

Public Document Pack



West Devon
Borough
Council

WEST DEVON RESOURCES COMMITTEE - TUESDAY, 29TH APRIL, 2014

Agenda, Reports and Minutes for the meeting

Agenda No Item

1. **Agenda Letter** (Pages 1 - 6)

2. **Report**
 Reports to Resources:
 - a) Item 5 - Our Plan (Pages 7 - 58)
 - b) Item 6 - Tavistock Conservation Area Appraisal and Management Plan Review
 (Pages 59 - 74)
 - c) Item 7 - Tavistock Public Realm Strategy (Pages 75 - 80)
 - d) Item 8 - Risk Based Verification (Pages 81 - 98)
 - e) Item 9 - Write Off Report (Q4) (Pages 99 - 130)

3. **Minutes** (Pages 131 - 134)

This page is intentionally left blank

Agenda Item 1

A G E N D A – RESOURCES COMMITTEE – 29th APRIL 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).

	Page
4. Confirmation of Minutes Meeting held on 28 th January 2014 (previously circulated)	
5. Our Plan Report of the Head of Planning, Economy & Community	1
6. Tavistock Conservation Area Appraisal and Management Plan Review Report of the Head of Planning, Economy & Community	49
7. Tavistock Public Realm Strategy Report of the Head of Planning, Economy & Community	64
8. Risk Based Verification Report of the Head of ICT and Customer Services	69
<u>PLEASE NOTE:</u> Appendix 1 – pages 74 – 78 contains exempt information by virtue of Paragraph 3.	
9. Write Off Report (Q4) Report of the Head of Finance & Audit	85

PART TWO ITEMS WHICH MAY BE TAKEN IN THE ABSENCE OF THE PUBLIC AND PRESS ON THE GROUNDS THAT EXEMPT INFORMATION IS LIKELY TO BE DISCLOSED.

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 paragraphs given in Part I of Schedule 12A to the Act”. (See below).

This document can be made available in large print, Braille, tape format, other languages or alternative format upon request. Please contact the Committee section on 01822 813664 or email arose@westdevon.gov.uk

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						

This page is intentionally left blank

NAME OF COMMITTEE	Resources
DATE	29 April 2014
REPORT TITLE	Our Plan
Report of	Head of Planning, Economy and Community
WARDS AFFECTED	All wards

Summary of report:

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

Financial implications:

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

Members should note that the cost of an Examination in Public (EIP) required for the Local Plan will be in the region of £60,000. The cost could be halved if it proves possible for a joint EIP to be undertaken with South Hams.

RECOMMENDATIONS:

It is recommended that the Committee:

- (i) approves the principle of ‘Our Plan’ being the single, over-arching strategic plan for the West Devon;
- (ii) approves the Local Plan ‘Local Development Scheme’;
- (iii) approves the Regulation 18 Document for consultation purposes;
- (iv) approves the signing of the Duty to Cooperate Memorandum of Understanding;
- (v) approves the corporate Community Engagement Strategy; and,
- (vi) notes the engagement timetable

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

1. BACKGROUND

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

2. OUR PLAN – THE PRINCIPLE

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

3. LOCAL DEVELOPMENT SCHEME

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

4. REGULATION 18 – FORMAL CONSULTATION

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

5. DUTY TO CO-OPERATE – MEMORANDUM OF UNDERSTANDING

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

6. COMMUNITY ENGAGEMENT STRATEGY AND TIMETABLE OF EVENTS

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

7. LEGAL IMPLICATIONS

- 7.1 Resources Committee approval is required to combine the Local Plan and the Council’s corporate plan.
- 7.2 Section 15 of the Planning and Compulsory Purchase Act (as amended by Section 111 Localism Act 2011) requires Local Planning Authorities to prepare and maintain a Local Development Scheme.
- 7.3 The Regulation 18 consultation must be carried out in accordance with Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

7.4 Section 33A of the Planning and Compulsory Purchase Act 2004 (PCPA)(as amended by Section 110 of the Localism Act) places a legal duty on local planning authorities to cooperate.

8. FINANCIAL IMPLICATIONS

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




8.2 In February 2013 Members Were advised that the cost of an Examination in Public (EIP) required for the Local Plan would be in the region of £60,000. If it were possible for a joint EiP to be undertaken with South Hams this would mean a cost of £30,000 per authority; however Members need to be aware that should this not prove possible the Council will have to fund the full cost. A number of factors such as similarity of plan content and the view of the planning inspectorate as to the feasibility and practicality of one EiP will play a part.

