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WEST DEVON COMMUNITY SERVICES COMMITTEE - TUESDAY, 11TH MARCH, 2014

Agenda, Reports and Minutes for the meeting

Agenda No Item

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2. **Reports**
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 - a) Item 5 - Tavistock WHS Key Centre (Pages 7 - 18)
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Agenda Item 1

AGENDA – COMMUNITY SERVICES COMMITTEE – 11th MARCH 2014

PART ONE – OPEN COMMITTEE

1. **Apologies for absence**
2. **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.

If Councillors have any questions relating to predetermination, bias or interests in items on this Agenda, then please contact the Monitoring Officer in advance of the meeting.

3. **Items Requiring Urgent Attention**
To consider those items which, in the opinion of the Chairman, should be considered by the Meeting as matters of urgency (if any).

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MINUTES

4. **Confirmation of Minutes**
Regular Meeting held on 12th November 2013 (previously circulated).

OPERATIONAL

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PART TWO – ITEMS WHICH MAY BE TAKEN IN THE ABSENCE OF THE PUBLIC AND PRESS ON THE GROUNDS THAT EXEMPT INFORMATION MAY BE DISCLOSED (if any).

If any, the Committee is recommended to pass the following resolution:

“RESOLVED that under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the Meeting on the grounds that exempt information may be disclosed as defined in the paragraph given in brackets below from Part I of Schedule 12(A) to the Act.”

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STRATEGIC RISK ASSESSMENT

Reports to Members

Members will be aware of the requirement to take account of strategic risk in decision making. This note is designed to support Members consider strategic risks as part of the assessment of reports from officers.

There are an increasing number of issues that we have a statutory requirement to take into account which affect all aspects of the Council's policies and service delivery (e.g. Human Rights Act). There are also discretionary issues we choose to highlight in our reports (e.g. Financial Implications, and Impact on Council Priorities and Targets). Common Law duty requires Local Authorities to take into account all things they need to take into account! The Courts hearing Judicial Review applications make this their starting point in deciding whether any decision is reasonable.

Officers have a responsibility to assess the implications of recommendations to Members. Members should ensure that before making a decision they have undertaken a similar consideration relating to the risks associated with the report.

Examples of risk to be considered:-

Statutory Requirement :

- Equalities and Discrimination, particularly Race Equality. (Consider the impact on each of the following equality areas: Race, Religion and Belief, Gender, Sexual Orientation, Disability, Age)
- Human Rights
- Crime and Disorder
- Health and Safety
- Employment Legislation
- Data Protection
- Freedom of Information
- Corporate activity with an impact on Areas of Outstanding Natural Beauty, National Parks, Sites of Special Scientific Interest, and biodiversity

Corporate Requirement :

- Impact on Council's Reputation
- Impact on Priorities, Cross-Cutting themes, Targets and / or Commitments
- Impact on Standing Orders / Financial Regulations
- Impact on Council's Assets
- Financial Risks
- Compliance with National Policies and Guidance
- Impact on Sustainability

Members' attention is drawn to the Risk Assessment section within each report. Members are encouraged to consider whether the report has satisfactorily identified all likely negative impacts and mitigating action that will be taken. Members also need to consider the opportunities presented by actions, noting that any change entails an element of risk. The challenge is to effectively manage that risk.

RISK SCORING MATRIX

Impact/Severity		Target impact	Stakeholder impact	Finance impact
1	Insignificant	Low impact on outcome & target achievement & service delivery	Low stakeholder concern	Low financial risk
2	Minor	Minor impact on outcome & target achievement & service delivery	Minor stakeholder concern	Minor financial risk
3	Moderate	Moderate outcome & target achievement & service delivery	Moderate stakeholder concern	Moderate financial risk
4	Serious	High impact on outcome & target achievement & service delivery	High stakeholder concern	High financial risk
5	Very serious	Very high impact on outcome & target achievement & service delivery	Very high stakeholder concern	Very high financial risk
Likelihood/Probability		Risk	Opportunity	
1	Very low	Negligible chance of occurrence; has not occurred	Possible opportunity yet to be investigated with low likelihood of success	
2	Low	Low chance of occurrence; has occurred infrequently but within internal control	Opportunity being investigated with low likelihood of success	
3	Medium	Equal chance of occurrence or non occurrence; could occur more than once and be difficult to control due to external influences	Opportunity may be achievable with careful management	
4	High	More likely to occur than not occur; has occurred more than once and difficult to control due to external influences	Good opportunity which may be realised	
5	Very high	Very high chance of occurrence but not a certainty; has occurred recently	Clear reliable opportunity with reasonable certainty of achievement	

Risk score = Impact/Severity x Likelihood/Probability

Likelihood	5	5	10	15	20	25
	4	4	8	12	16	20
	3	3	6	9	12	15
	2	2	4	6	8	10
	1	1	2	3	4	5
	0	1	2	3	4	5
Impact						

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NAME OF COMMITTEE	Community Services
DATE	11th March 2014
REPORT TITLE	Tavistock WHS Key Centre
REPORT OF	Head of Planning, Economy and Community
WARDS AFFECTED	Tavistock Wards

Summary of report:

The report sets out the progress that has been made in addressing the weaknesses identified in the Assessment of Tavistock as a potential Key Centre in the Cornwall and West Devon Mining Landscape World Heritage Site (WHS), which was carried out in 2012. It includes an action plan, which members are asked to consider and support if appropriate, ahead of a re-assessment of Tavistock’s suitability to become a Key Centre in the World Heritage Site.

Financial implications:

The Borough Council has contributed up to £1,000 from the Economic Development Grant Scheme towards the key centre studies.

Further funding support may be required to support the implementation of the Action Plan, but any such requests will be brought to the appropriate committee when required.

RECOMMENDATIONS:

It is recommended that the Committee:-

1. notes the progress towards establishing Tavistock as a Key Centre in the Cornwall and West Devon Mining Landscape World Heritage Site and agrees to continue to support the way forward as outlined in the report and Action Plan attached at Annex B;
2. instruct officers to continue to assist with the implementation of the action plan and bring any specific project proposals back to the appropriate committee in due course; and,
3. requests Council to nominate a Member representative to attend the Tavistock Key Centre Partnership

Officer contact:

Robert Plumb, Economic Development Officer at rplumb@westdevon.gov.uk or 01822 813620

1. BACKGROUND

- 1.1 Members will recall that at the Environment and Community Committee held in March 2012 (E&C Minute 29 of 2011/12) that it was agreed to support the principle of Tavistock becoming a Key Centre in the Cornwall and West Devon Mining Landscape World Heritage Site (WHS) and instructed officers to assist in actions necessary to achieve that designation.
- 1.2 Since then an officer working group, including staff from each of the local authorities, together with staff from the WHS team, local business and community interests, have progressed this work. Up to £11,500 was committed by various partners, including the Borough Council, towards a number of studies, including a Learning Strategy and Interpretation Strategy. Both these are now complete and copies are available in the member's room and on the Borough Council's website at <http://www.westdevon.gov.uk/article/2760/Local-Priorities>.
- 1.3 Action has been taken by Devon County Council to rationalise signage in the town centre and notice boards have been installed through the Tamar Valley Mining Heritage project at car parks and other strategic locations, providing orientation and information about the Mining Heritage. WHS gateway signs have been installed at the road entry points to the town. Further improvements are planned through the Tavistock Townscape Heritage Initiative (THI) Scheme.
- 1.4 Meanwhile, the working group has drawn up an action plan (attached at Annex B) to address the outstanding weaknesses ahead of a re-assessment by the WHS office of Tavistock's suitability to become a Key Centre.
- 1.5 The report below outlines the further steps necessary to realise this designation and the outstanding issues members need to consider. It also asks members continue to support the necessary actions to achieve this.

2. REPORT AND ISSUES FOR CONSIDERATION

- 2.1 The action plan sets out a number of key initiatives that need to be progressed over the next 12 months. This includes the creation of a more formal partnership to oversee the next stage and implementation of measures to secure and sustain Tavistock as a Key Centre. This will require member representation from each of the local authorities, including the Borough Council. It will also need continuing officer support. It is anticipated that the cost of this will be met by in-kind contributions from the various partners, but a notional cost has been identified in the plan and if this cannot be met by in-kind contributions then a further request may need to be submitted to members in due course.
- 2.2 The creation of dedicated staff resources to implement the Learning and Interpretation Strategy are anticipated to be met mainly from external sources (e.g. The Heritage Lottery) but some local match funding may be required. In this case, proposals will be submitted to the relevant authorities, including possibly the Borough Council.
- 2.3 A separate Stage 1 bid has now been made by the Town Council for Heritage Lottery support to bring the Police Station and Guildhall into Public Ownership,

including using the lower levels of the Guildhall as a Gateway Centre for the WHS. At present there are no financial implications for the Borough Council.

- 2.4 The other projects will also need to be funded from a combination of external and local sources and again, this could include applications for support from the Borough Council. These will be considered on their merits and reported, to the appropriate committee, if necessary.

3. LEGAL IMPLICATIONS

- 3.1 The Cornwall and West Devon Mining Landscape World Heritage Site (WHS) derives its powers from UNESCO. It does this on behalf of the Local Authorities and partners who make up the WHS Partnership and within the scope of the WHS Management Plan. The Borough Council is part of that Partnership and has recently approved the latest version of the WHS Management Plan 2013-18 (CS19 of 2012/13)
- 3.2 Under Section 1 of the Localism Act 2011 the Council has a general power of competence to do anything an individual can do subject to any statutory restrictions.
- 3.3 There are no other specific legal implications for the Borough Council relating to the approval of the action plan.

4. FINANCIAL IMPLICATIONS

- 4.1 The Borough Council has contributed up to £1,000 from the Economic Development Grant Scheme towards the preparation of the key centre studies.
- 4.2 Further funding support may be required by local partners, including the local authorities as outlined in the Action Plan at Annex B. Any such requests will be brought to the appropriate committee when required.

5. RISK MANAGEMENT

- 5.1 The risk management implications are as set out in Annex A below.

6. OTHER CONSIDERATIONS

Corporate priorities engaged:	Environment, Economy and Community Life
Statutory powers:	Section 1 of the Localism Act 2011
Considerations of equality and human rights:	N/A
Biodiversity considerations:	These are considered as part of the key centre studies
Sustainability considerations:	These are considered as part of the key centre studies
Crime and disorder implications:	N/A
Background papers:	Cornwall and West Devon Mining Landscape

	WHS Management Plan 2013-2018 Report to Community Services Committee 30 th October 2012 WHS Key centre Assessment for Tavistock; Report to Environment and Community Committee March 2012
Appendices attached:	Annex A: Strategic Risk Assessment Annex B : Tavistock Key Centre Action Plan Draft 2014

ANNEX A Strategic Risk Assessment

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	Reputational risk	Inability to demonstrate that the agreed plan has been through full public consultation	3	3	9	↓	Ensure the documents including the draft action plan, is circulated widely and adequately publicised, including holding meetings to explain the basis of the plan	EDO
2	Partnership risk	Failure to engage key partners or one or more partners disengage	3	2	6	↓	The proposal in the Action Plan is to form a new Partnership to guide the process of becoming and delivering the action plan. This will involve all the key stakeholders supported by officers from the three local authorities and WHS. Issue will be resolved through consensus.	EDO
3	Financial risk	This relates to the lack of an agreed and up to date strategic context for making funding bids in support of the WHS activities	3	2	6	↓	The existence of an up to date and tested Management Plan and Key Centre Action Plan will enable more effective bids to be submitted and hence the wider activities of the plans will be able to be supported	EDO

STRATEGIC RISK ASSESSMENT

Risk Score 20-25: very high; 12-19: high; 8-12; medium; <8: low

Direction of travel symbols ↓ ↑ ↔

ANNEX B: Tavistock Key Centre Action Plan
Draft 2 February 2014

<i>Task</i>	<i>Detail</i>	<i>Cost</i>	<i>Lead/Partners</i>	<i>Comments</i>
Short-term (next 6-12 months)				
1. Establish a Key Centre Delivery Partnership/Governance Structure	<p>Recommended by both Key Centre Learning and Interpretation Strategies-</p> <p>Co-ordinating existing heritage learning providers and those involved in establishing an eco-museum model for the Key Centre Area</p>	£ 5 – 10k p.a. (including in-kind contributions)	Local Authorities with WHS/AONB/TALC/Amenity Groups	Could this be one body?
2. Identify Funding Sources and employment of dedicated staff resource	<p>The creation of both a Learning Co-ordinator and Heritage Interpretation Officer post are required.</p> <p>These could be shared posts with other key centres/heritage attraction providers.</p> <p>Securing a staff resource may be essential to levering in any other funding and management of any governance</p>	£30-40k p.a.	Local Authorities/WHS	Stage 1 application to the HLF pending

	structure.			
3. Preparatory work for the provision of a Visitor Gateway Centre	This is a major project which will span the timescale of this action plan. Early work is required to initiate this process, determine a deliverable location and identify sources of funding to deliver such a facility	£1.5m capital < £10k for funding bids and feasibility work	TTC/WDBC/Others as required	Stage 1 application to HLF pending
4. Completion of TVMHP town centre WHS signage	Installation of 4D signage in Bank Square, Bedford Square and the Pannier Market	£4k (including signage already installed)	TVMHP/TTC	Funds already spent or committed
5. Continue to lobby for better signage to the WHS through MP and DCC	Better signage from principle A roads and from Plymouth	£0	TTHP/DCC/DOT	Possible contribution from DCC Highways or Section 106 funds for any capital works/signage
6. Invest in "Sense of Place" and associated training for schools and teachers	This should be capable of early implementation through the TV AONB with training provided for teachers.	£3k	AONB/WDBC/WHS/ Asook	
7. Create activity pack for families and adults	Development of pilot trails and activity packages, plus marketing	£8k	Tavistock Key Centre Partnership (TKCP)	

	and promotion.			
8. Implement a familiarisation programme for local tourism and business partners	Including tours of partner's sites, guided walks programme (with accreditation). Links to Ambassadors programme	£1.5k	TKCP/BID Co	
9. Blue plaques and interpretation panels	New panels in the meadows and plaques on selected buildings	<£5k	TTC	
10. Launch Annual Heritage Festival and associated programme of events throughout the year	Developed in partnership with the wider arts and cultural sector	£10-20k pa	Rotary/T&D Soc./Other groups	History local Plans for a Heritage Festival in October 2014 already in place
11. Reassessment of Key Centre Status	Including the re-assessment of the role of Morwellham Quay	£5k	WHS office	
Medium Term (1-2 years)				
12. Develop a Marketing Plan	This should include audience development and learning opportunities and include effective monitoring systems to ensure effective delivery	£5-10k pa	TKCP	

13. Secure funding to develop a programme of new outreach activity for community groups and schools	This should build on existing programmes developed by the AONB and Caradon Hill and be linked to the new curriculum for schools.	£5k	TKCP	Part of HLF project bid
14. Secure funding to develop website presence and social media output	This could involve the development of new online learning programmes and resources	£10-15k	TKCP	Part of HLF project bid
15. Implement a volunteer recruitment and training programme	This could be developed through wider networks including the SW Museums Development Partnership	£10 – 15k p.a.	TKCP	Part of HLF project bid
16. Develop specific Interpretation products	These could include a Tavistock Canal DVD, Interpretive Trails, 3D animations on the building of Tavistock and a Guidebook	£10-50k	TKCP	
17. Continue to progress the Gateway Centre proposal	This will include detailed funding proposals and commencement of project , if successful	As in 3 above	TKCP	

Long-term (2-5 years)				
18. Completion of Gateway Visitor Centre	As above with completion of works, business plan, recruitment of staff and management plan	As in 3 above	TKCP	A detailed business plan will be included in an HLF Stage 2 bid proposal
19. Develop outreach and online products for new audiences	Using evaluation of existing products and consultation to inform development, including new products and trails linked to new Gateway Centre	tba	TKCP	
20. Continue to develop volunteer programmes and training	As above	tba	TKCP	
21. Development of a new project associated with the development of the new Tavistock Railway Station	This could include a nodal point for cyclists	tba	TKCP	

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NAME OF COMMITTEE	Community Services Committee
DATE	11th March 2014
REPORT TITLE	Strategic Leisure Review – Update
Report of	Natural Environment & Recreation Manager
WARDS AFFECTED	All

Summary of report:

Members have previously agreed to establish a Strategic Leisure Member Working Group to undertake preparatory work ahead of decisions on future delivery of Leisure Services. This item provides an update on the work of that group and highlights current work streams. This is presented for information but makes proposals for further immediate background work in anticipation of a new Olympic Legacy Pool in Tavistock.

