for those motorists.
- 2.2 Although this change to the Off-Street Parking Order has been prompted by the DVLA changes to road tax, it will result in a more equitable service for all motorists, and will mirror the service provided by neighbouring districts.
- 2.3 This change will also eliminate any confusion caused to some customers who drive eco-cars which, because they are also tax-exempt, leads some customers to believe that they also are able to park free of charge for three hours.
- 2.4 Although the majority of Pay & Display machines comply with the Disability Discrimination Act (DDA) and should be accessible to disabled motorists, we will continue to sell parking tickets through the Street Scene team, to those disabled motorists who prefer to not use a Pay & Display machine.
- 2.5 However, if paying for parking is a concern for motorists, free parking is still available to Blue Badge holders on-street, where vehicles displaying a blue badge are able to be parked for on double yellow lines where they do not cause a hazard, although this is limited to three hours with no return for two hours. In addition, the on-street Pay & Display bays are currently free to all Blue Badge holders.

## **3. LEGAL IMPLICATIONS**

- 3.1 The Council has power to provide off-street parking under the Road Traffic Regulation Act 1984 (as amended).
- 3.2 The Council has the power to deal with the provision, management and control of car parks.
- 3.3 Council has the powers to provide this service under the General Powers of Competence in the Localism Act 2011.

## **4. FINANCIAL IMPLICATIONS**

- 4.1 There is likely to be a very small increase in Pay & Display income, but this is by no means the focus of this report.

4.2 There will be no further cost to advertising this change as it may be added to some Parking Order amendments which are already in progress.

## 5. RISK MANAGEMENT

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

<b>Corporate priorities engaged:</b>	Community well-being Access to services Towards excellence Customer first
<b>Statutory powers:</b>	As stated in paragraph 3
<b>Considerations of equality and human rights:</b>	An equality impact assessment has been carried out and, as a result, no further actions are required.
<b>Biodiversity considerations:</b>	None
<b>Sustainability considerations:</b>	None
<b>Crime and disorder implications:</b>	None
<b>Background papers:</b>	None
<b>Appendices attached:</b>	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	Objections from customers	Customers who currently are entitled to park free of charge may object to this change to the Off-Street Parking Places Order	2	1	2	↓	This proposed change to the Off-Street Parking Places Order will be subject to a formal notice, followed by a 21-day public consultation period.	C Aubertin

Direction of travel symbols ↓ ↑

AGENDA  
ITEM  
**10**

## SOUTH HAMS DISTRICT COUNCIL

AGENDA  
ITEM  
**10**

<b>NAME OF COMMITTEE</b>	Executive
<b>DATE</b>	5 June 2014
<b>REPORT TITLE</b>	Banking Arrangements
<b>Report of</b>	Head of Finance & Audit
<b>WARDS AFFECTED</b>	All

### Summary of report:

To consider arrangements for the existing bank contract with the Co-op which expires on 31 March 2016.

### FINANCIAL IMPLICATIONS:

The Council currently pays in the region of £25,000 annually in bank charges.

### RECOMMENDATIONS:

That Executive **RESOLVES** that:

1. South Hams District Council participates in a joint tendering exercise with West Devon Borough Council and Teignbridge District Council for the procurement of banking services with a view to implementing a new contract from 1 April 2015.
2. South Hams District Council sets up a shadow bank account with an alternative bank provider, which would be activated in the event of the Co-op bank failing to deliver its existing banking service.

### Officer contact:

Lisa Buckle, Head of Finance  
[lisa.buckle@swdevon.gov.uk](mailto:lisa.buckle@swdevon.gov.uk)

Michael Tithecott, Chief Accountant  
[michael.tithecott@swdevon.gov.uk](mailto:michael.tithecott@swdevon.gov.uk)