9. RISK MANAGEMENT

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

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

STRATEGIC RISKS TEMPLATE

No	Risk Title	Risk/Opportunity Description	Inherent risk status			Mitigating & Management actions	Ownership	
			Impact of negative outcome	Chance of negative outcome	Risk score and direction of travel			
1	Strategic Direction	Provide strategic direction for the future of the borough and organisation	High - Plans and priorities that don't meet local needs	Low	8	 Our Plan will reduce current risk	One overarching plan bringing together corporate plan, local plan and financial plan giving clearer strategic direction Effective engagement and consultation with Members, partners, community and stakeholders Regular review and updating with annual delivery plan	SMT
Page 11	Planning Policy	Planning policies that comply with the NPPF and meet the needs of the borough	High - Speculative development that doesn't meet local needs Poor planning decisions and loss at appeal	Medium	12	 Our Plan will reduce current risk	Local Plan integral part of "Our Plan" Policies developed in line with principles of NPPF and local need Saved Core Strategy/previous Local Plan Policies to be carried forward and used as appropriate Effective engagement and consultation with Members, partners, community and stakeholders	Head of Planning, Economy and Community
	2	Community Engagement	Effectively engage communities in developing plans for their locality to meet local needs	Medium - Local People unable to influence and shape plans	Medium	9		Development of new corporate engagement strategy One corporate annual engagement timetable Role of Members and towns/parishes as community representatives

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			
							Use of a variety of engagement tools including social media and website	
3	Economic Conditions and Funding	Difficult economic conditions and reducing funding could impact on delivery	High - Unable to deliver outcomes to meet local needs	Medium	12	↓ Our Plan will reduce current risk	Financial strategy integral part of "Our Plan" with resources identified during development stages of the plan Commissioning cycle used to identify most efficient methods of delivery Regular monitoring and updating to identify and address emerging issues	SMT
4	New Government Policy	Actions need to be in conformity with Government legislation	Medium - Actions don't deliver outcomes in line with Government policy	Low	6	↔	Maintaining understanding of Government legislation Working closely with stakeholders, partners and community to develop action plans that reflect Government policy and meet local need	SMT

Page 12

Direction of travel symbols ↓ ↑ ↔



Our Plan

Shaping our communities to 2031

Local Development Scheme



West Devon
Borough
Council

West Devon Local Development Scheme 2014

What is a Local Development Scheme (LDS)?

A Local Development Scheme sets out the timetable for the production of new or revised Development Plan Documents.

The Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011) requires Local Planning Authorities to prepare and maintain a Local Development Scheme (LDS).

This 2014 LDS supersedes all previous versions of the LDS and sets out the timetable for the preparation of Our Plan.

What are the current adopted Development Plan Documents for West Devon?

- Page 11
- 2011 Core Strategy
 - Proposals Map
 - 2005 Local Plan Review (as amended 2011)

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

- Devon Waste Plan
- Devon Minerals Local Plan

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

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

- East of Okehampton Masterplan SPD (adopted January 2014)
- South and South West of Tavistock Masterplan SPD (adopted April 2013)
- Assessing the Impact of New Retail Development in West Devon SPD (adopted April 2013)
- Affordable Housing Code of Practice (2012)
- Infrastructure and Facilities to Support New Development SPD (2007)
- Reuse of Rural Buildings SPD (2006)

These SPDs remain in place and will be reviewed regularly and updated/replaced as appropriate.

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



What new Development Plan Documents are to be prepared?

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

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

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



How can you be involved?

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

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

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

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

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

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

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

If you would like to be kept in touch with progress on the preparation of Our Plan please contact us with your details by emailing strategic.planning@westdevon.gov.uk or calling 01822 813600.