Financial Implications

Up to £30,000 for professional support fees was agreed under Minute CM38 in 2012. To date £300 expenditure has taken place on some initial professional advice and the proposed retention of a Leisure Services consultant will need to come from this allocation. Further financial implications will arise from the response to the Olympic Legacy Pool project.

Recommendation

It is recommended that the Committee:

1. notes the progress on the Leisure Review and the update from the Strategic Leisure Member Working Group; and,
2. instructs Officers to undertake works as set out in Appendix 2

Officer contact: Ross Kennerley.

Natural Environment & Recreation Manager: ross.kennerley@swdevon.gov.uk

1. BACKGROUND

- 1.1 West Devon Borough Council manages two Leisure Centres which are currently operated by *Leisure in the Community (LiTC)* operating as *Leisure Connection*. The background to the current leisure contract was considered in depth by Council at the meetings of 11th December 2012 and 16th April 2013 (Minute nos. CM63 and CM94) wherein issues relating to the timeframe and form of the current contract were explained in some detail.

- 1.2 In anticipation of a need to look at all options for future delivery for Leisure provision the Community Services and Resources Committees considered detailed papers on future Leisure delivery options on 26th June and 24th July 2012. These gave a comprehensive background (to which members are referred) and led to the establishment of a Strategic Leisure Member Officer group. To date the Member group (consisting of Councillors Ball, Oxborough, Marsh, Musgrave, Morgan and Sampson – under the chairmanship of Cllr Oxborough) has met regularly and overseen the following.
- An appraisal of the current status of the Leisure Centres and leisure contract.
 - A scoping exercise and assessment of the initial options for future delivery
 - Identification of likely key drivers for future delivery
 - Stakeholder meetings with interested parties.
 - Review of existing contract arrangements
- 1.3 The process is complicated both by the need to have addressed the current contract situation (as noted above) and by the complexity of distinctly differing pressures and issues at the two centres.

2. **UPDATE**

- 2.1. Under the guidance of the Strategic Leisure Group, officers are currently working to the project plan with the following being key forthcoming milestones:
- Mar 2014. Appointment of Leisure services specialist consultant
 - May/June 2014 Soft Market Test (or similar exercise)
 - July/Aug 2014 Interim options report and consultations as required
 - Nov 2014 Preferred Options Report
 - Dec 2014 Council consideration of options

The fully detailed plan can be provided on request. The following matters are brought to Members' attention.

- 2.2 Completion of stakeholder consultations with key interested parties relating to the existing delivery of the Leisure Centres and related work. These consultations are summarised at **Appendix 1** and detailed notes are available for members on request. This round of consultations has provided helpful background as we now move into the more detailed preparatory work for formal procurement of future services (or whatever approach members agree)
- 2.3 Securing suitable professional Leisure services specialist advice to support the process of options analysis and scoping. The contract for this work is out to tender at the time of compiling this report.
- 2.4. Undertaking a soft market test (or similar exercise) during Spring/early Summer in order to identify potential interested parties and options for consideration. Preparatory work has taken place and this exercise will be assisted by the Leisure specialist. The exercise will assist in scoping the range of options and likely benefits and challenges.

- 2.5 Continued work with the Strategic Leisure Member Groups. It is suggested by officers that these be run as joint meetings between West Devon and South Hams where common issues are dealt with by all members of the Strategic Leisure Groups and, if necessary, South Hams and West Devon specific issues separated out for detailed review. This will establish consistency on detail and timing and make best use of the leisure specialist support.
- 2.6 A key issue that has significant potential implications is the proposed Olympic Legacy 50m Pool at Kelly College. This project has Sport England support and a major fundraising effort is underway with indications that this may be closing in on the required target. Clearly the provision of the pool – and additional community use of the existing 25m pool at Kelly College - could have marked impacts on the overall swim provision in Tavistock with clear potential impacts on the existing Meadowlands Pool. Further meetings are planned with Kelly College to help shape different scenarios as, and if, the pool progresses. Given indications of progress on the fundraising it would be prudent for WDBC to consider how it might respond should the Legacy Pool rapidly advance. The Business Plan to support the Legacy Pool and 25m Pool at Kelly College is inevitably based on increased use by non college users. This is bound to have direct impacts upon the already publically subsidised swim provision at Meadowlands.
- 2.7 WDBC will need to carefully consider the potential impacts and contemplate that there may be merit in WDBC being a partner in the Legacy and 25m pools at Kelly. If not the potential overprovision of swim in the town could well undermine both the current and future viability of Meadowlands. The issues and inter-relationships are complex and members are asked to consider the issues set out in **Appendix 2** – and guide on whether these are a complete schedule of issues to be considered – and whether the proposed immediate actions are appropriate
- 2.8 Clearly there will be a need for full Council consideration of any proposal relating to any change at Meadowlands – but this may come rapidly and thus the preparatory work is important.
- 2.9 There is also a need to keep close contact with Tavistock Town Council, Okehampton Town Council and Devon County Council who between them hold the freehold interest in the land on which the leisure centres stand. Meetings will take place in the next few weeks

3. LEGAL IMPLICATIONS

- 3.1 The provision of leisure services is a discretionary activity. It is, therefore, up to the Council to decide the level of service to be provided. Members should note, however, that in the current economic climate there have been judicial reviews of council decisions to cut funding to local services. Many of the successful cases have focussed on the preparatory work undertaken before a decision to curtail a service is made; in particular highlighting that consultation should be carried out when proposals are at a formative stage. Decisions to cut services have been struck down by the courts due to inadequate or lack of consultation.

3.2 Other legal challenges have been mounted on the basis of the Public Sector Equality Duty, e.g. a lack of prior consideration by the Council of the impact of the proposed cuts on particular groups within society. These issues are factored into the preparatory work currently underway.

4. FINANCIAL IMPLICATIONS OF PROVIDING LEISURE SERVICES

4.1 The contract fee for providing the Leisure Centres, and capital and R&M implications have been previously reported as detailed in 1.1 and 1.2 above.

4.2 This report recognises the provision of up to £30,000 to procure external specialist advice to support the Council through the General Un-earmarked Revenue Reserves. Expenditure will take place in securing specialist leisure advice.

5. CONCLUSION

5.1 The initial work under the guidance of the member group has further assessed the wide range of options first reported in June and July 2012. The stakeholder consultation has refined the understanding of the views of a wide range of interested parties. Detailed options analysis now needs to be concluded and informed by the soft market test exercise with the assistance of specialist advice. The aim is to bring a preferred options report back to members later in 2014.

5.2 The potential for a rapid advancement of the Olympic Legacy Pool may require the need for early consideration of an amended approach in Tavistock. This may have fundamental impacts on overall swim provision in Tavistock and the review of the overall provision.

6. RISK MANAGEMENT

6.1 The risk management implications are appended to this report as **Appendix 3**.

7. OTHER CONSIDERATIONS

Corporate priorities engaged:	Community Life
Statutory powers:	S19 Local Government (Miscellaneous Provisions) Act 1976 - Leisure is a discretionary service
Considerations of equality and human rights:	The Council currently operates two main leisure facilities. While there are alternative leisure facilities available in surrounding areas, those with limited access to private transport will find travelling longer distances difficult.
Biodiversity considerations:	None
Sustainability considerations:	Access to local facilities may reduce travel
Crime and disorder implications:	Access to local affordable facilities may reduce elements of anti social behaviour
Background papers:	None

Appendices attached:

1. Stakeholder summary
2. Meadowlands Issues
3. Risk Assessment

**SOUTH HAMS AND WEST DEVON - STRATEGIC LEISURE REVIEW
STAKEHOLDER CONSULTATION FEEDBACK**

STAKEHOLDER	KEY COMMENTS / ISSUES
Sport England/Active Devon	<ul style="list-style-type: none"> • Support strategic review of leisure provision across both council areas. • Favour outcome based leisure management contracts with high level / strategic targets and to make use of new procurement toolkit. • Opportunity to use National Benchmarking Service to compare site performances.
WEST DEVON	
Leisure Connection	<ul style="list-style-type: none"> • Very happy with current contract performance and wish to maintain future management operation of leisure facilities in West Devon. • Keen to expand their new Trust model and develop positive community links and explore wider opportunities.
OKEHAMPTON;	
Okehampton Town Council	<ul style="list-style-type: none"> • Leisure centre key asset for town and support broader community partnership for its future management.
Okehampton College	<ul style="list-style-type: none"> • Current dual use agreement for college use of leisure centre and make good use of facilities. • Interested in possible future leisure partnership to manage local facilities.
OCRA – Okehampton Community Recreation Association	<ul style="list-style-type: none"> • Key local provider of community recreation activities, mainly of an outreach nature, but very interested in management of local facilities – including leisure centre. • Support a local community management partnership.
Leisure Centre User Group	<ul style="list-style-type: none"> • Key role to help with future management of centre, giving good customer feedback and helping with communications to centre management.
TAVISTOCK;	
Tavistock Town Council	<ul style="list-style-type: none"> • Provision of community swimming facilities is important for the town. • Welcomes working in partnership on future leisure provision and developing service innovation.
Tavistock College	<ul style="list-style-type: none"> • Key provider of local community leisure facilities on campus. • Community dual use agreement recognises current sports provision for public.

	<ul style="list-style-type: none"> • Already has an open air pool, potential long term plan to provide indoor provision with external funding.
Leisure Centre User Group	<ul style="list-style-type: none"> • Current leisure pool is a vital asset located in the centre of town. • More usage would take place pending future investment to provide a modern swimming pool facility.
Kelly College	<ul style="list-style-type: none"> • Offer accepted to provide an Olympic Legacy 50m new indoor pool at the cost of £3mil+ • Proposal to provide greater public swimming as part of a community partnership.
SOUTH HAMS	
Tone Leisure	<ul style="list-style-type: none"> • Very interested to remain involved in providing leisure management across South Hams and into West Devon if the opportunity was available. • Already provided significant savings to the Council on its current leisure centre provision and keen to explore further opportunities.
DARTMOUTH;	
Dartmouth Academy	<ul style="list-style-type: none"> • Current dual use agreement for college use of leisure centre to be clarified and resolved. • Interest in future management of leisure centre and partnership with other facilities. • New Academy Campus being built on site.
Dartmouth Town Council	<ul style="list-style-type: none"> • Leisure Centre is a key asset and with proposed new swimming pool, good opportunity to increase overall usage of site. • Can see benefits in joint management of leisure facilities.
Dartmouth & District Indoor Pool Trust	<ul style="list-style-type: none"> • £2.1mil funding secured to build new indoor 25m pool next to current leisure centre. • Potential interest in joint management of facilities.
IVYBRIDGE;	
Ivybridge Academy	<ul style="list-style-type: none"> • Large school, 2,500 students with extensive range of on-site sports facilities, inc 4 court hall. • College sports facilities available have strong community use. • Limited use of leisure centre due to distance / travel time.
Ivybridge Town Council	<ul style="list-style-type: none"> • Leisure provision key central town asset, important for attracting footfall for area. • Great potential to develop future leisure provision on current site and link in with other nearby land uses.
KINGSBRIDGE;	
Kingsbridge Town Council & College	<ul style="list-style-type: none"> • Town Council view leisure centre as a key town

	<p>asset, good use, and positive community links with current arrangements working well.</p> <ul style="list-style-type: none"> • Current dual use agreement with College, gives extensive use of sports hall and College make additional use of swimming pool.
South Hams Indoor Bowls Club	<ul style="list-style-type: none"> • Current lease and management agreements in place for club use of dedicated indoor bowls hall. • Club has its own maintenance obligations and current arrangements work well.
TOTNES;	
Totnes Town Council	<ul style="list-style-type: none"> • Leisure Centre and nearby Borough Park, both key sites for a central leisure hub. • Potential for local management provision of facilities and Town Council interested to support local options.
KEVICC College	<ul style="list-style-type: none"> • College has its own sports facilities which require significant upgrading / replacement, especially All Weather Pitch. • Reviewing approach to redevelopment to deliver sports hub. • Positive discussion on partnership opportunities to develop future town leisure facilities.
TADPOOL – Totnes & District Swimming Pool	<ul style="list-style-type: none"> • Interest to manage whole leisure centre and are developing their new trust arrangements. • Support need for ‘joined up’ approach for leisure provision across the town.

Meadowlands Future Delivery – issues for consideration and investigation

Issue	Action List	Action to date & plan
Meadowlands – Current Revenue Cost and R&M costs	Identify current cost of Meadowlands management fee and ancillary costs	Management fee and WDBC running costs of Meadowlands identified
Meadowlands – Projected Capital costs	Review projected costs to end of contract and beyond	Projected Capital costs of Meadowlands identified.
Legacy and 25m Pool. – Projected community use and revenue cost	Identify with Kelly College likely level of potential community use and likely level of subsidy	TBC with Kelly College by end of March 2014
Legacy and 25m Pool – Projected build and refurbishment costs	Identify with Kelly College likely level of build costs and refurbishment of 25m pool and changing	TBC with Kelly College by end of March 2014
Meadowlands – Decommissioning cost	Identify likely costs. Will need to consider impacts on lease with Tavistock Town Council as landlord	Estimated cost of decommissioning Meadowlands identified
Meadowlands – Alternative use options	Investigate potential alternative uses and business case models for these potential uses. Would need to consider with TTC. Could alternative use have better business model than exists to help cross subsidise swim provision elsewhere	Strategic Asset Review identified options.
Business Risk if Legacy and 25m Pool advance without WDBC involvement	What would be anticipated impact on Meadowlands if Legacy and 25m Pools open with competitive pricing against Meadowlands	TBC by end of March 2014 Potential for external review of swim provision levels
Impact on Landowner	Role and attitude of Tavistock Town Council	TBC by end of March 2014
Impact on existing contract and Leisure Connections	At what time are break points in existing contract and what are financial and contractual implications	Break clauses and financial and contractual obligations within contract extension documentation. Liasion with operator.
Impact on Wharf	Impact on operation of Wharf and any other facilities in vicinity	TBC
Impact on Parklands	Financial or contractual	TBC

and future contract /procurement options	impacts on Parklands and future viability of contract renewal. Does it impact on commercial or community options at Parklands.	
Loss of Service	Possibility of legal challenge if loss or alteration of service isn't fully and properly consulted upon.	Comms TBA
Accessibility of Kelly College	Perceptions of accessibility of Legacy Pool and 25m Pool. How do Kelly and Meadowlands compare for walkable and drivable catchments? Could a new, off road, path be created? Security of site given shared use with curriculum use. Day time access. Parking (charged or free). Could charged parking cover subsidy instead of WDBC subsidy – but needs to be set against likely income loss at Meadowlands	Part of business case process cost and benefit analysis
Reputational issues	Public perceptions of benefits and impacts. Need to explore how message of high level of swim supply, and impact of viability on all pools (including Community College) will play out	Comms TBA
Impact on parking income at Meadowlands car park	Level of loss of income from transfer of service to Kelly College	TBC from ES by end of Mach 2014
Role and impact on users group	Public perceptions	Comms TBA