## **1. BACKGROUND**

- 1.1 The Council's contract with the Co-op expires on the 31 March 2016. The Co-op have advised the Council that they have decided to withdraw from their involvement in providing banking services to Local Authorities and that when the existing banking contract expires, they will not be seeking to renew it. Furthermore, they have indicated that they would fully support the Council going to tender at the earliest opportunity and terminating the existing contract before 31<sup>st</sup> March 2016.
- 1.2 At the start of the year, the following Devon Councils were also banking with the Co-op; Plymouth City Council, Exeter City Council, Torrington District Council and Teignbridge District Council (TDC). West Devon Borough Council currently bank with Nat West and their contract expires in March 2015. Plymouth and Exeter have recently undertaken procurement exercises and have awarded contracts to a new provider.
- 1.3 The Head of Finance & Audit has been in discussions with Teignbridge District Council (whose contract expires on the 31 March 2015) with a view to going out to tender on a collaborative basis for banking services which would include both South Hams and West Devon Councils. The advantages of this approach include:
  - The prospect of more competitive bids from the banking sector
  - Both SHDC and WDBC would have the same banking provider which would facilitate T18
  - A more cost effective procurement process (It is proposed to use the ESPO 384 Banking Services Framework which went live on the 21 May 2014).

## **2. CURRENT RISKS**

- 2.1 The Co-operative Group has recently announced losses of £2.5bn for 2013, marking the worst results in the group's 150-year history. The group said that most of the losses stemmed from the Co-operative Bank, which amounted to £2.1bn.
- 2.2 The Council has operated a policy of keeping the daily balances at zero with the Co-op for many months. However, should the bank fail, the Council faces the risk of its account being frozen. Nevertheless, it is the view of Capita Asset Services (the Council's treasury management advisors) that in the event of failure, the Bank of England would have to intervene to "process" the transactions within their accounts, because the Co-op is part of the national Clearing Bank System. However, there is the possibility that the Co-op accounts would be closed to new transactions and therefore any affected Council would face the issue of maintaining "business as usual" with regarding its suppliers or customers who wish to make payments.



2.3 In order to mitigate this risk, the Council could consider setting up and using a substitute account as an alternative bank to receive all income flows. According to Sector some local authorities have already done this and pay balancing amounts into the Co-op bank Account daily to offset payments that still flow from this account. The main disadvantages of this are that:

1. If we had to change banks mid-year, the Council would have to re-bill mid way through a financial year. There would be the cost of sending the bills out of around £15,000 plus the resource time needed to do this. This would involve staff time in both the revenues team and call handling in the customer services team. All of the instalment slips would have to be reprinted. The Council has a lot of customers paying by 12 monthly instalments and a change mid way through the year would impact detrimentally on collection rates for both council tax and business rates.
2. This process would need to be repeated later in the year if a different bank was successful in a tendering process.
3. Changing the Council's main bank account details is a major exercise and if this exercise was undertaken part way through the year and again at the year end, this is not very customer friendly. All of the Council's customers would need to be notified of the change of bank account details.

### **3 SUGGESTED APPROACH**

- 3.1 An alternative is to set up a shadow account which could be activated should the need arise. Some of the main banks have recently been approached about the possibility of setting up a "shadow account" for this purpose, which would only be activated should the Co-op bank fail.
- 3.2 The advantage of this approach is that it partially mitigates some of the risk from banking with the Co-op and the customer is not affected by having to change bank account details as this would only be enacted should the need arise. The Council would not need to re-bill for Council Tax and Business Rates and re-billing costs would not be incurred.
- 3.3 The disadvantage of this approach is that the Council would have a short period of downtime before it could switch all of its customers onto the 'shadow' bank account. This would cause disruption to 'business as usual'.

### **4. LEGAL IMPLICATIONS**

- 4.1 It is proposed to use a cost effective procurement process (the ESPO 384 Banking Services Framework) which went live on the 21 May 2014.

## 5. FINANCIAL IMPLICATIONS

- 5.1 The Council currently pays in the region of £25,000 annually in bank charges. By tendering on a collaborative basis there is the prospect of more competitive bids from the banking sector.