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

Document Title	Subject matter and geographical area	Chain of conformity	Publication of Regulation 18 document	Ongoing informal engagement	Publication of Reg 19 submission document	Submission	Policies it will replace
Our Plan West Devon & Proposals Map Page 19	<p>Sets out the vision and objectives for the Council including a strategy for spatial development to 2031. Sets out the policies against which planning applications will be considered.</p> <p>The planning policies will cover the West Devon Local Authority area excluding the Dartmoor National Park.</p>	Conformity with the NPPF	May 2014	<p>Work with the local community, Duty to Cooperate partners, and other stakeholders on the issues to be covered by the plan</p> <p>May – October 2014</p>	Winter 2014	<p>Spring 2015</p> <p>Examination in Public (EIP) to follow</p> <p>Adoption anticipated Winter 2015/16 depending on the length of the EIP</p>	<p>All policies contained in the 2005 Local Plan and 2011 Core Strategy unless saved/carried forward in Our Plan.</p> <p>NB: All SPDs will be saved until otherwise reviewed or replaced.</p>

Further Information Sources

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

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



our
Plan

West Devon

Shaping our communities to 2031

April 2014

Our Borough – the area Our Plan will cover



Foreword

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

It only seems like yesterday that we finished our last plan, the Core Strategy 2006-2026, and I bet you are wondering why we are starting another one so soon. Well the main reason for doing so is because central Government have significantly changed planning policy by introducing the National Planning Policy Framework (NPPF) and we need to ensure our plans are fit for purpose and in conformity with this national policy. Also, the new plan that we are required to produce has to cover a wider range of issues that go beyond traditional planning policy and it makes more sense to write a new plan rather than try and amend the existing ones. Therefore, 'Our Plan' will be an overarching strategic plan for the Borough of West Devon up to 2031.

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

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

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

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

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

Philip Sanders, Leader, West Devon Borough Council

About the Plan

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

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

Our Plan

Our Vision

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

Our Communities

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

Our Homes

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

Our Nature

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

Our Economy

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

Our Resources

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

Our Heritage

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

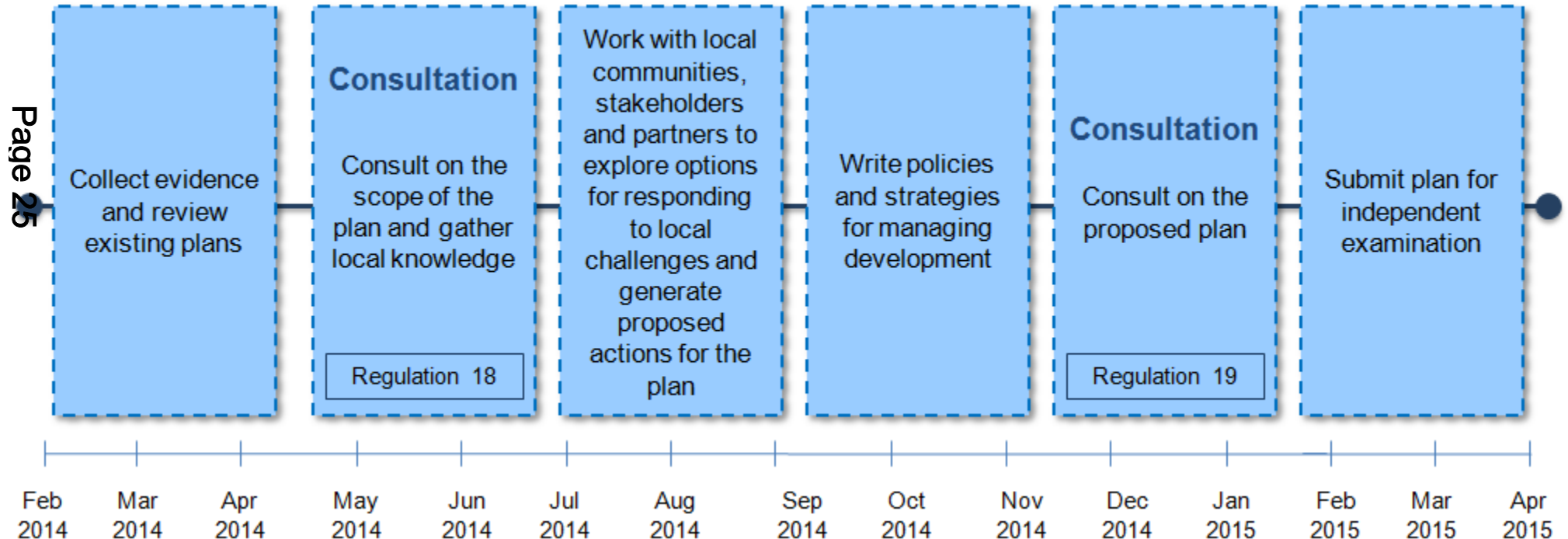
Our Wellbeing

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

Our Plan – how will it be prepared?