STRATEGIC RISKS

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				
Page 30	1	Future leisure service delivery costs greater than currently anticipated	4	3	12	↔	<p>Early engagement of Members in developing the future leisure offer, in particular establish a Member/Officer Working Group that can represent both 'community service' and 'resource management' drivers.</p> <p>Effective stakeholder consultation arrangements and use of external expertise to guide options analysis</p>	RK & HoA	
		Balancing future service provision and financial challenges	4	3	12	↔	Early engagement of Members in developing the future leisure offer	RK & HoA	
	3	Internal capacity and expertise	Both SHDC and WDBC have externalised leisure provision and over time a range of internal corporate expertise is inevitably lost	4	2	8	↓	Funds allocated to bring in external expertise	RK & HoA
	4	Managing the level of expectation of key existing stakeholders and potential future partners	Formulating an affordable leisure offer that is fit for purpose in the medium to longer term	4	4	16	↔	Handle discussions sensitively, maintaining positive relationship with stakeholders and investing time developing relationship with potential providers to promote opportunities rather than have the future financial challenges perceived negatively.	Member/Officer Working Group RK & HoA
	5	Council reputation	Significant changes to future service delivery perceived to be solely driven by financial	5	4	20	↔	Careful consideration of the strategic options with significant decisions linked to a communication	Member/Officer Working Group

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			
		pressures will need to be agreed within the context of a clear strategy for future use of current assets, and potential access to alternative facilities					strategy. Will be refined through preparatory work in 2014	
6	Legal challenge	Legal challenge could come from:(a) a potential provider who feels “unfairly” excluded from a bidding opportunity;(b) as a community right to challenge bid under the Localism Act (in force from 27.6.12) to enforce a procurement exercise; (c) a third party who, in the absence of consultation with interested parties and an assessment of the particular implications of service reduction on specific groups within the community by the Council, perceives any future decision to be solely driven by financial considerations.	(a) 4 (b) 3 (c) 4	1 1 2	4 3 8	↔	(a) Mitigation arises through being aware of all the options, not excluding any too early, and having clear reasons for all steps taken. (b) A Localism Act “challenge” is now possible and should be taken into account in the assessment of options and attendant risks in due course. (c) Before any decision is made to significantly reduce the future service, an appropriate consultation exercise is undertaken, as well as an assessment on the impact of the service reduction on particular groups within society.	Member/Officer Working Group RK & HoA

Risk Score 20-25: very high; 12-19: high;

8-12; medium;

<8: low

Direction of travel symbols = ↓ ↑ ↔

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WEST DEVON BOROUGH COUNCIL

NAME OF COMMITTEE	Community Services Committee
DATE	11 March 2014
REPORT TITLE	Street Naming & Numbering – Policy & the Introduction of Charging
Report of	Head of Corporate Services and Assistant Elections/Member Support Officer
WARDS AFFECTED	All Wards

Summary of report: The report proposes a formal Street Naming & Numbering Policy for West Devon and the introduction of charges for the discretionary element of the service.

Financial implications:

There are no direct financial costs arising from this report.

Currently, the Street Naming & Numbering service is provided free of charge. However, if charges were levied for changes to house names, changes to street names and new developments, it is estimated that the Council could raise income on average in the region of £7,500 per annum (figure based on the past three years – see table in 2.2 of this report).

RECOMMENDATIONS:

That the Committee **RECOMMENDS** that Council:

1. Adopts sections 64 and 65 of the Town Improvement Clauses Act 1847 (in relation to numbering only);
2. Approves the West Devon Street Naming & Numbering policy (as attached at Appendix A); and
3. Agree to the introduction of charging for the discretionary element of the Street Naming & Numbering service, ie: -
 - i) £21 per property for changes to house names;
 - ii) £37 per property for changes to street names;
 - iii) £36 per property for new developments (notification process only)
 - iv) That these charges are reviewed annually

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1. BACKGROUND

- 1.1 In West Devon the Street Naming and Numbering service is currently provided to developers and the public free of charge. However, many Devon authorities now charge for various elements of the service, including South Hams District Council, and it has been suggested that it is an area that officers should investigate with regard to raising income. A table of the charges made by other Devon Authorities is set out in Appendix B.
- 1.2 A formal Policy has been drawn up to cover the implementation of these charges as well as setting out the procedures for the street naming and numbering function, and is attached at Appendix A.

2. ISSUES FOR CONSIDERATION

- 2.1 As part of the shared services programme, it was considered expedient to ensure that the policy and charging system for Street Naming & Numbering in West Devon was in line with that of South Hams, as the work involved is largely the same in both authorities.
- 2.2 To give Members an idea of the potential income that could be raised by introducing charging, the following table highlights the approximate number of Street Naming and Numbering requests dealt with by West Devon in the last three years: -

	2010/2011	2011/2012	2012/2013	Suggested Charge
House Name Changes	36	30	29	£21.00 per property
Street Name Changes	0	0	0	£37.00 per property
New Developments (two or more properties)	140	55	382	£36.00 per property
TOTAL POTENTIAL INCOME	£5,796	£2,610	£14,361	

- 2.3 It is worth noting that the potential income generated is largely dependent on the number of requests received from developers building new properties. In 2012/2013, for example, a request was received to 'name and number' a large new development in Okehampton which consisted of 297 properties.
- 2.4 The Council can only legally charge (on a cost recovery basis) for the discretionary part of the service; it cannot charge for a service it is obliged to provide under statute.

With regard to new developments, the charge is for the notification of the addresses to departments/agencies on behalf of the developer, not the actual naming and numbering process which is a statutory function of the Council.

- 2.5 With regard to House Name Changes, this will include where people wish to give their property a name although the house already has a number. This is known

as an 'alias' name as it is not permitted to drop a number from an address once allocated.

- 2.6 The above table shows that we have not received any requests to change a street name (or name an unnamed street) within the past three years. This would only be considered as a last resort if all other avenues to alleviate address difficulties had been explored.
- 2.7 It is proposed that, if charges were introduced, they should be reviewed annually.

3. LEGAL IMPLICATIONS

- 3.1 West Devon Borough Council has adopted provisions of the Public Health Act 1925 in relation to Street Naming & Numbering (Minute No. 65(a) 1975/76). Under section 17 of the Act, a person proposing to name an un-named street must give notice of it to the local authority which has the right to object to the name.
- 3.2 It is not evident that the Council adopted sections 64 and 65 of the Town Improvement Clauses Act 1847; therefore in order to allow recovery of costs (in relation to numbering of houses) the recommendation is to formally adopt these provisions. The date on which the adoption takes effect is one month after the Council formally adopts the provisions.
- 3.3 The Council is also required to publish a Notice of its intentions to adopt sections 64 and 65 of the Town Improvement Clauses Act 1847 in a local paper for two consecutive weeks and notify all parish councils and parish meetings. This has been done and no correspondence was received in connection with the Notice.
- 3.2 Until 2003, this service had to be provided free of charge. However, under Section 93 of the Local Government Act 2003 local authorities were given the power to introduce charges for discretionary services where there was no power to charge provided that "taking one financial year with another, the income from charges does not exceed the costs of provision" (S.93.3). Therefore, the Council is not entitled to make money by charging for this service but is entitled to cover its costs.

4. FINANCIAL IMPLICATIONS

- 4.1 There are no direct financial costs arising from this report, save those for the publication of the Notice in the local paper of £183.60 + vat.
- 4.2 If the charges are agreed, it will mean additional income for the Council in the region of £7,500 per annum on average.

4.3 Charges are based on the following: -

	House Name Change	Street Name Change	New Development
Average time taken (hours)	1.20	2.12	2.08
Cost at £17.40/hour*	£20.85	£36.90	£36.20
Rounded	£21.00	£37.00	£36.00

*Based on gross hourly rate of main post holder plus overheads (costs recovery basis only)

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 & Economy
Statutory powers:	Sections 17 & 19 of the Public Health Act 1925 64 and 65 of the Town Improvement Clauses Act 1847 Section 93 of the Local Government Act 2003
Considerations of equality and human rights:	Adopting a formal Street Naming & Numbering policy will ensure that all requests to use the service will be treated fairly and without discrimination. There will be no impact on any human right.
Biodiversity considerations:	Not applicable
Sustainability considerations:	Not applicable
Crime and disorder implications:	Not applicable
Background papers:	South Hams Street Naming & Numbering Policy, South Hams Executive Report – Proposal to Charge for Street Naming and Numbering Services – 8 October 2009 Communities of Practice for Public Services – online forum for Street Naming & Numbering Officers
Appendices attached:	Appendix A = West Devon Borough Council's Draft Street Naming and Numbering Policy and Procedure Appendix B = Devon Authorities Charges for Street Naming & Numbering

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	No formal Street Naming & Numbering Policy	Without a formal policy, the Council would have less control over the appropriate creation of new addresses and changes of property names	3	2	6	↔	By following the procedures in a formal Street Naming & Numbering policy the Council will be able to provide an efficient service which informs the Local Land and Property Gazetteer of new addresses and address changes within the Borough	Street Naming & Numbering Officer
Page 37	Street Naming & Numbering income generation	Requests to the Street Naming & Numbering service cannot be guaranteed and often depends on the rate of development in the Borough	2	3	6	↔	It is not possible to control the amount of requests received for the service. Therefore, it is not possible to control the amount of income generated if charges were introduced	Street Naming & Numbering Officer

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**West Devon
Borough
Council**

Street Naming and Numbering Policy and Procedure

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This document can be made available in large print, Braille, tape format, other languages or alternative format upon request. Please contact Customer Services on 01822 813660 or email services@westdevon.gov.uk

West Devon Borough Council Street Naming and Numbering Policy Document

The naming and numbering of streets and buildings within West Devon is a Statutory function of West Devon Borough Council (the Council) and is covered by Sections 17 and 19 of the Public Health Act 1925 (which was formally adopted by the Council (Minute No. 65(a) 1975/76)) and Sections 64 and 65 of the Town Improvement Clauses Act 1847 in relation to numbering only (which was formally adopted by the Council (**Minute No. to be confirmed**)). Decisions on these matters are made and controlled by the Council.

The purpose of this control is to make sure that any new street names and numbers are allocated logically with a view to ensuring, amongst other things, the effective delivery of mail and that emergency service vehicles are able to locate any address to which they may be summoned.

Anyone wishing to change the name or number of their property, seeking an address for a new property or wishing to change the name of an existing street, should apply in writing to the Council following the procedures detailed in this policy.

As far as street naming proposals are concerned, the Council encourages developers or owners to propose their own preferred names for consideration. However, it is recommended that more than one suggestion for a new name should be put forward, just in case one fails to meet the Council's criteria outlined in this policy. It is desirable that any suggested road names should have some connection with the area.

If proposals comply with the Policy on Street Naming and Numbering and, for street names, do not meet with an objection from the appropriate Town/Parish Council or the Royal Mail Address Management Centre, the new address will be formally allocated and all relevant bodies will be notified by the Council. See Appendix A for a list of those informed.

To aid emergency services the Council will endeavour to ensure that, where appropriate, if a street name has street signs relating to that name, all properties accessed off it will be officially addressed to include that street name and also where appropriate, all new properties will be numbered.

Statutory Context

Town Improvement Clauses Act 1847 Section 64

The Council will cause to be put up, or have painted, the numbers to properties as we think fit.

Town Improvement Clauses Act 1847 Section 65

The Occupiers of houses and other buildings in streets must mark them with such numbers as the Council approve, and they **must** renew them whenever the Council thinks it reasonably necessary.

Public Health Act 1925 Section 17

Provides for the Council to be informed of proposed street names by any person naming a street, with the power to object to a street name within one month.

Public Health Act 1925 Section 19

The Council will cause to paint or mark up the name of a street and alter or renew such inscription of the name of any street if and when the name of the street is altered or the inscription becomes illegible.

Provides for the Council to penalise any person who pulls down any inscription of the name of a street or sets up a different name of a street.

Local Government Act 2003

Local Authorities have the power to charge for discretionary services where there is no other power to charge provided that the charge does not exceed the cost of providing the service.

Naming Streets and Numbering Dwellings

The Council has a responsibility to ensure that street names are named and displayed. Should any person destroy, deface or put up another name or number other than the official street name or number, then that person shall be liable to a fine under the provision of Section 19 of the Public Health Act 1925.

The Council will name and number streets and dwellings in line with the Local Land and Property Gazetteer (LLPG) and Street Naming and Numbering (SNN) data entry conventions for the National Land and Property Gazetteer (NLPG). Following these conventions ensures our practices are compliant with the British Standard BS7666:2006

Ensuring the Council has a comprehensive Street Naming and Numbering Policy that complies with BS7666:2006 is important to ensure:-

- Emergency Services can find a property quickly – delays cost lives and money
- Mail is delivered efficiently
- Visitors can easily find where they want to go
- There is a reliable delivery of services and products
- Service providers have up to date and accurate records; poor record keeping is only a disadvantage to the customer
- The Council will bill the right person, in the right property, at the right time for Council Tax and National Non-Domestic Rates (NNDR)

Property developers suggest names for new streets. These will be received by the Council and checked against the criteria, then forwarded to the Town/Parish Council as appropriate for consideration. The Town/Parish Council will consider the name and may approve it or suggest another name. If another name is suggested then the Council will forward this suggestion to the developer for consideration. Once both parties are in agreement the Council will officially allocate the street name.

In cases where both parties cannot agree on a street name, the decision will be made under delegated authority by the Head of Service.

All costs for the erection of street nameplates will be borne by the property developer. There are Street Nameplate Specifications and Installation Guidelines available (please see Appendix C) and the Council will inform the developer of this.

Maintenance of street nameplates becomes the Council's responsibility once a street has been adopted.

It is not lawful to erect a street nameplate until the street name has been confirmed in writing by the Council.

Criteria for Naming Streets

The Street Naming and Numbering (SNN) Officer will use these guidelines when agreeing a new number or address. Developers and Town/Parish Councils should follow these guidelines for any suggested street names: -

- New street names should try to avoid duplicating any similar name already in use in a town/village or in the same postcode area. A variation in the terminal words, for example, 'street', 'road', 'avenue' will not be accepted as sufficient reason to duplicate a name. A common request is to repeat existing names in a new road or building titles. This is not allowed as it can have a detrimental effect in an emergency.
- Street names should, where possible, reflect the history or geography of the site or area.
- Street names should not be difficult to pronounce or awkward to spell.
- Street names must not cause offence and will be verified by the Street Naming and Numbering Officer to ensure that they do not cause offence, having particular regard to race, disability, gender, age, faith & belief and sexual orientation.
- Street names that could be construed as advertising will not be allowed.
- The use of North, East, South or West is only acceptable where the road is continuous and passes over a major junction. It is not acceptable when the road is in two separate parts with no vehicular access between the two.
- Phonetically similar names within a postal area should be avoided.
- The use of a name that relates to a living or deceased person should be avoided.

All new street names should ideally end with one of the following suffixes:-

Street, Road, Avenue, Drive, Way, Grove, Lane, Gardens, Place, Crescent, Court, Close, Square, Hill, Circus, Vale, Rise, Row, Wharf, Mews.

All new pedestrian ways should ideally end with one of the following suffixes:-

Walk, Path, Way.

Further notes:-

For private houses it is sufficient that the name should not repeat the name of the road or that of any house or building in the same postcode area: see **Procedure for Address Changes** below.

Criteria for assigning a new Postal Address

After receiving a request for an address for a property/properties, which currently do not have an address, the Council will first check for approved planning permission or building control approval. If this has been granted then the procedure to create a new address will commence. The Council will not address properties without the relevant planning permissions and will only address properties once the foundations have been laid on site. The reason for this is to ensure the numbering sequence of any street is not compromised and addresses are not created in error.

Issuing an address to properties without planning permission will have no bearing on planning matters or be capable of being used in support of any planning appeal. The Council will still add the property to the Local Land and Property Gazetteer (LLPG) and Council Tax or NNDR will be payable

Agricultural Land

Agricultural land parcels will be added to the Council's LLPG. They will be flagged as non-postal addresses. This is to assist emergency response and create a unique record for future use.

The Council will only request an official address from Royal Mail where there is an operational requirement to do so or the Council believes the property is being used for permanent residency. Such addresses will have to meet Royal Mail's requirements for secure delivery points.

The Street Naming and Numbering Officer will inform our Enforcement Section about any believed change of use of the land.