## 6. RISK MANAGEMENT

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

## 7. OTHER CONSIDERATIONS

Corporate priorities engaged:	All
Statutory powers:	Local Government Act 1972, Section 151
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:	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	Risk that the Co-op bank fails	Should the bank fail, the Council faces the risk of its account being frozen.	5	2	10 ⇄	<p>The Council has operated a policy of keeping the daily balances at zero with the Co-op for many months.</p> <p>Set up a shadow account which could be activated should the need arise.</p>	Head of Finance and Audit

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**MINUTES OF A MEETING OF  
THE EXECUTIVE  
HELD AT FOLLATON HOUSE ON THURSDAY, 5 JUNE 2014**

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

<b>Also in attendance and participating</b>		
Item 7	E.04/14	Cllrs Barber and Hodgson
Item 8	E.05/14	Cllrs Baverstock, Brazil, Gorman and Hodgson
<b>Also in attendance and not participating</b>		
Cllrs Blackler, Bramble, S Cooper, Holway, Pearce, Squire, Steer and Stone		

<b>Officers in attendance</b>		
All items		Executive Director (AR), Executive Director (TW) and Member Services Manager
Item 8	E.05/14	Community Manager
Item 10	E.07/14	Head of Finance and Audit

**E.01/14      MINUTES**

The minutes of the meeting of the Executive held on 24 April 2014 were confirmed as a correct record and signed by the Chairman.

**E.02/14      DECLARATIONS OF INTEREST**

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

**E.03/14      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 were as follows:

1. What will the council do if Millwood Homes/Bloor Homes do not submit a planning proposal for the West Dart housing scheme?
2. Will there be a deadline for the council to receive such a planning proposal or will they allow Millwood Homes/Bloor Homes to land bank the scheme?

3. Since this would block all significant future housing development in Dartmouth, will the council compulsory purchase the land on offer to Millwood Homes/Bloor Homes in order to offer it to another developer?

The Executive Portfolio Holder for Planning, Economy and Community responded to the questions by stating anyone at anytime could make an application for planning permission and that the land did not need to be owned by the applicant. This Council was a planning authority and he would focus his reply on planning matters. In terms of the West Dart development, it was currently at the pre-application stage and had been going on for some time. He fully expected that the situation would develop and an application for planning permission would be received but otherwise there was little the Council could do at this stage. Whether or not the scheme would go ahead would depend on whether planning permission were to be granted. If the developer owned the site they could 'land bank' it but the Council would try to strongly dissuade them from doing so as the site was important in respect of the delivery of homes. Cllr Hicks also gave an assurance that Compulsory Purchase of the site would be avoided at all costs.

Mr Boughton then asked a supplementary question as follows:

'Is the Council looking for extra land to build the 200 houses that the area was currently short of?'

The Executive Portfolio Holder responded that the Council was currently in the process of producing a Local Plan but it would take approximately eighteen months before it became policy. Within that time, the Council would be looking at available land supply for development and as part of that an investigation would take place into land in Dartmouth. There would be discussions between the Strategic Planning Officers and the local Ward Members in due course.

E.04/14

#### **APPLICATION FOR AREA DESIGNATION TO NEIGHBOURHOOD PLANS FOR DARTINGTON, NEWTON & NOSS AND STOKE FLEMING**

Members were asked to consider a report that advised that Dartington, Newton & Noss and Stoke Fleming Parish Councils had submitted applications to the Council to designate Neighbourhood Plan areas in their parishes. The applications had been advertised for a six week period during which comments had been invited on whether the plan areas were appropriate.

The Executive Portfolio Holder for Planning, Economy and Community introduced the report and outlined how Neighbourhood Plans would help to inform the Local Plan. During discussion the following points were raised:

- One Member asked if officers could consider a briefing pack to assist parishes that would consolidate the learning so far. In response, the Community Manager advised that officers were intending to provide further information now that a number of applications had been received;
- Some Members asked if the Council would continue to support a town or parish if it became apparent that work on their Plan was not progressing. In response, the Executive Portfolio Holder advised that the Council would not allow a defunct application to take up time and resource that could better be used on a new application;
- The Leader asked if there was a resource issue with the number of applications received. In response, the Executive Portfolio Holder advised that the Council did have a responsibility to support these applications and had sufficient resource to support the existing applications but further applications would stretch resources.