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

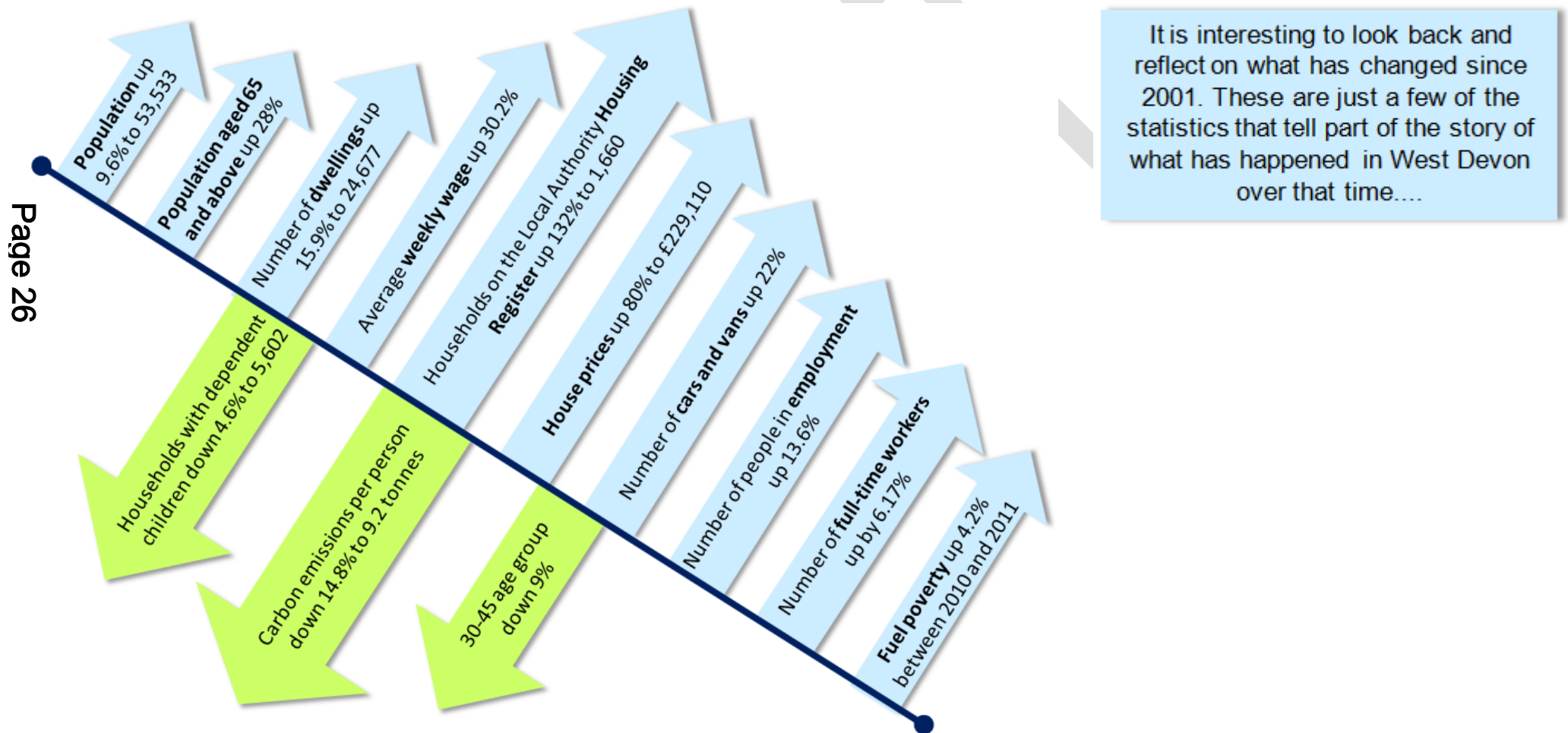
We are required to undertake two formal consultations and this is the first of them. This first stage is quite broad and sets out what the plan will cover. Over the summer months there will be much informal engagement with individuals, communities and stakeholders to discuss various topics which will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