Postal Address Format

For clarification, official postal addresses always take the following format:-

Any Ltd	Company or Organisation Name (if applicable)
123 Any Street	Postal Number/Name of Street
Anywhere	Locality (if applicable)
ANYTOWN	POST TOWN
Devon	County
PL00 0AA	Postcode

When an approved address is agreed by all parties, Royal Mail will confirm a postcode. The maintenance and any future changes to this postcode are the responsibility of the Royal Mail.

Localities within an official postal address are the responsibility of Royal Mail. Where applicants object to a locality name in their address, the Street Naming & Numbering Officer will advise them to consult Royal Mail, who has a procedure laid down in their Code of Practice by the Postal Services Commission for adding or amending locality details.

However, the applicants will be reminded that postal addresses are not geographically accurate descriptions, but routing instructions for Royal Mail staff and they can and do contain names for villages, towns and cities that may be several miles away from the actual location of their property.

For further information about addresses, you are advised to read the Royal Mail's guidance, which can be found on their website: www.royalmail.com.

Guidelines for Numbering Buildings

A new street should be numbered with the odd numbers on the left and the even numbers on the right from the entrance of the street.

In the case of a small cul-de-sac, consecutive numbering in a clockwise direction is preferred.

Private garages and similar buildings used for housing cars, etc, should not be numbered.

All numbers should be used in the proper sequence. The number 13 will be included unless a request is made to exclude it. Once numbered, the Council will not normally re-number properties. A property will only be renumbered where there is proof of consistent delivery problems.

Where an existing street or similar is to be extended, it would be appropriate to continue to use the same street name. This will include the continuation of the street numbering.

Buildings (including those on corner plots) will be numbered (or named) according to the street in which the main entrance is to be found.

If a building has entrances in more than one street, is a multi-occupied building and each entrance leads to a separate occupier, then each entrance should be numbered in the appropriate road. Exceptions may be made, depending on circumstances, for a house divided into flats.

In residential buildings (i.e. a block of flats), it is acceptable to give a postal number to each dwelling where the block is up to six storeys in height. When the block exceeds this height or there are insufficient numbers available because of existing development, it should be given a name and numbered separately internally. Such building names will be put through the same criteria for issuing house names.

Where a property is sub-divided, ie. in the case of flats and apartments, individual properties should always be numbered or suffixed with a letter rather than described (i.e. Flat 1 or Flat A used rather than First Floor Flat). Where numbered properties are sub-divided, it is preferred that individual units retain the number of the 'parent' property (i.e. Flat 1, 36 High Street).

Royal Mail will only register properties which have their own entrance and/or their own secure letter box. Sometimes this can cause problems as people think their address/flat should be registered. If mail for a building is delivered to a single letter box, and occupants then collect their own mail, Royal Mail class this as a 'building in multiple occupation' and will only register the parent building and not individual flat numbering schemes within the building.

Legislation permits the use of numbers followed by letters. These will be suitable, for example, when one large house in a road is demolished and replaced by (say) four new smaller houses. To include the new houses in the existing numbered sequence of the road would involve renumbering all the higher numbered houses on the side of the road affected by the proposal. This is something that the Council would be

very reluctant to do. To avoid this situation, the new houses should be given the number of the old house with A, B, C or D added (i.e. 21A, 21B, 21C, 21D).

Where new houses are built in an existing road, where properties are named rather than numbered, it is essential that the houses be officially allocated names. The name should not repeat the name of the road or that of any house or building in the area. It should also be sufficiently different to other property names used locally. This situation normally applies on roads where there has been no formal property numbering scheme.

New properties in streets where the existing properties are numbered will be allocated a new number. Individual properties are generally built on infill land, large gardens, or on the site of previously demolished properties. These will be numbered within the existing sequence if possible and letter suffixes (e.g. 16A) will be used if necessary. Where building takes place on the site of a demolished property, the new building will inherit the existing number.

Where two or more properties on a numbered street are merged, the numbers of the original properties should normally be retained. For example, 4 and 6 Fore Street being combined would become 4-6 Fore Street. There are, however, instances where it may be considered appropriate to use a single number. Each case will be considered on its own merits.

Where a property has a number, it must be used and displayed. Where an application is made to add a name to a property with a number, the number must always be included. The number cannot be removed from the official postal address and it cannot be regarded as an alternative. This applies to both domestic and commercial property.

The Council will not normally register company/business names as part of an address unless the company name is the only way uniquely to identify the property in question.

The Council is not responsible for the erection or maintenance of nameplates on buildings or for directional signs to individual properties or groups of houses (these are the responsibility of the owner(s)). The Council is also not responsible for traffic or highway directional signs – this is the responsibility of Devon County Council, County Hall, Topsham Road, Exeter, EX2 4QD. Telephone 0845 155 1004. Email customer@devon.gov.uk.

Procedure for New Developments

The property developer should not give any postal addresses, including postcode, to potential occupiers, either directly or indirectly (e.g. via solicitors or estate agents) before the Council has issued formal approval. The Council will not be liable for any costs or damages caused by failure to comply with this.

Developers should always apply directly to the Council at the earliest opportunity for new postal addresses, i.e. as soon as development starts on site.

For Roadways to be adopted by the Highway Authority

To register new development addresses developers should apply in writing by sending in a covering letter/email or completing the 'Allocation of Official Postal Address' form (Appendix B), setting out the full details of the proposal. A development is considered to be two or more dwellings or properties.

As from (to be confirmed), all applications must be accompanied by the fee of £36.00 per property.

All proposals must also be accompanied by a site location plan - this should be at a minimum scale of 1:2500 and should contain sufficient detail to accurately locate properties. The confirmed layout drawing showing the road layout, plot numbers and any suggested house numbers (or names) is the most appropriate plan (for convenience a maximum size of A3 is preferred). For developments that include flats, internal layout plans are also required.

The applicant or developer may suggest a possible name or names for any new street(s). Several suggestions for names can be made in case the Council, Royal Mail or the Town/Parish Council object.

The proposed street names are then passed to the relevant Town/Parish Council for approval. Town/Parish Councils can at this stage suggest their own names that conform to our Policy.

Town/Parish Councils will contact us once the members have considered any proposal and within 21 days from the date of consultation. If the Town/Parish Council objects to the proposal, with a valid reason, the Council will consult with the developer. Where the developer and the Town/Parish Council cannot agree, final approval of street names is made under delegated authority by the Head of Service.

The developer will cover the initial costs of street nameplates and ensure they adhere to West Devon Borough Council's specification and installation guidelines (Appendix C). Normal street sign practice is to erect one sign at the entrance to a street; however, two signs may be more appropriate where there is access to a busy street, or where visibility is restricted. Where appropriate, additional information regarding access to other streets may also be added e.g. 'Leading to ...'. Each case will be considered on its merits and road safety should be a primary consideration.

The Council will cover maintenance costs after the street nameplate has been erected in accordance with the installation guidelines (Appendix C) and appropriate specification. On occasions, street nameplates may become damaged or defaced and will require replacement. Anyone needing to report a problem with a street nameplate should contact Environmental Services, West Devon Borough Council, Kilworthy Park, Tavistock, Devon, PL19 0BZ, telephone 01822 813600 or email services@westdevon.gov.uk

Numbering of the new street(s) will be carried out following guidelines within this policy. All properties on newly named streets will be allocated numbers. All new properties on existing streets will be numbered if possible unless existing properties on that street all have official dwelling names and no numbers, or it is an infill development.

Where the development is an infill development on an existing street the Council will number the properties wherever possible, and suffix the number with a letter as appropriate in order to accurately define the location of the property on the street.

Where the street does not have an existing numbering scheme, the developer should suggest property names. The property name must comply with the guidance set out in this policy.

When numbering and naming is complete the Council will contact the Royal Mail who will allocate the postcode to the address, and add the property to their 'not yet built' file.

Once the Royal Mail has allocated the postcode, the Council will write to the developer with official confirmation of the full postal address. Information will also be given regarding whom to contact within the Council for advice on the erection of street nameplates and specification details.

The Council will notify users who have requested address change information and supply a plan indicating the location of all the properties. A list of those notified is shown in Appendix A.

Where developers have not applied for an address and occupation of the property has taken place, the Council will endeavour to contact the owner or developer and ask for an official application to be submitted to us. If an application is not received within four weeks of the Council contacting them, the Council will allocate an address. If, at a later stage, the owner wishes to change the property name they will have to follow the official procedure to make the change and a charge will be made.

For Roadways NOT to be adopted by the Highway Authority

The above procedures apply but the Council will not consult with the Town/Parish Council on behalf of the developer, the Council will ask the developer to consult with the Town/Parish Council directly as a matter of courtesy before submitting a proposed street name to the Council.

Procedure for Changing or Adding a Property Name

To change the name of a property, or add an official 'alias name' to a property, the procedure below must be followed. The Royal Mail does not accept name changes from anyone other than a Local Authority.

To request a change to a property name the owner must complete the relevant application form, supply a location plan and pay the appropriate fee.

To make an application the owner of the property must complete the 'Allocation of Official Postal Address' application form (Appendix B).

The application can be submitted by the following methods:

By Post – Please send the application form, cheque and a plan to the Street Naming and Numbering Officer, West Devon Borough Council, Kilworthy Park, Tavistock, Devon, PL19 0BZ

By Email – Please send the application form and plan to HouseNamingWD@westdevon.gov.uk, and supply contact details in order for a payment to be made using our debit/credit card system.

Requests can only be accepted from the owners of properties and not tenants.

All applications must be accompanied by a site location plan - this should be at a minimum scale of 1:2500 and should contain sufficient detail to accurately locate the property.

As from (to be confirmed), all applications must be accompanied by the fee of £21.00 per property.

The Council cannot formally change a property name where the property is in the process of being purchased, ie until exchange of contracts has been completed, although the Council can give guidance on the acceptability of a chosen name change, in principal, before exchange of contracts.

A check is made by the Council to ensure there are no other properties in the locality with the same name. Under no circumstances will the Council allow a replicated house name in the same postal area; the Street Naming & Numbering Officer can refuse such names. The Council also strongly recommends against using similar sounding names, although these requests will not normally be refused. The Royal Mail cannot guarantee mail delivery if the Council's advice is ignored.

Under no circumstances will the Council allow a name that is offensive, or can be construed as offensive.

If the property already has a house number, it is not permitted to replace the number with a name. However the Council will allow you to add an 'alias name' to the address. The name will be held by the Royal Mail on their 'alias file' and will not form part of the official address. The alias name can only be used with the property number, not as a replacement of it.

Once all the checks have been satisfactorily completed, and the necessary fees received, the Council will change the name of the property and advise the relevant parties detailed on Appendix A.

The Council will then confirm the new official postal address in writing to the owner of the property.

DRAFT

Procedure to Rename an Existing Street, Renumber Properties or Name a Street that was previously Un-named

Town/Parish Councils may from time to time request that the Council rename an existing street or name a street that was previously un-named. Town/Parish Councils can only make such a request if they can demonstrate that the owners/residents of all affected properties have been consulted and at least two-thirds are in agreement to the change.

Applications can also be received by the Council direct from the residents but it is considered a courtesy to liaise with the Town/Parish Council before submitting an application to the Council.

To make an application a covering letter, setting out the full details of the proposal including signatures of the residents affected, should be sent to the Street Naming and Numbering Officer.

All proposals must be accompanied by a site location plan indicating the full length of the street to be named.

As from (to be confirmed), all applications must be accompanied by the fee of £37.00 per property

If the proposal is approved a Notice will be erected on site and lodged with the Clerk to the Justices for one month whereby objections to the proposal can be received. After consideration a decision will be made on whether to approve the proposal by the Resources Committee.

Once approved the Council will confirm the new street name is acceptable with the Royal Mail. The Royal Mail may issue a new postcode for the street.

The Council will advise the residents/owners of their new official postal address as well as those Authorities detailed on Appendix A.

All costs associated with a change of address will be met by the owners/residents themselves.

All costs associated with providing and erecting street nameplates, except in exceptional circumstances, will be met by the residents/owners of the street or the Town/Parish Council as appropriate. Once erected the Council will maintain the street nameplate.

Sometimes, the Council may decide that in order to improve the delivery of mail, and the routing of emergency services, a street needs to be re-named, or re-numbered. The Council will only do this after consultation with the owners of the affected properties and will always give one month's notice in writing as detailed above. In these circumstances all costs associated with providing and erecting street nameplates will be met by the Council.

The Royal Mail may also approach the Council where they believe there is an operational necessity to make changes to addresses. The Council will only make

such changes where it believes there is a need, and after consultation with the residents/owners of the properties affected.

Any appeals should, in the first instance, be made to the Street Naming and Numbering Officer at the Council. If this is not satisfactorily dealt with, appeals should be directed through the formal complaints procedure. Details are available on the Council's website.

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Charging for Street Naming and Numbering Service

The Council will charge for the Street Naming and Numbering process as specified below

Under Section 93 of the Local Government Act 2003, Local Authorities have the power to charge where they provide a service if they are authorised, but not required, to provide the service. The charge must not exceed the cost of providing the service.

For Street Naming and Numbering these charges, from (to be confirmed), are:-

- (1) £21.00 per property for changes to house names;
- (2) £37.00 per property for changes to street names;
- (3) £36.00 per property for naming new developments (for the notification process).

These charges have to be paid prior to any changes being made.

Changes made without contacting the Council will not be registered with services and organisations listed in Appendix A. These organisations will not be informed until payment is received. The Council cannot be held liable for mail delivery problems caused by failure to inform it of house name changes.

These charges will be reviewed on an annual basis.

The Council is keen to ensure all new developments are postally named and numbered correctly.

Internal Departments

Council Tax/National Non-Domestic Rates Department

Electoral Registration Department

Environmental Services Department

LLPG Custodian

Land Charges Department

Development Management Department (Planning)

External Departments

British Gas

BT Openreach

Devon and Cornwall Police

Devon County Council Highways Department

Devon County Council Land Charges Department

Devon & Somerset Fire and Rescue

Focsa Services Ltd

Geographer's A-Z Map Company

Plymouth & District Land Registry

Royal Mail Address Development Team and local sorting offices (x3)

South West Water

South Western Ambulance Service

Valuation Office

Wales & West Utilities

Western Power

ALLOCATION OF OFFICIAL POSTAL ADDRESS

*The allocation of an official postal address is the responsibility of the Local Authority and **NOT** Royal Mail. Therefore, please complete this form and return to West Devon Borough Council (WDBC) with the appropriate payment (please see overleaf for a list of charges).*

NEW DEVELOPMENTS

It is advisable that developers contact the Street Naming & Numbering Officer at an early stage with their suggested development name. For further advice and information please phone 01822 813525.

NEW BUILDING (Residential or Business)

This can be a new build or a property conversion. All new properties **will** require an official postal address registered through WDBC.

CHANGE OF HOUSE NAME

If the property does not have a postal number, (i.e. a house name only) the name change will need to be registered officially through WDBC. If the property has a postal number, this must be retained - however, you can incorporate an 'alias name' into the address if you wish.

Once an official postal address is confirmed, the emergency services and relevant departments are notified. You will need to notify all personal correspondence i.e. Banks, Building Societies and utility companies.

STREET NAMING AND NUMBERING – REGISTRATION OF OFFICIAL POSTAL ADDRESS

Applicants details (Address to which correspondence will be sent)

Name:	
Address:	
Daytime telephone number:	Email Address:

New Building/Development

Address of development:
Planning Application No: (Please attach a copy of an approved plan of the site)
Proposed Address:
Anticipated occupation date:

Change of House Name

Note: When a property has a postal number, you do not need to register a property name

Address:
Post Code:
Existing House Name:
Proposed House Name:

I confirm that I am the current legal owner of the above property/development, or that I have exchanged contracts and are due to complete on: / /

Signed:

Date:

(Appendix B)



**West Devon
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Please return the completed form to the Street Naming & Numbering Department at:-
West Devon Borough Council, Kilworthy Park, Tavistock PL19 0BZ

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Under Section 93 of the Local Government Act 2003, Local Authorities have the power to charge where they provide a service if they are authorised, but not required, to provide the service. The charge must not exceed the cost of providing the service.