It was then:

### **RESOLVED**

- a) That the designation of Dartington, Newton & Noss and Stoke Fleming parish boundaries for the purposes of preparing their respective Neighbourhood Plans be approved;
- b) That a bid for central government funding to help cover the costs associated with preparing the Neighbourhood Plans be supported.

E.05/15

### **COMMUNITY REINVESTMENT PROJECTS FUND 2013/14 GRANT ALLOCATIONS**

Members were presented with a report that provided a summary of the applications to the community Reinvestment Projects Fund in 2013/14 and sought approval for allocating grant of over £10,000 to those projects.

The Executive Portfolio Holder for Planning, Economy and Community introduced the report and stated that this was a good news story as a wide range of projects had benefited from the funding being available. A number of Members praised the scheme and were pleased that community projects within their own wards had received support. One Member asked that thanks be noted to the officers for their support of the application from his parish. Another officer queried if the funds should be used to support applications in relation to footpaths as they were a Devon County Council (DCC) responsibility. The Executive Member for Environment Services advised that footpaths were only the responsibility of DCC if they were adopted and a Member who also sat on DCC advised that the authority had no funding for such projects and it was good news that the District Council was able to support communities with funding for such projects.

It was then:

### **RESOLVED**

That the following grants of over £10,000 (totalling £135,800) be approved:

- £15,146.50 to Rattery Parish Council towards replacement play equipment at Garden Close, Rattery;
- £11,514.09 to Totnes Town Council for Civic Hall regeneration (projection equipment, wireless broadband and toilet refurbishments to allow the Civic Hall to be used as a cinema or a conference facility);
- £18,912.00 to Dart Area Landscape Access Group for A379 verge footpath at Stoke Fleming;
- £22,294.85 to Lee Mill Community Association for Multi Use Games Area at Bottle Park Play Park, Lee Mill;
- £54,214.56 to Stokenham Parish Council towards path surface improvements between Chillington and Torcross; and
- £13,718.00 to Totnes Development Trust Ltd for improvements to the Rotherfold (creation of an improved public square / garden in the raised receding alcove).

#### **E.06/14      REVIEW OF ARRANGEMENTS FOR BLUE BADGE HOLDERS**

Members were asked to consider a report that made a recommendation in respect of reviewing the arrangements for Blue Badge holders when parking in the District Council's car parks.

The Executive Portfolio Holder for Environment Services introduced the report and advised Members that this would bring the Council in line with neighbouring authorities.

It was then:

### **RESOLVED**

That Council be **RECOMMENDED** that:

due to the DVLA making changes to the way in which road tax is handled, all Blue Badge holders should pay appropriate parking fees, regardless of whether or not their vehicle is tax exempt, and that all Blue Badge holders continue to receive one free hour's parking in addition to paid time; and

the South Hams District Council Off Street Parking Places Order be updated to reflect this change.



E.07/14 **BANKING ARRANGEMENTS**

Members were presented with a report that asked them to consider arrangements for the existing bank contract with the Co-op which expired on 31 March 2016.

The Leader introduced the report and advised Members that the actions being proposed would help to reduce risk.

It was then:

**RESOLVED:**

1. That South Hams District Council participate in a joint tendering exercise with West Devon Borough Council and Teignbridge District Council for the procurement of banking services with a view to implementing a new contract from 1 April 2015; and
2. That South Hams District Council set up a shadow bank account with an alternative bank provider, which would be activated in the event of the Co-op bank failing to deliver its existing banking service.

**(NOTE: THESE DECISIONS, WITH THE EXCEPTION OF MINUTE E.06/14, WHICH IS A RECOMMENDATION TO THE COUNCIL MEETING TO BE HELD ON 19 JUNE 2014, WILL BECOME EFFECTIVE FROM 5.00PM ON MONDAY 16 JUNE 2014 UNLESS CALLED IN, IN ACCORDANCE WITH SCRUTINY PROCEDURE RULE 18).**

(Meeting commenced at 10.00 am and concluded at 10.30 am)

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Chairman

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