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

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

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



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

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

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

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

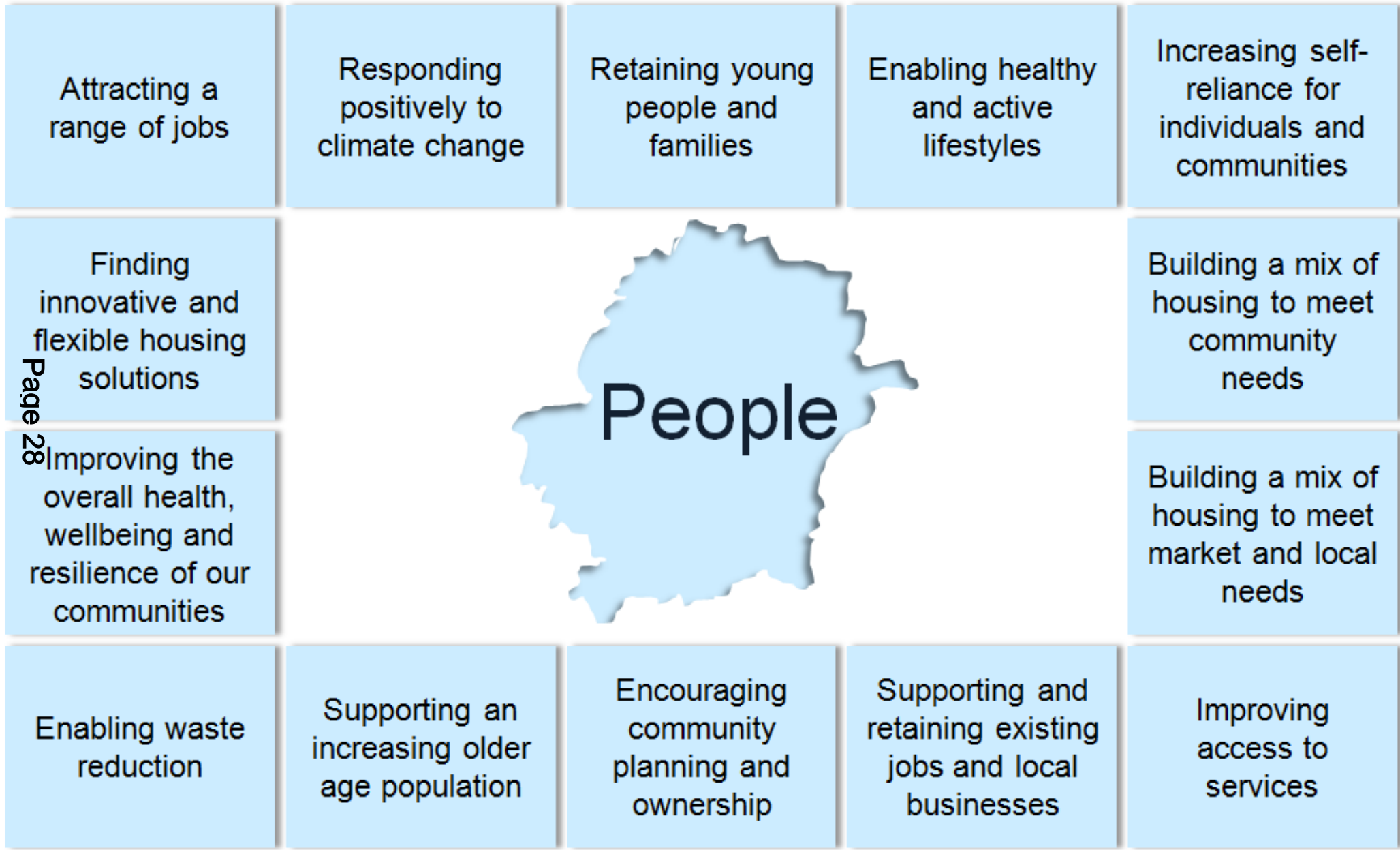
There is an **out migration of young and working age people**

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

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

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

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



Page 28



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

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

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

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

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

However, should you wish to read a hard copy, you can find one at West Devon Borough Council, Kilworthy Park, Tavistock, PL19 0BZ and the Customer Service Centre at St James Place, Okehampton, EX20 1DH. Your comments can be sent to the Strategic Planning Team at the same address.