For Street Naming and Numbering these charges, from (to be confirmed), are:-

- (1) £21.00 per property for changes to house names;
- (2) £37.00 per property for changes to street names;
- (3) £36.00 per property for naming new developments (for the notification process).

These charges have to be paid prior to any changes being made.

Changes made without contacting the Council will not be registered with internal and external services and organisations (please contact West Devon Borough Council's Street Naming & Numbering Department for a list of those notified). These organisations will not be informed until payment is received.

The Council cannot be held liable for mail delivery problems caused by failure to inform it of house name changes.

These charges will be reviewed on an annual basis.

**SPECIFICATION & INSTALLATION GUIDELINES FOR NEW STREET
NAMEPLATES**

The signs provided by the developers are to be constructed and installed as follows. The post footing must be concreted in position, using a minimum cube of concrete measuring 400 x 400 x 400mm.

Posts and sign board

Posts to be 80mm by 80mm solid Plaswood recycled plastic in black, slotted to receive plank also in black Plaswood 30mm x 200mm x length.

Plank to be fixed to posts by two substantial capped bolts through the post at each end.

Sign face

Sign face to be made of anti-vandal polycarbonate attached to backing plank by adhesive and also a metal capping channel top and bottom, fixed to plank at five points top and bottom, as well as slotted into posts, and finished in black gloss.

Background to be non-reflective, non-glare, plain white.

Main lettering to be 100mm high, upper case, Times Roman (slightly laterally condensed) in black (or similar style to allow longer names to be fitted onto single depth board).

Subsidiary lettering above main street name to read "Borough of West Devon" in lower case letters, 30mm and 20mm high, in mid green.

Sign face to be edged in black, 12mm wide.

The signs must incorporate the following, where applicable:-

‘NO THROUGH ROAD’ symbol (Diagram 816. 1 of the Traffic Signs and General Directions - 1994).

‘LEADING TO.....’

Information relating to house numbers

If in doubt, please contact Theresa Fowles, Environment Services, Kilworthy Park, Tavistock, Devon, PL19 0BZ.
01822 813738
tfowles@westdevon.gov.uk

The signs are available from: -

Nibra Signs Limited
Unit 7
Duckmoor Road Industrial Estate
Duckmoor Road
Ashton
Bristol
BS3 2BJ
Telephone: - 0117 963 8531

NB: Signs from any other manufacturers will only be accepted and certified as correct if they equal or exceed the Councils standard specification.

Further recommendations for installation (Extract from Dept' of Transport Circular Roads 3/93. 15 Dec 1993, Appendix 'A')

- 1 Street nameplates should be fixed as near as possible to street corners, so as to be easily readable by drivers and pedestrians. The nameplate should normally be sited within 3 metres of the intersection of the kerb lines, but where this is not practicable, the distance may be varied up to a maximum of 6 metres.
- 2 Street nameplates should be mounted, so that the lower edge of the plate is approximately 1 metre above the ground, at sites where they are unlikely to be obscured by pedestrians or vehicles and approximately 2.5 metres where obscuration is a problem. They should never be lower than 0.6 metres or higher than 3.6 metres.
- 3 Nameplates should normally be fixed at each street corner. At minor cross roads, particularly in residential areas, one plate on each side of the street, positioned on the off side of traffic emerging from the road, may be sufficient, except where the road name changes or where it is thought that paragraph 8* would apply. At major crossroads, nameplates will be necessary on both sides of each arm.

** Refers to installation of additional plates at intervals along long stretches of road, at intersections and 'T' junctions and the addition of information indicating house numbers etc.*

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STREET NAMING AND NUMBERING OTHER DEVON AUTHORITIES CHARGES

APPENDIX B

COUNCIL	SERVICE	CHARGE
EAST DEVON DISTRICT COUNCIL	New development/street	No charge
	Amendment to approved scheme	£129 per plot (if several may allow a discount)
	Change of house name	£129
<i>EXETER CITY COUNCIL (Info from website only)</i>	<i>New development/street</i>	<i>£75 + £15 per dwelling + VAT</i>
	<i>Alterations to layout where SN&N scheme has been issued</i>	<i>£75 + £15 per dwelling + VAT</i>
	<i>Conversion of existing property into flats</i>	<i>£75 + £15 per unit + VAT</i>
	<i>Renaming or renumbering an existing property</i>	<i>£50 + VAT</i>
EAST DEVON DISTRICT COUNCIL	New development/street	No charge
	New property name or number	No charge
	Property name change or addition	£31 per property
	Amendment to approved scheme	£31 per property affected (max. £155) <i>(proposed fee only – don't currently charge)</i>
	Street re-name	£31 per property affected (max. £155) <i>(proposed fee only – don't currently charge)</i>
NORTH DEVON DISTRICT COUNCIL	N/A	Don't charge (still applicable Feb 2014)
PLYMOUTH CITY COUNCIL	New development/street	No charge
	Statutory Bodies Advisement Service – (separate optional service given to developers (if they do not choose this service they are responsible for informing the statutory bodies of new addresses themselves)	£25 per property or £25 per floor level per block of flats
	Re-numbering a property	£25 per property + £25 per property for the Statutory Bodies

		Advisement Service
TEIGNBRIDGE DISTRICT COUNCIL (Info from website only)	New developments	Website states likely to start charging for addressing new developments of ten or more properties – no further info
TORBAY COUNCIL	New development – naming a street	£168.50 per street
	New development – naming a property	£36.00 per plot (if there are 10 plots built on one new street then the price will be £168.50 + £360 (£36 x 10) = £528.50)
	Amendment to house name/number	£38.50 per address (if a property is being developed into 3 flats then 3 x £38.50 will be charged)
TORRIDGE DISTRICT COUNCIL (Info from website only)	New developments	£60 per application + 1 – 10 units = £10 per unit 11 – 100 units = £5 per unit 100+ units = £1.25 per unit
	Renaming a property (inc. adding an alias name or reworking an existing development)	£40 per property/unit
	Confirmation of Official Address (replacement address certificate or confirmation to third parties)	£25

NAME OF COMMITTEE	Community Services Committee
DATE	11th March 2014
REPORT TITLE	Amendments to Community and Economy Grant Criteria and Guidelines
Report of	Community Projects & Policy Officer
WARDS AFFECTED	All

Summary of report:

Following a review of the West Devon grant schemes this report proposes a number of changes to more flexibly utilise available funding to meet local needs and provide a consistent and streamlined set of criteria for the allocation of funding leading to the more efficient administration of applications.

Financial implications:

The revised process and guidelines remain within the allocated budget of £59,701 (£36,000 capital and £23,701 revenue). There are no further direct financial implications, however there will be savings generated in officer time with a simpler/streamlined process.

RECOMMENDATIONS:

It is recommended that Members:

1. Approve the revised grant guidelines as set out in Appendix A
2. Approve the revised approval process for the allocation of grant funding as set out in 2.4 of this report

Officer contact:

Sarah Brown, Community Projects & Policy Officer (sarah.brown@swdevon.gov.uk 01822 8133624)

1. BACKGROUND

1.1 Currently there are a number of different grant schemes:

- The Community Project Grant scheme supports capital projects of local community benefit.
- The Village Hall Grant scheme supports capital works to repair, adapt, modernise or replace village/community halls.

- The Economic Development and Regeneration Grant scheme supports internal and external projects which help to deliver the Economic Delivery Plan.
 - The Arts Grant scheme aims to increase access to the arts and encourage people to take part.
 - The Sports Grant schemes support projects to improve the quality, range and impact of sport and physical activity and improve the skill level and number of volunteer coaches and officials in West Devon.
- 1.2 Each scheme has separate guidelines, although there are some common or similar clauses and processes. Only applications from not-for-profit organisations can be accepted.
 - 1.3 The Economy team manage and administer the Arts and Economic Development grants and the Community team manage and administer Community Projects, Village Halls and Sports Grants.
 - 1.4 Each scheme is funded from separate funding pots, which cannot be used to subsidise each other, although Community Projects Grants are able to fund some larger sports and arts projects as long as they fit the scheme criteria. The Community Projects Grants scheme and Village Hall Grants scheme are currently capital funded, whilst the other schemes are revenue funded.
 - 1.5 The responsibility for approving the allocation of funds rests with the Head of Service. Currently officers assess applications and recommend the sum to be allocated. An Intention to Delegate form is emailed to the Head of Service and Chair and Vice-Chair of Community Services Committee for comment. The form is then inserted in the Member Bulletin to provide all Members with an opportunity to comment or call-in to Committee if there are particular concerns.
 - 1.6 In June 2013 Members of Overview and Scrutiny were advised that the grant schemes would be reviewed to ensure they are able to support the delivery of a wide range of projects in the most effective and efficient way. In addition with formal approval to proceed with the Council's Transformation Programme consideration was required as to the how any future schemes would fit within the proposed new model.
 - 1.7 There is also the TAP (Town and Parish) Fund, which encourages town and parish councils to work collaboratively on projects of community benefit, this is largely funded by Devon County Council (DCC) with a different set of criteria and therefore not included in these proposals.

2. Revised Grant Schemes

- 2.1 A range of options to deliver grant schemes going forward were considered as part of the review process and for each option the benefits, concerns and constraints were evaluated. Consideration was given to:
 - Value for money;
 - Financial Resources;
 - Other Resource requirements, including the number of staff required and time commitment for specialist advice, decision-making and administration;

- Maximisation of available funding to meet local needs and enable projects to attract funds in from other sources;
- Funding a wide-range of projects to achieve the most community benefit;
- Ensuring funding meets the locally identified priorities;
- Consistency of approach to the allocation of funding;
- Level of accountability;
- The Council's Transformation Plan – the most effective and efficient way to deliver grants in the new model;
- The most straightforward, efficient and streamlined process for both the Council and communities.

2.2 Proposed revised guidelines can be found at Appendix A.

2.3 Key proposed changes are:

- Amalgamation of Community Projects & Village Hall grant schemes: Since 2001 the council has funded over 30 community/village halls through the Village Hall grant scheme, providing funding of around £400,000 to the majority of the communities in the borough to help them either modernise, update or build new facilities. As many communities now have updated facilities there is a reduced call on these grants in terms of numbers although we still receive 2-3 applications annually. At the same time there has been an increased demand for the community projects grants with good quality projects coming forward that meet local needs and aspirations. In order to make best use of available funds it is considered beneficial to merge both schemes which will still allow the funding of village halls where appropriate, but also enable us to fund more good quality local projects with the ability to offer a higher level of funding for some of these.
- Amalgamation of Economic Development and Arts Grant schemes: Since 2010 the Council has funded 48 arts projects of which only 9 have solely benefitted a small local community. In recognition of the impact that arts have on the wider economy and an increase in arts projects applying for an Economic Development Grant it is considered beneficial to merge both schemes to make the best use of available funds and officer time. This will allow us to encourage good quality projects to come forward that meet the Councils economic priorities.
- Whilst we are proposing one funding pot for sports grants, rather than split into sports and training, this is more around streamlining the process for greater efficiency but it will also enable better allocation of funds.
- In addition there will be streamlining of the allocation process, forms and criteria.

2.4 It is proposed to amend the approval process as follows:

- Ward members to be advised when a grant application is received so that they are given an early opportunity for comment before a recommendation is made.
- Grants up to £2,000 to be approved by the relevant manager (currently the Community Manager and the Economy Manager) in accordance with the agreed guidelines, with the decision on grants over £2,000 to be made by these managers in consultation with the Chair and Vice Chair of Community Services Committee and then circulated to all members in the Member Bulletin, as currently, for comment and call-in to committee where there are concerns.
- As in 2013 a report with a list of all allocated grants for the previous financial year will be presented to Overview and Scrutiny Committee annually for their consideration and comment.

3. LEGAL IMPLICATIONS

3.1 Localism Act 2011 - General Powers of Competence giving a local authority power to take reasonable action 'for the benefit of the authority, its area or persons resident or present in its area'.

3.2 Community Services Committee is responsible for approving policy relating to community and economic grants. Overview and Scrutiny Committee is responsible for scrutinising the delivery of services and policy and may review existing policy and recommend changes to the appropriate Committee or Council.

4. FINANCIAL IMPLICATIONS

4.1 There are no additional direct financial implications as a result of these changes.

4.2 The current budget for these grants overall is £59,701 (£36,000 capital and £23,701 revenue). Funding will be allocated from the capital or revenue pot as applicable.

4.3 Savings will be generated from adopting a streamlined process which will reduce officer time and provide a more efficient and consistent service.

5. RISK MANAGEMENT

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

Corporate priorities engaged:	Community Life; Economy; Environment
Statutory powers:	Localism Act 2011 – General Powers of Competence
Considerations of equality and human rights:	The provisions of the Human Rights Act 1998 and Equalities Act 2010 have been considered when developing this policy. A

	360 degree assessment is not required as the policy will not disproportionately affect any group covered by the Equalities Act.
Biodiversity considerations:	There are no biodiversity implications as a result of this report.
Sustainability considerations:	The long term sustainability of each project will continue to be considered as part of the application process.
Crime and disorder implications:	Some projects funded may alleviate issues of crime and disorder.
Background papers:	Report to 4 th June 2013 Overview and Scrutiny Committee – West Devon Borough Council grant Scheme Allocations 2012/13 T18 – Transformation plans and reports
Appendices attached:	Appendix A – Grant Schemes guidance notes

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			
Page 70	1	<p>Delivery of outcomes and value for money</p> <p>Risk: Failure to deliver outcomes to the community and provide value for money for the Council's contributions</p> <p>Opportunity: To support local projects that deliver outcomes for communities in the most effective and efficient way, enhancing the reputation of the Council</p>	3	2	6	↓	<p>This more streamlined joined up approach will seek to maximise the allocation of funding to meet local needs and reduce risk, whilst increasing opportunity.</p> <p>Schemes will be reviewed regularly to ensure they continue to deliver outcomes and support a wide range of projects.</p> <p>Annual monitoring report will continue to be presented to Overview and Scrutiny Committee.</p>	Community Manager/ Economy Manager
		<p>Council's transformation plan</p> <p>Ensure that the scheme and process fit in with the proposed future operating model for the Council</p>	3	2	6	↓	<p>This more streamlined joined up approach will enable a streamlined and consistent process that fits with the new model.</p> <p>The grant process will be reviewed regularly to ensure it continues to fit with the Council's operating model</p>	Community Manager/ Economy Manager
3	Financial	Funding not allocated to community grant schemes as part of budget-setting process, or withdrawn in later years	4	2	8	↔	Current funding allocated via capital and revenue budget. Future allocation will be part of the budget setting process.	Community Manager/ Economy Manager

Direction of travel symbols ↓ ↑ ↔



**West Devon
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Appendix A

WEST DEVON COMMUNITY AND ECONOMY GRANT SCHEME GUIDANCE NOTES

Please read these guidance notes carefully before completing the application form.

West Devon Borough Council allocates a sum of money each year to be given in grants to Not for Profit organisations or groups which are undertaking projects which will be of benefit to the wider community within the borough of West Devon.

The following guidelines and criteria are provided to ensure applicants have the best chance of submitting a successful application for grant aid.

Under the broader heading of Community & Economy grants there are several different types of grants available which are designed to meet different aspirations with slightly different and unique requirements or limits however we will explain below where there are different requirements

Grant applications should demonstrate in the application form how they link to locally identified priorities; please follow the [link](#) to find out more.