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

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

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



@OurPlanWD



[insert facebook logo and page name]



**West Devon
Borough
Council**

For further information please contact:

Page 11
The Strategic Planning Team
West Devon Borough Council
Kilworthy Park
Tavistock
Devon
PL19 0BZ

Strategic.Planning@westdevon.gov.uk

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

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

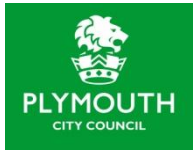
This page is intentionally left blank

The Duty to Co-operate:

A Devon-wide co-operation protocol

**Planning strategically
across local boundaries**

March 2014



West Devon
Borough Council



South Hams
District Council



HEART OF THE SOUTH WEST

Local Enterprise Partnership



Safe roads, reliable journeys, informed travellers

Contents

1	Introduction	Page 4
2	Organisations covered	Page 6
3	Co-operation required between Local Authorities	Page 8
4	The role of Agencies, Partnerships and other organisations	Page 11
5	Beyond Devon	Page 13
6	Co-ordination and governance	Page 15
7	Protocol signatories	Page 17

1. Introduction

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

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

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

2 Organisations covered

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

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

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

3 Co-operation required between Local Authorities

3.1 Exercising strategic planning functions and responsibilities

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

3.2 Co-operation on matters of plan and strategy preparation

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

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

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

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

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

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

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

3.3 Co-operation on plan and infrastructure delivery

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

3.3.2 Co-operation on infrastructure delivery will particularly include:

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

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

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

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

4 The role of Agencies, Partnerships and other organisations

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

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

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

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

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

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

Key co-operation commitments

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

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

5 Beyond Devon

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

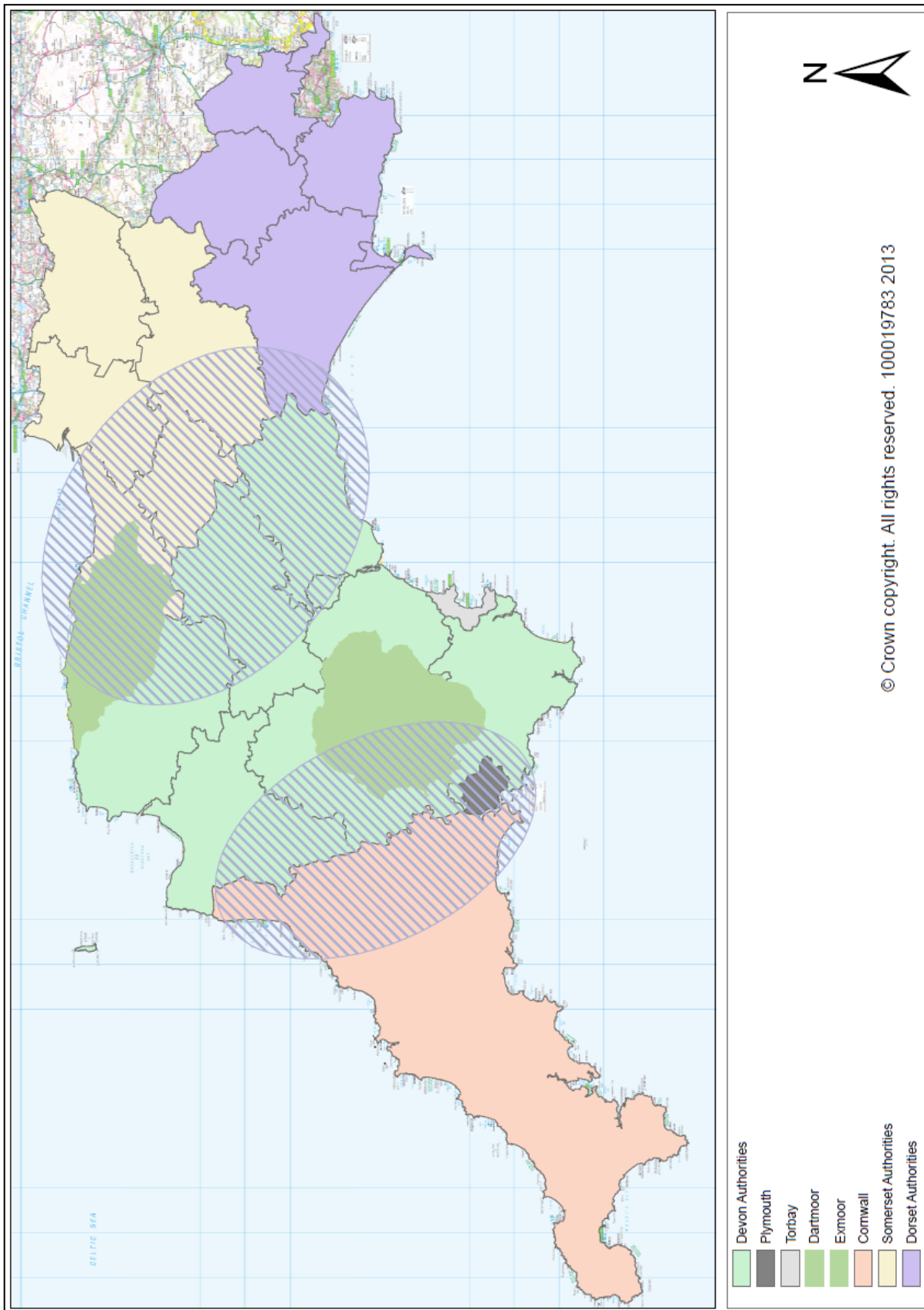


Figure 1: Examples of co-operation outside the scope of this protocol

6 Co-ordination and governance

6.1 Introduction

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

6.2 Strategic governance

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

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

6.3 Operational activities

6.3.1 Protocol signatories will:

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

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

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

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

6.4 Co-operation reporting

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

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

6.5 Record keeping

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

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

7 Protocol signatories