	<u>Economic Grant</u>	<u>Community Projects Grant</u>	<u>Sports Grant</u>
Description	Economic grants support projects that address the Councils Key priorities and assist in the economic prosperity of businesses and communities in West Devon.	Grants which provide support for a wide range of community projects that meet local needs and deliver benefits to the community, led by community organisations, ranging from tree planting to building a village hall.	Grants which provide support for a wide range of sports projects led by community organisations to help improve health and wellbeing and access to physical activity, for example purchasing equipment and assets or training for volunteers.
Who Can apply?	<p>Not-for-profit organisations and groups – not excluding groups of businesses working together for common benefit</p> <p>Projects must be wholly or partly based in West Devon and demonstrate a benefit to West Devon communities and the local economy. Where partly based in West Devon support from other local authority areas to which the project applies will normally be required</p>	<p>Not-for-profit organisations and groups</p> <p>Projects must be wholly or partly based in West Devon and demonstrate a benefit to West Devon communities. Where partly based in West Devon support from other local authority areas to which the project applies will normally be required</p>	<p>Not-for-profit organisations and groups</p> <p>Projects must be wholly or partly based in West Devon and demonstrate a benefit to West Devon communities. Where partly based in West Devon support from other local authority areas to which the project applies will normally be required</p>
How much can I apply for?	<p>Maximum £2500 for projects to be completed within 12 months.</p> <p>A maximum of £7,500 for long term projects over three years will be considered in exceptional circumstances.</p> <p>Maximum percentage funding per project – 50%</p>	<p>Minimum - £100, Maximum - £5,000 (with the flexibility to approve funding of up to £10,000 for exceptional projects)</p> <p>Maximum percentage funding per project – 50%</p>	<p>Minimum - £100, Maximum - £700, For training grants the maximum is £350.</p> <p>Maximum percentage funding per project – 50%</p>
When can you apply?	Applications can be made at any time throughout the year, there are no deadlines. Applications are normally dealt with within a 4-6 week period.		

What must be included with the application?

Please send all documentation electronically if possible.

- A minimum of two quotes will normally be required to support the project’s proposed expenditure
 - Copies of letters regarding matched funding for the project where available
 - Summary of project expenditure and statement of current financial position
 - The most recent audited accounts
 - Constitution, aims, objectives, rules, governing document or charitable deed depending on the type of organisation
 - Details of charitable status including registered number where appropriate
- For building related projects:
- Copy of all plans, sections, and relevant elevations at a scale of 1:100
 - The block plan showing site boundaries etc

General conditions

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- Maximum of two applications can be made per organisation per annum but these must be for different projects
 - Only one application may be made per project, all grants are one-off support
 - Applications cannot be retrospective
 - Grants will be assessed on their contribution to and impact on the local area, how they meet local needs and their link to local priorities
 - Applicants may not always receive the full sum requested and each request for funding will be compared to other funding requests granted to ensure consistency
 - The offer agreement will set out all relevant grant conditions and the applicant will be required to sign the agreement in confirmation of their agreement to these. Whilst most conditions will be standard some conditions may vary dependent on the project or application, and where considered appropriate additional conditions may be added
 - Applications will need to demonstrate clear community need and support, how they add value to the local community, where applicable demonstrate clear economic benefit and that the project is deliverable and sustainable
 - All necessary consents will be the responsibility of the applicant and will be expected to be in place at the time of the application as far as possible
- SPECIFIC CONDITIONS MAY BE ATTACHED TO GRANT ALLOCATIONS AS DEEMED APPROPRIATE.**

Payment of grants

- **PAYMENT OF APPROVED GRANTS WILL BE RETROSPECTIVE ON COMPLETION OF THE PROJECT AND THE PRODUCTION OF APPROPRIATE PROOFS**
- Applicants will normally have 12 months to claim the grant following allocation of the funds; however extensions can be agreed where the applicant can show that the project has either started or will shortly be commencing
- Grant funding will have to be repaid in the event that it is either not used for the intended purpose or the applicant fails to meet one or more of the grant conditions

What documents we require prior to paying out the grant

- Proof of project completion i.e. invoices, certificates for training quoting the purchase order number if provided on the offer agreement
- If the project requires planning permission or building regulations proof of consent must be provided if not already provided at the application stage
- Copies of letters confirming matched funding for the project where not provided at the application stage
- Outcomes of the project with copies of publicity material and other relevant information

- Signed offer agreement if not already returned
- Evidence that West Devon Borough Council has been acknowledged as a funder on the project

NAME OF COMMITTEE	Community Services Committee
DATE	11 March 2014
REPORT TITLE	Implementation of the Controlled Waste Regulations 2012
REPORT OF	Waste Development & Contracts Manager
WARDS AFFECTED	All West Devon Wards

Summary of report:

The Controlled Waste (England and Wales) Regulations 2012 (CWR 2012) which came into force on 6th April 2012 have enabled Waste Disposal Authorities to charge certain types of premises which currently benefit from free waste disposal. Devon County Council, as the Waste Disposal Authority, will introduce a waste disposal charge where the CWR 2012 allows from 1 April 2014.

As the Waste Collection Authority, West Devon Borough Council has not, in the past, charged certain premises for collection of waste which have been incorporated into the domestic waste stream. However, in the light of new regulations, to ensure a fair and consistent approach, and in order to ensure that the Council recovers costs for services provided, it is proposed that charges are introduced for collection of such waste which broadly mirror the policy changes of Devon County Council. Details are given within the attached appendices.

Financial implications:

Income may be gained from introducing the charges if those affected choose to continue to receive collections. However, this is difficult to quantify until responses are received from affected premises as to whether they will require collections post April 2014 and because charges will be set on an individual basis. It is likely that some affected premises will choose to employ private contractors. This will reduce the burden on the domestic waste collections and thus improve efficiency in this service as it moves into the commissioning phase pending the end of the current waste contract on 31 March 2017. Additional operating costs and administration of the scheme will kept at a minimum by sharing current systems available within the South Hams commercial waste service.

RECOMMENDATIONS:

That the Community Services Committee approves:

1. The proposed changes to waste procedure as shown in Appendix 1 in order that charges for waste collection can be levied on certain premises in accordance with the Controlled Waste Regulations 2012 and broadly in line with the Waste Disposal Authority's policies;
2. Exemptions for publicly funded education establishment and small businesses as per the Controlled Waste Regulations 2012 are applied;
3. The changes commence soon after 1 April 2014; and,
4. Delegates any changes considered necessary to the terms as highlighted in this report to the Head of Environmental Services in consultation with the Chair and Vice Chair of the Community Services Committee.

Officer contact:

Jane Savage (Waste Development & Contracts Manager)

01822 813657: jsavage@westdevon.gov.uk

1. BACKGROUND

- 1.1 The Controlled Waste (England and Wales) Regulations 2012 (CWR 2012) came into force on 6 April 2012. They replace the Controlled Waste Regulations 1992 (CWR 1992) which specify which premises are required to pay for disposal and/or collection of their waste – under these rules the costs for waste from some private institutions and businesses was paid for by the taxpayer.
- 1.2 The 2012 Regulations classify waste as household, industrial or commercial, and also list types of waste for which local authorities may make a charge for collection and/or disposal. The new Regulations have re-classified a number of premises and also allow local authorities to charge for the disposal of waste from a wider range of non-domestic premises than the CWR 1992 permitted. The Government has taken steps to minimise the impact of the new Regulations on small businesses and publicly-funded educational establishments and as such certain exemptions from disposal costs have been included in an amendment to the Regulations made on 9 October 2012.
- 1.3 The Council are responsible for waste collection, whilst Devon County Council is responsible for waste disposal.
- 1.4 The Council have previously not charged for collection of these waste, however changes to the Regulations allow greater scope for charging and this provides an opportunity to ensure consistency of application.
- 1.5 The Income Generation Opportunities Report of the 18th February 2014, highlights the need for the Council to ensure that suitable recovery of costs is made for services provided. This is especially important given the economic climate which we are operating within.

2. PROPOSAL

- 2.1 The new Regulations now enable charges for disposal of waste to be levied on certain premises classed as household waste. The types of premises this applies to include the following:
- Waste from a charity shop or community interest company which collects or sells donated goods from a non-domestic origin
 - Waste from a residential or care home
 - Waste from premises forming part of a university, school or other educational establishment
 - Waste from a hospital or nursing home
 - Waste from a prison
- 2.2 The Regulations have re-classified the following premises as commercial waste and both collection and disposal charges are now applicable (with some exemptions):
- Premises occupied by a club society or association
 - Premises occupied by a charity used for charitable purposes (although the disposal charge can only be made for material that originated for non-domestic property)
 - Self-catering holiday accommodation
 - Camping and caravan sites
 - Waste from any part of a composite hereditament used for the purpose of a trade or business
 - Royal palaces
- 2.3 It is proposed that generally a collection charge is levied where it is legal to do so. The charges will be set to incentivise recycling over refuse collection. As West Devon has distinctive rural collection challenges, prices will be calculated on an individual basis and benchmarked against South Hams commercial collection charges.
- 2.4 Certain exemptions apply including allowing those publically funded schools which currently benefit from free disposal to continue to do so. Other exemptions apply and more details of these in relation to each proposed type of premises is given in the appendices along with the scale of any impact.
- 2.5 If agreed, this will enable the Council as the Waste Collection Authority to meet the requirements of the new Regulations, thereby delivering potential savings to the waste management budget. It will also provide clear guidance for communication to existing and potential users of the services, and ensure consistency of application. It may also cause those premises potentially affected to rethink how they manage their waste and look at more sustainable ways to either reduce or recycle it.
- 2.6 West Devon does not currently operate a commercial waste collection service and there are no immediate plans to introduce a comprehensive commercial waste collection service due to the sparsity, and therefore relatively high

operating costs, in the Borough. However, there is potential to continue to collect some waste, for which a charge may be made, on the domestic rounds. Where this is not possible, enquirers will be signposted to commercial providers operating in the area.

- 2.7 It should be noted that not all premises to which these changes apply, currently utilise West Devon’s domestic waste services. These premises will continue with their current arrangements.

3. TIMESCALE

- 3.1 It is proposed that the change in policies, if agreed, be implemented soon after 1 April 2014, in line with Devon County Council’s policy.

4. LEGAL IMPLICATIONS

- 4.1 The Controlled Waste Regulations 2012 give new legal powers to Waste Disposal Authorities to enable them to charge disposal costs for waste which has either been reclassified as commercial or is now able to be charged under the Regulations. The regulations allow wider scope for Waste Collection Authorities to charge for certain waste collections.

- 4.2 The new regulations stipulate exemptions to be applied and the proposed changes to West Devon Borough Council guidance note these exemptions.

5. FINANCIAL IMPLICATIONS

- 5.1 Income may be gained from introducing the charges if those affected choose to continue to receive collections. However, this is difficult to quantify until responses are received from affected premises as to whether they will require collections post April 2014 and because charges will be set on an individual basis. It is likely that some affected premises will choose to employ private contractors. This will reduce the burden on the domestic waste collections and thus improve efficiency in this service as it moves into the commissioning phase pending the end of the current waste contract on 31 March 2017. Additional operating costs and administration of the scheme will kept at a minimum by sharing current systems available within the South Hams commercial waste service.

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:	Community Life; Environment; Economy
Statutory powers:	The Controlled Waste Regualtions 2012
Considerations of equality and human rights:	Not applicable
Biodiversity considerations:	Not applicable
Sustainability considerations:	Not applicable

Crime and disorder implications:	Not applicable
Background papers:	None
Appendices	Appendix 1 - Proposals to introduce charging for waste collections from some types of premises

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				
Page 80	1	Effect on local premises/businesses	Not all types of premises affected by this report currently receive free waste collection/disposal and already manage their waste through commercial waste companies. Implementation therefore creates a more level playing field.	1	2	2	↓	Clear policy guideline adhere to CWR 2012 and mirror Waste Disposal Authority policy. Exemptions applied wherever appropriate.	Waste Development & Contract Manager
		Effect on recycling rate	The recycling rate may be affected if premises chose not to continue with Council collections, however this is expected to be minimal.	2	1	2	↓	Affected premises will be encouraged to minimise waste arisings overall.	Waste Development & Contract Manager

Direction of travel symbols ↑ ⇄

Proposals to introduce charging for waste collections from some types of premises

1. Background

1.1 The Controlled Waste (England and Wales) Regulations 2012 came into force on 6 April 2012 and replace the previous Controlled Waste Regulations 1992. The new regulations make a number of changes to the classifications of waste from some premises. They also enable local authorities to charge for the collection and disposal of waste from a wider range of premises. Certain exemptions have been made to reduce the burden of the Regulations on small businesses and publicly funded educational establishments. These were extended in an amendment to the Regulations made on 9 October 2012.

1.2 The charging arrangements would be applied to all relevant premises across West Devon from April 2014 and will mirror wherever possible those of the Waste Disposal Authority, Devon County Council.

1.3 In accordance with the regulations, it is proposed that charges for collection of waste be levied on certain premises classed as household waste. The types of premises this applies to include the following:-

- Waste from a charity shop or community interest company which collects or sells donated goods from a non-domestic origin
- Waste from a residential or care home
- Waste from premises forming part of a university, school or other educational establishment (subject to certain exemptions see 3.3 below)
- Waste from a hospital
- Waste from prisons and penal institutions

1.4 The Regulations have re-classified the following premises as commercial waste and collection charges are now applicable. There are a number of exemptions which are described in section 2 below.

- Premises occupied by a club, society or association
- Premises occupied by a charity used for charitable purposes
- Self-catering holiday accommodation
- Camping and caravan sites
- Waste from any part of a composite hereditament used for the purpose of a trade or business
- Royal palaces

2. Potential number of premises affected

2.1 The tables below detail the number of each category which may be affected. These are based on the premises which the Council currently collects from.

<i>Household Waste Classification</i>	Refuse	Recycling	Garden Waste
Charity Shops or Community Interest Companies	1	1	0
Residential or Care Homes	20	28	20
Educational Establishments	7	33	14
Hospitals & Prisons	0	0	0

<i>Commercial Waste Classification</i>	Refuse	Recycling	Garden Waste
Premises of Charity used for Charitable Purposes	39	39	11
Premises of Club, Society or Association	1	1	0
Self-catering Holiday Accommodation	227	226	215
Camping & Caravan /sites	17	18	4
Composite Hereditaments*	144	122	48

Royal Palaces	0	0	0
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*These are premises which may be used for domestic and trade purposes such as public houses. Any premise paying domestic rates will continue to have a free collection subject to domestic limits. Additional waste will be treated as commercial. This applies to other premises listed here which, are subject to domestic rates.

3. Decisions concerning premises and waste types

3.1 In several circumstances, there is a degree of flexibility in how the regulations are implemented. Categories affected by such discretionary decisions, or where a degree of pragmatism is required, are detailed below. It is intended that the Controlled Waste Regulations (2012) will be applied in all other cases.

3.2 Charity Shops, Community Interest Companies and Premises occupied by a Charitable Organisation

The Regulations make a distinction between 'Premises occupied by a charity and wholly or mainly used for charitable purposes' as commercial waste and 'A charity shop selling donated goods originating from domestic property' as household waste. In addition, the Regulation stipulates that where waste from the charity originates from a commercial source, disposal may be charged. However, it is acknowledged that differentiating between commercial and domestic sources of charity shop waste would prove challenging, particularly as all charity shops can currently dispose of their waste for free at Devon's network of recycling centres.

Recommendation

- Premises occupied by charities, but which are not charity shops, will be charged for collection and disposal.
- Charity shops will be charged for collection if required, but will be sign-posted to Devon County Council's recycling centres where disposal is currently free.

3.3 Universities, Schools and Other Educational Establishments

Local Authorities could previously only charge for the collection of waste, but not disposal, from educational establishments including universities, schools and colleges. The new regulations now allow local authorities to also charge for disposal of waste. However, an exemption applies; where Local Authority funded educational establishments had their waste disposed of without charge prior to the new regulations coming into force, they would be able to continue to receive free of charge disposal after the Regulations came into force on 6 April 2012. Where an establishment uses a commercial provider for their waste disposal, but chooses to move to a Waste Collection Authority service after the Regulations came in on 6 April 2012, the full cost of both collection and disposal will be charged.

The immediate impact on West Devon's schools will be minimal as most currently use private contractors for their refuse collections. The Council works closely with schools and students to reduce, reuse and recycle their wastes and a free collection of recyclables was assured through a Memorandum of Understanding with the schools and Devon County Council.

Recommendation

- Where collection was provided free of charge prior 6 April 2012, the Council will not levy a collection charge provided the amount of waste and recycling presented does not exceed current levels. Any waste over this limit will be subject to charge. Wherever practicable, recycling banks will be allowed free of charge.
- Any new requests for collections will be charged for collection.
- All non-local authority supported educational establishments will be charged for collection.

3.4 Small and micro-businesses

The government has included the following exemption to help minimise the impact of the new Regulations on small and micro businesses. The new Regulations provide an exemption from waste disposal charges for businesses which immediately before the Regulations came into force on 6 April were (a) eligible for free waste disposal and (b) entitled to Small Business Rate Relief (SBRR).

Recommendation

- Where a business meets both requirements for this exemption they will be liable to pay a collection charge only for their waste.
- Where a business operated from home is entitled to free disposal they would have the option of utilising spare capacity in their domestic limits for their business waste. Extra waste will be charged for collection.

3.5 Businesses employing up to 20 people

To minimise the impact of the Regulations on firms employing up to 20 people, the new Regulations have provided that local authorities shall have the freedom to decide whether to charge for collection and disposal on a case-by-case basis, allowing them to make decisions which best support local needs and aspirations. Those most likely to be affected are in self-catering holiday accommodation and childcare (pre-school) categories.

Recommendation

- In line with Devon County Council disposal charge policy, the Council will also charge for collection where the regulations allow. Charges will not be discretionary in any circumstances as a consistent and fair approach needs to be adopted.

3.6 Community and Village Halls

The new Regulations state that 'waste from premises used **wholly** or **mainly** for public meetings' is to be regarded as household waste for which a collection charge, but not disposal charge, may be made. However most village and community halls which host public meetings are very often also used by clubs or societies or are hired out for events such as parties etc. The Regulations state that 'premises occupied by a club, society or any association' is classified as commercial waste for which both collection and disposal charges apply. There is an obvious conflict between these two classifications and a policy is needed to avoid doubt. Within Devon there is a contrast of policies in different areas regarding the services provided and the charges for these services. There are many ways such venues deal with waste for example: some have a commercial contract, some receive a free collection, and others encourage users to take waste home.

Whilst it is appropriate that discretion is used not to charge for waste collected from halls in the first category, there is a possibility of an unfair competitive advantage given to such premises which also generates commercial waste and which may be in competition with other venues (which are not exempt from charges) for social events, hosting clubs etc.

Recommendation

- Halls used wholly or mainly for public meetings will be offered the same service as a household for which a collection charge will be made
- Any additional waste generated at the premises would be treated as commercial waste

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NAME OF COMMITTEE	Community Services
DATE	11th March 2014
REPORT TITLE	Off-street parking enforcement from 1st April 2014
Report of	Street Scene Manager
WARDS AFFECTED	All

Summary of report:

This report makes a recommendation in respect of the enforcement of off-street car parks from 1st April 2014, following the Devon County Council (DCC) decision to undertake on-street enforcement in-house.

Financial implications:

The recommendation to employ an additional 2 temporary Full Time Equivalent (FTE) Civil Enforcement Officers (CEOs) represents a cost-neutral solution to the authority. Each CEO will cost approximately £21,000 (including shift allowance and on-costs) but will generate approximately £26,000 of penalty charge fine income per annum.

This position will be reviewed regularly to ensure that a suitable level of enforcement is maintained through fines to sustain pay and display income and to rebalance the off street parking enforcement function following the disaggregation of the integrated on and off street enforcement service.

RECOMMENDATIONS:

It is recommended that, in the light of Devon County Council resolving to undertake on-street enforcement in-house, this Committee resolve to resource the off-street parking enforcement service with an additional 2 temporary FTE CEOs, 2 vehicles (and associated on-going costs) and Penalty Charge Notice software.

Further, it is recommended that this Committee agree to officers continuing to work with partners in other district authorities to achieve economies of scale in providing an off-street parking service.

Officer contact:

Cathy Aubertin, Street Scene Manager
Cathy.Aubertin@swdevon.gov.uk

1. BACKGROUND

- 1.1 Since May 2008, West Devon Borough Council has undertaken on-street parking enforcement on behalf of Devon County Council, together with our own off-street enforcement, and this has allowed both the Borough Council and the County Council to take advantage of the economies of scale this joined-up service presented.
- 1.2 However, in December 2013, Devon County Council resolved to take the on-street service in-house with effect from 1st April 2014 and this means that we will revert to the position we were in prior to May 2008, when off-street enforcement was carried out in isolation.
- 1.3 Prior to May 2008, the Borough Council only employed one full-time Civil Enforcement Officer.
- 1.4 However, since that time, our off-street activity has increased as we now provide an enforcement service in Okehampton Hospital and Princetown car parks, in addition to our own Borough Council-owned car parks, Tavistock Town Council and Okehampton Town Council's car parks. In addition, the variety of duties has increased to include reporting fly-tips, waste issues (such as recycling banks being full) and will expand further this year to include Dog Control Order contraventions.

2. FUTURE STAFF RESOURCE

- 2.1 In order to provide adequate off-street enforcement cover, it is recommended that the previous staffing level be increased, and that flexibility in respect of duties continues.
- 2.2 Therefore it is recommended that the current team be increased to three CEOs, who will also undertake other duties. All will work on a shift pattern, which will mean that we have adequate weekend cover without having to regularly top up with voluntary overtime work.
- 2.4 Whilst the above proposals represent an additional 2 temporary full-time equivalent (FTE) posts, the financial impact is reduced because the fine income generated by CEOs equates to approximately £26,000 per post (this is a cautious estimate based on an increased number of CEOs – the current income is approximately £35,000 per CEO).
- 2.5 This cost-neutral position will be closely monitored and annually reviewed so should CEO's cease to maintain a cost neutral position the resource can be reduced until a cost neutral position has been re-established.

3. VEHICLES

- 3.1 Two of our current three vehicles are funded by DCC – those will be handed over to DCC on 1st April. In order to provide an acceptable level of service it will be necessary for a further two vehicles to be sourced, so that three vehicles are available to the team of CEOs and their supervisor.

3.2 Vehicles are required for all beat patterns, with the exception of Tavistock town, and, whilst CEOs may share transport as often as possible, the geography of the Borough make this difficult on most days. For example, when all CEOs are working, one may be covering Tavistock town centre, one in Okehampton, with another covering surrounding towns and villages, such as Princetown, Chagford and Hatherleigh. A further vehicle is used by the Monitoring Officer in her day-to-day duties, such as collecting stray dogs or investigating fly tips.

3.2 The cost of leasing a small vehicle is £2,880 per annum each and the fuel for each is approximately £1,500 per annum.

4. SOFTWARE

4.1 PCN software has been funded by DCC since May 2008, when the Civil Parking Enforcement agreement was introduced, and the Borough Council has benefitted from this. Initial indications are that the cost in future will be approximately £7,500 per annum for South Hams and West Devon, with the Borough Council's share being £1,500. However, we are working with Teignbridge District Council in order to reduce costs by sharing a system.

5. FUTURE SERVICE

5.1 In preparing the joint Council bid to carry out on-street enforcement on behalf of DCC, it became apparent that economies of scale could be gained by joined-up working with other districts in providing an off-street service and it is proposed that officers continue to develop this where feasible.

6. LEGAL IMPLICATIONS

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

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

6.3 Council has the powers to provide this service under the General Powers of Competence in the Localism Act 2011.

6.4 It is necessary for additional staffing resources to be agreed by this Committee.

7. FINANCIAL IMPLICATIONS

7.1 A cost pressure has been included in the 2014/ 15 budget of £30,000 to reflect the loss of economies of scale in providing the enforcement service.

7.2 Costs include:

- Vehicle lease and fuel cost
- PCN software
- Loss of PCN shortfall amount funded by DCC

7.3 The recommendation to employ an additional two temporary Civil Enforcement Officers (CEOs) represents a cost-neutral solution in terms of fine income collected funding the posts.

8. 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:	An equality impact assessment has been carried out and, as a result, no further actions are required.
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	Impact on budget	If CEOs do not generate enough income to cover the cost of employing additional officers.	3	1	3	↓	Income to be closely monitored and the level of CEO resource to be reviewed annually.	C Aubertin

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 Direction of travel symbols ↓ ↑

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WEST DEVON BOROUGH COUNCIL

NAME OF COMMITTEE	Community Services
DATE	11th March 2014
REPORT TITLE	West Devon Car Parking Strategy
Report of	Street Scene Manager
WARDS AFFECTED	All

Summary of report:

This report makes recommendations in respect of a review of the West Devon Car Parking Strategy.

Financial implications:

None at this stage.

RECOMMENDATIONS:

That the Committee endorse the proposal that a Car Parking Strategy Group be formally established and appointed to at the Annual Council meeting in May 2014.

Officer contact:

Cathy Aubertin

Cathy.Aubertin@swdevon.gov.uk

01822 813650

1. BACKGROUND

1.1 Members will be aware that the Borough Council put in place a strategy for the car parking service in 2006. This was at the time a ground breaking piece of work and has helped the Council to form strong relationships with service stakeholders since its inception. It has also assisted the Council in delivering bespoke tariff designs in specific localities, for example Chagford whilst maintaining income streams.

1.2 The strategy has also allowed the Council to ensure that a measured approach to tariff setting is taken. It is clear, however, that motorist behaviour has changed over recent years for a variety of reasons, including:

- Weather
- Recession
- Cost of fuel
- Development of on-line shopping

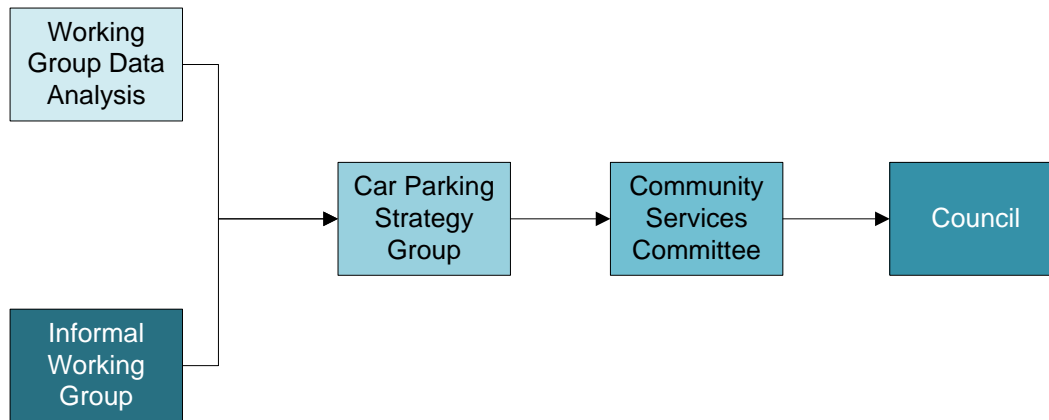
For these reasons the current strategy needs to be reviewed. The previous formula of increasing Pay & Display income by RPI every two years is no longer suitable and, indeed, has not been used since April 2010.

- 1.3 A report from the Democratic Services Manager, presented to this Committee on 12th November 2013, resolved that:
- (i) a review be undertaken into the Council's Car Parking Strategy as outlined in paragraphs 2.1 to 2.3 of the officer's report, with Councillors K Ball and J Moody being so appointed; and,
 - (ii) the future governance in respect of the Car Parking Strategy Group be formalised as outlined in paragraphs 2.4 to 2.7 of the officer's report.

2. STEPS TAKEN

- 2.1 The Street Scene Manager and the Support Services Manager have met with Councillors Ball and Moody on two occasions and provided data taken from our Pay & Display machines for analysis. Their findings will be fed through to the strategy review process.
- 2.2 It is suggested that, in light of the above resolutions, at the Annual Council meeting in May 2014, the Car Parking Strategy Group should be formalised, with Member appointments being formally agreed.
- 2.3 As an informal Group, it is important to stress that it will have no decision-making powers and will report directly to the Community Services Committee. At its first meeting, the intention would be for the Strategy Group to agree its Terms of Reference. As an indication, it is suggested that these Terms of Reference would include:
- To develop (and then be responsible for reviewing) a new Car Parking Strategy; and
 - To review and make recommendations on future car parking charges.
- 2.4 This approach also embeds the 'golden thread' principle of tracking data analysis through to tariff setting decisions which was highlighted by Audit Committee as an area for improvement.
- 2.5 It is felt important that local BIDs, Chambers of Commerce, Town and Parish Councils, Devon County Council and other possible stakeholders should continue to be invited to be part of the group.
- 2.6 The flow chart below indicates how information will be fed into the Community Services Committee, and demonstrates the Council's commitment to a continuing relationship with interested stakeholders in respect of its car parking service:

REVIEW OF CAR PARKING STRATEGY



2.7 The importance of the formalised flow of information is to ensure that the work of both the working groups as well as the strategic stakeholder group is properly considered and evaluated when making strategic service decisions. This is especially important given the current economic challenges being faced within affected town and village centres. The strategic group has been extremely useful in providing local service intelligence and in building local solutions to specific parking issues.

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.

4. FINANCIAL IMPLICATIONS

- 4.1 None at this stage.

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 well being; access to services; towards excellence; customer first
Statutory powers:	
Considerations of equality and human rights:	Not applicable
Biodiversity considerations:	Not applicable
Sustainability	Not applicable

considerations:	
Crime and disorder implications:	Not applicable
Background papers:	Report of the Democratic Services Manager to the Community Services Committee on 12 November 2013 and the consequent minutes arising from this meeting.
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.	Software reports	It is often difficult to obtain adequate information from the software without a substantial amount of officer time in running many reports and then pulling the information together	2	3	6	↓	<p>Issues have been taken up with provider</p> <p>Member support in evaluating detailed information will be invaluable</p> <p>For the strategy group to gain a clearer understanding of the data available and how it supports Members in working towards desired outcomes</p>	C. Aubertin

Direction of travel symbols ↓ ↑ ⇄

NAME OF COMMITTEE	Community Services
DATE	11th March 2014
REPORT TITLE	Dog Warden service in West Devon
Report of	Street Scene Manager
WARDS AFFECTED	All

Summary of report:

This report looks to implementing Dog Control Orders in West Devon, under the Clean Neighbourhood and Environment Act 2005, and the role of the Dog Warden in supporting those orders.

Financial implications:

A cost of approximately £1,500 in order to place legal notices in the local press at the appropriate times during the process.

The cost of the Dog Warden working an additional day per week is £4,800 per annum.

It is anticipated that there will be additional income from the issue of Fixed Penalty Notices (FPNs) by an increased number of officers, but this is impossible for forecast, and it not the focus for this work.

RECOMMENDATIONS:

It is recommended that officers continue with the necessary work in order to implement appropriate Dog Control Orders across the Borough and that Members consider the current role of the Dog Warden in supporting those orders.

Officer contact:

Cathy Aubertin
Cathy.Aubertin@swdevon.gov.uk

1. BACKGROUND

- 1.1 West Devon Borough Council employs one part-time Dog Warden who undertakes enforcement under the Dog Fouling of Land Act 1996. His efforts are concentrated entirely in the areas where Town/ Parish Councils make a financial contribution towards his time, and currently these are:

- Bere Ferrers
- Chagford
- Lifton
- Lydford
- Mary Tavy
- North Tawton
- Northlew
- South Tawton
- Tavistock

1.2 Following a previous report to this Committee, in June 2013, informal consultation has commenced with Town and Parish Councils in respect of implementing Dog Control Orders across the Borough.

1.3 Town and Parish Councils have been requested to respond by the end of February, at which point we will be in a position to proceed to drafting the Orders and undertaking a formal public consultation process.

2. DOG CONTROL ORDERS

2.1 The Clean Neighbourhood and Environment Act 2005 includes four dog control offences that it is possible to control by Dog Control Orders, and they are:

- Fouling of land by dogs and removal of dog faeces
- The keeping of dogs on leads
- Not putting a dog on a lead when directed by an authorised officer
- The exclusion of dogs from land

2.2 Section 55 of the Act enables Local Authorities or Town and Parish Councils to make orders that apply to offences aimed at the control of dogs to specified land in their area.

2.3 Section 57 of the Act provides that Orders may apply to all public land which is open to the air and to which the public are permitted or entitled to have access. There are exemptions to this definition which have been made by the Secretary of State.

2.4 Section 59 of the Act allows authorised officers of Local Authority, Town and Parish Councils, and any other authorised person, the right to issue a Fixed Penalty Notice (FPN). In effect, this would allow Town and Parish Councils to authorise their own officers to issue FPNs and, in addition, the Borough Council would be able to authorise officers other than the Dog Warden to issue notices, such as Monitoring Officers and Civil Enforcement Officers.

2.5 Section 60 of the Act enables a Local Authority, Town and Parish Councils to specify the amount of fixed penalty in relation to their own Dog Control Orders.

3. DOG WARDEN SERVICE

- 3.1 Clearly the implementation of Dog Control Orders will have an effect on the current Dog Warden's role, and Members are requested to consider this aspect.
- 3.2 The Dog Warden currently works 22.5 hours, at a cost of £13,614 per annum. This is partly funded by the participating Parish and Town Councils, whose total contribution is currently £6,808 per annum. However, his working hours haven't been increased to accommodate additional towns which have joined the scheme in the last two years, which makes enforcement sparse.
- 3.3 In addition, the Dog Warden assists with collecting stray dogs when other officers are unavailable, which impacts upon the general Dog Warden service.
- 3.4 The overall impact of this has been an increase in the number of complaints about dog fouling.

4. FUTURE SERVICE

- 4.1 It is proposed that the working hours of the Dog Warden are increased on a temporary basis, pending the implementation of T18. It is anticipated that an additional day per week would be sufficient to continue to provide an acceptable level of service until that time.
- 4.2 The cost of this additional day would be £4,800 which may be met by the Dog Fouling budget, together with an increase in the number of Fixed Penalty Notices (FPNs) issued in respect of Dog Control Order contraventions.
- 4.3 It is not anticipated that fine income will generate a significant amount however the impact of targeted enforcement in specific problem areas can have an extremely positive result. This coupled with increased educational and promotional work will increase the impact of the service.

5. LEGAL IMPLICATIONS

- 5.1 The introduction of Dog Control Orders will allow for a consistent approach to dog control throughout the Borough and will replace existing byelaws.

6. FINANCIAL IMPLICATIONS

- 6.1 A cost of approximately £1,500 in order to place legal notices in the local press at the appropriate times during the process.
- 6.2 The cost of the Dog Warden working an additional day per week is £4,800.
- 6.3 It is anticipated that there will be additional income from the issue of FPNs by an increased number of officers, but this is impossible to forecast, and is not the focus for this work.

7. RISK MANAGEMENT

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

6. OTHER CONSIDERATIONS

Corporate priorities engaged:	Community well being; access to services; towards excellence; customer first
Statutory powers:	Clean Neighbourhood and Environment Act 2005
Considerations of equality and human rights:	Not applicable
Biodiversity considerations:	Not applicable
Sustainability considerations:	Not applicable
Crime and disorder implications:	Not applicable
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.	Residents' reaction	Possible negative reaction to the proposal from residents	3	2	6	↓	Full informal and formal public consultation to be undertaken to allay concerns	C Aubertin
2.	Budget	Income from FPNs may not increase sufficiently to cover the cost of addition Dog Warden hours	3	2	6	↓	Hours to be increase temporarily only, pending T18, and to be monitored closely	C Aubertin

Direction of travel symbols ↓ ↑ ↔

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Agenda Item 3

At a Meeting of the **COMMUNITY SERVICES COMMITTEE** held at the Council Chamber, Council Offices, Kilworthy Park, Drake Road, **TAVISTOCK** on **TUESDAY** the **11th** day of **MARCH 2014** at **2.00 pm**.

Present:

Cllr R J Oxborough – Chairman
Cllr R F D Sampson – Vice-Chairman
Cllr K Ball
Cllr K A Clish-Green
Cllr A F Leech
Cllr M E Morse
Cllr M J R Benson
Cllr D W Cloke
Cllr N Morgan
Cllr D E Moyse

Executive Director (Communities & Head of Paid Service)

Head of Environmental Services

Natural Environment & Recreation Manager

Street Scene Manager

Community Projects & Policy Officer

Economic Development Officer

Assistant Elections/Member Support Officer

In attendance:

Cllr M Ewings
Cllr J Moody
Cllr T Pearce
Cllr D Horn
Cllr R Musgrave
Cllr J Sheldon

***CS 31 DECLARATION OF INTEREST**

Cllr A F Leech – Minute No CS 34 – Strategic Leisure Review – Personal – Member of a discussion group on the future of Parklands Leisure Centre.

***CS 32 CONFIRMATION OF MINUTES**

The Minutes of the Meeting held on 12th November 2013, were confirmed and signed by the Chairman as a correct record.

CS 33 TAVISTOCK WHS KEY CENTRE

Arising from Minute No E&C 29 – 2011/2012, the Head of Planning, Economy & Community presented a report (page 6 to the Agenda) on the progress being made in addressing the identified weaknesses in the Assessment of Tavistock as a potential Key Centre in the Cornwall and West Devon Mining Landscape World Heritage Site (WHS). The Assessment was carried out in 2012, from which an Action Plan had been developed ahead of the re-assessment which the Committee was being asked to support.

Arising from the initial assessment a working group comprising both local government and private sector stakeholders had come together and had produced the action plan which was presented as Appendix B to the report (page 11 to the Agenda). The action plan set out a number of key initiatives which needed to be progressed over the next 12 months to secure and sustain Tavistock as a Key Centre including the appointment of a Borough Councillor to represent the Council at future partnership meetings. A number of the actions had been achieved or were on their way to being achieved, but some would take many years to bring to fruition.

- * It was **RESOLVED** that:
1. the progress towards establishing Tavistock as a Key Centre in the Cornwall and West Devon Mining Landscape World Heritage Site be noted;
 2. the Committee would continue to support the way forward as detailed in the officer's report and the Action Plan as presented at Appendix B; and,
 3. officers continue to assist with the implementation of the Action Plan and to bring any specific project proposals back to the appropriate Committee in due course.

It was **FURTHER RESOLVED** to **RECOMMEND** that Council nominate a Member representative to attend the Tavistock Key Centre Partnership.

***CS 34 STRATEGIC LEISURE REVIEW – UPDATE**

The Natural Environment & Recreation Manager presented a report (page 16 to the Agenda) on the work of the Strategic Leisure Member Working Group. The report also highlighted current work streams for information but also made some proposals for further immediate background work in anticipation of a new Olympic Legacy Pool in Tavistock.

Under the guidance of the Strategic Leisure Working Group, officers were currently working to a project plan with the following key stages:

- (i) March 2014: appointment of leisure services specialist consultant
- (ii) May/June 2014: soft market test (or similar exercise)
- (iii) July/August 2014: interim options report and consultations as required
- (iv) November 2014: preferred options report
- (v) December 2014: Council consideration of options.

In relation to key stage (i) above, it was noted that a contract for this work was currently out to tender and the contract would be funded as agreed under Council Minute CM38 f(i) – 2012/2013.

In preparing for the future leisure provision within the Borough, the Council would need to be cognizant of Kelly College's aspiration of acquiring an Olympic Legacy 50m Pool and consider also the implications towards the Meadowlands Leisure Pool and the merits of the Borough Council becoming a partner organisation. Additionally, it would be necessary to keep close contact with both Tavistock and Okehampton Town Councils and with Devon County Council who each have freehold interests in the land occupied by both Meadowlands and Parklands Leisure Centres.

Two appendices were presented with the report: Appendix 1 (page 21 to the Agenda) detailed the stakeholder feedback on the consultation with key interested parties, and, Appendix 2 (page 24 to the Agenda) detailed the issues for consideration and investigation relating to the future of Meadowlands.

During the ensuing discussion, the Chairman advised the Committee that Kelly College would be retaining their current 25m pool which would be made available for community use and which would, most probably, have an impact on attendance at the Meadowlands Pool. Concern was expressed relating to the accessibility of the Kelly pool and about the pool's availability during the day for the various activities currently provided at Meadowlands. It was also suggested that if the Council had a financial interest in the new pool it could have a voice in championing various activities.

The Committee was reluctant to be tied to the timetable being aired by Kelly College in inviting participation in the activities of the new pool, therefore, the Chairman proposed that a meeting be convened as soon as it was reasonable to do so at which the Strategic Leisure Member Working Group could meet with representatives of Kelly College to see how Kelly College envisaged meeting community need in the future, particularly should it be decided to decommission the Meadowlands Pool, and the Council's role in meeting that community need.

It was **RESOLVED** that:

1. the progress being made on the Leisure Review and the update from the Strategic Leisure Member Working Group be noted; and,
2. officers be requested to undertake the work identified in Appendix 2 and convene a meeting with representatives of Kelly College with a view to providing Members with an informal briefing on the Kelly proposals.

CS 35 STREET NAMING & NUMBERING – POLICY AND THE INTRODUCTION OF CHARGING

The Head of Corporate Services and the Assistant Elections/Member Support Officer presented a joint report (page 28 to the Agenda) proposing the introduction of a formal Street Naming & Numbering Policy together with charges for the discretionary element of the service.

The Street Naming & Numbering service in West Devon was currently provided free of charge, however, many Devon authorities, including the Council's partner, South Hams District Council, levied a charge for those elements of the service which could attract a charge. Appendix B presented with the report (page 56 to the Agenda) showed the charges made by the other Devon authorities. To enable the Council to make appropriate charges it would be necessary to adopt sections 64 and 65 of the Town Improvement Clauses Act 1847.

As part of the shared service programme it was proposed that a formal policy be developed in line with that currently used by South Hams District Council and a draft policy document was present at Appendix A to the report (page 33 to the Agenda).

It was **RESOLVED** to **RECOMMEND** that Council:

1. adopts sections 64 and 65 of the Town Improvement Clauses Act 1847 (in relation to numbering only);

2. approves and adopts the West Devon Street Naming & Numbering policy as presented at Appendix A subject to Ward Member consultation being included; and,
3. approves the introduction of charging for the discretionary element of the Street Naming & Numbering service, i.e:
 - (i) £21 per property for changes to house names;
 - (ii) £37 per property for changes to street names;
 - (iii) £36 per property for new developments (notification process only); and,
 - (iv) reviews these charges annually.

***CS 36 AMENDMENTS TO COMMUNITY AND ECONOMY GRANT CRITERIA AND GUIDELINES**

The Community Projects & Policy Officer presented a report (58 to the Agenda) proposing a number of changes to the grant scheme to make it more flexible to meet local needs and to provide a consistent and streamlined set of criteria for allocating funding. Currently, there were five grant schemes in operation and it was being proposed to amalgamate the Community Project Grant Scheme with the Village Hall Grant scheme, the Economic Development and Regeneration Grant Scheme with the Arts Grant Scheme and to provide one funding budget for Sports Grants rather than the current split between sports and training. It was also being proposed that the administration of the various schemes, namely the allocation process, forms and criteria, be streamlined where practicable to do so.

The proposed revised guidelines were presented with the report at Appendix A (page 64 to the Agenda).

It was **RESOLVED** that the proposed streamlining of the Community and Economy Grants scheme as detailed in paragraph 2.4 of the officer's report together with the revised grant guidelines as presented in Appendix A to the report be approved and adopted as presented.

***CS 37 IMPLEMENTATION OF THE CONTROLLED WASTE REGULATIONS 2012**

The Waste Development & Contracts Manager presented a report (page 68 to the Agenda) on the implementation of the Controlled Waste (England and Wales) Regulations 2012 which came into force on 6th April 2012. The Regulations will enable Waste Disposal Authorities to charge certain types of premises which currently benefitted from free waste disposal.

Devon County Council, as Waste Disposal Authority, was proposing to introduce a waste disposal charge where the Regulations allowed from 1st April 2014. It was now being proposed to help ensure a fair and consistent approach that the Borough Council recovers its costs for the services provided to those premises which formally benefitted from a free collection service.

Presented with the report at page 74 to the Agenda, Appendix 1 detailed the premises/business types which could be charged and the chargeable services to be offered. It was understood that whilst these services would be offered to those premises which currently received a

free-of-charge service, those premises were not obliged to continue with the Council's services but could seek a service from the private sector.

It was **RESOLVED** that:

1. the proposed changes to waste collection services as shown in Appendix 1 in order that charges be made to certain premises in accordance with the Regulations and broadly in line with the Waste Disposal Authority's policies be adopted;
2. publicly funded education establishments and small businesses be exempt from charging as suggested by the Regulations;
3. the charging regime come into force as soon as possible after 1st April 2014; and,
4. the Head of Environmental Services, in consultation with the Chairman and Vice-Chairman of the Committee, be authorised to make any changes considered necessary to the terms as highlighted in the report.

***CS 38**

OFF-STREET PARKING ENFORCEMENT FROM 1st APRIL 2014

Arising from Minute No CS 30 2013/2014, the Street Scene Manager presented a report (page 77 to the Agenda) on proposed changes to off-street car parking enforcement following the decision by Devon County Council to undertake on-street car parking enforcement from 1st April 2014.

It was being proposed that two, full-time Civil Enforcement Officers (CEO) be employed on a temporary basis initially in addition to the one full-time officer being retained following the transfer of on-street car parking enforcement to Devon County Council. It was anticipated that enforcement income generated would cover the cost of employing the two additional CEOs, including on-costs and leasing two additional vehicles. It was also being proposed that CEOs visit car parks up to 6.00 pm to ensure compliance with the charging regime.

It was **RESOLVED** that:

1. two full-time Civil Enforcement Officers be engaged on a temporary basis together with two leased vehicles and Penalty Charge Notice software to maintain the off-street parking enforcement service and for this to be reviewed regularly to ensure a suitable level of enforcement is maintained; and,
2. officers continue to work with partners in other district authorities to achieve economies of scale in providing an off-street parking service.

CS 39

WEST DEVON CAR PARKING STRATEGY

Arising from Minute No CS 27 – 2013/2014, the Street Scene Manager presented a report (page 82 to the Agenda) on a review of the West Devon Car Parking Strategy and proposing that a Car Parking Strategy Group be formally established. Previously an informal group had met comprising Councillors, Council officers and local businessmen to suggest appropriate tariff levels and strategy. Changing car park usage patterns over the years had indicated a change of approach would be necessary. To this end it was being proposed that a formal West Devon Car Parking Strategy Group be constituted by Council.

The proposed Strategy Group would have no decision making powers but would be able to make recommendations to the Committee.

It was **RESOLVED** to **RECOMMEND** that a West Devon Car Parking Strategy Group be formally established and appointed to at the Annual Meeting of the Council in May 2014.

***CS 40**

DOG CONTROL SERVICE IN WEST DEVON

Arising from Minute No CS 8 – 2013/2014, the Street Scene Manager presented a report (page 87 to the Agenda) on a proposal to introduce Dog Control Orders in West Devon, under the Clean Neighbourhoods and Environment Act 2005, and the role of the Dog Warden in supporting those orders. Currently the Council employed a part-time Dog Warden who could take appropriate action under the Dogs Fouling of Land Act 1996, whose activities were restricted to those Towns/Parishes who made a financial contribution to the service.

The adoption of the Clean Neighbourhood and Environment Act 2005, would enable the Borough Council to issue Dog Control Orders for four offences – (i) fouling of land by dogs and the removal of dog faeces; (ii) the keeping of dogs on leads; (iii) not putting a dog on a lead when directed by an authorised officer; and, the exclusion of dogs from land.

It was further reported that it was proposed to increase the time the Dog Warden was currently employed by one day a week temporarily pending T18 with the additional cost of doing so being met by the dog fouling budget the issue of Fixed Penalty Notices and not by increasing the contributions sought for those Towns and Parishes currently participating in the Dog Warden Scheme.

It was **RESOLVED** that:

1. officers continue with the necessary work to introduce appropriate Dog Control Orders across the Borough and to submit further reports to the Committee; and,
2. the Dog Warden be employed for one additional day per week temporarily pending the outcome of T18 and for that extension of employment to be funded through the dog fouling budget and the appropriate issue of Fixed Penalty Notices.

(The Meeting terminated at 5.11 pm.)