West Devon Borough Council

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

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

Signed:

Date:

Position:

On behalf of:

This page is intentionally left blank



Appendix D - Community and Stakeholder Engagement Strategy

1. Purpose

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

2. Defining Engagement

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

3. Engaging Stakeholders and Communities

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

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

4. When and how we will engage

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

5. Equality and Human Rights

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

6. Review

6.1 This strategy will be reviewed annually.

DRAFT

Appendix E - Member/Community Engagement Event Timetable

When will engagement take place?



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

Statutory Consultation
One:
Consult on scope of plan and gather local knowledge
WHEN: 9th MAY-20th JUN 2014

Statutory Consultation
Two:
Consult on proposed plan
WHEN: DEC 2014 – JAN 2015

Member/Community Engagement Events:

Who?	How?	When?
Members	Single Topic Discussions plus additional discussions if required	Renewable Energy – 29 th April 2014 Development Strategy first discussion to include Community Infrastructure Levy (CIL) – 30 th June 2014 Health and Wellbeing – 9 th September 2014 Development Strategy second discussion – 7 th October 2014

		NOTE: July – October dates provisional and will be confirmed closer to time.
Town and Parish Councils	Workshops Link Committees Community Housing and Planning Surgeries Individual consultations with key towns and local centres as appropriate	Introducing the plan, community engagement and Land Availability Assessment – 9 th May 2014 Development Strategy – July 2014, date to be agreed Link Committees – Sept 2014 (Eastern 4 th Sept 2014, Northern 11 th Sept 2014 and Southern 18 th Sept 2014) Community Housing and Planning Surgeries – Sept 2014, dates to be agreed
Local businesses	Business Voice	8 th May 2014
Community and Voluntary Sector	Voluntary Voice	Health and Social Care event - May 2014, date being arranged by CVS Voluntary Voice – June 2014, date being arranged by CVS
Local Community	Use existing community events	Okehampton Community Day -12 th July 2014 Okehampton Show – 14 th August 2014 Chagford Show – 21 st August 2014 Tavistock Community Day - 6 th September 2014
Developers	Development Forum	6 th June 2014
Planning Agents	Agents Forum	30 th May 2014
Young People	School Councils Youth Connect school event Youth Leisure nights iBox Facebook page	Working with Gill Till on potential engagement opportunities May and Sept likely months for schools/ youth nights

Monthly timeline:

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

This page is intentionally left blank

WEST DEVON BOROUGH COUNCIL

NAME OF COMMITTEE	Resources
DATE	29 th April 2014
REPORT TITLE	Tavistock Conservation Area Appraisal and Management Plan Review
REPORT OF	Head of Planning, Economy and Community
WARDS AFFECTED	Tavistock Wards

Summary of report:

The report sets out the process involved in reviewing the Tavistock Conservation Area Appraisal and Management Plan as part of the development of a Stage 2 bid for Tavistock under the Heritage Lottery's Townscape Heritage Initiative (THI). It recommends approval of the documents for future planning purposes subject to any comments members may wish to make

Financial implications:

The Borough Council contributed up to £6,000 towards the development phase (Stage 2) of the Tavistock Townscape Heritage (THI) bidding process. The cost of engaging consultants to review these documents has been met from these Stage 2 funds.

RECOMMENDATIONS:

It is recommended that the Committee:

1. agrees the revised version of the Tavistock Conservation Area Appraisal should be used as a background document to inform the Conservation Area Management Plan;
2. adopts the reviewed version of the Tavistock Conservation Area Management Plan to be used as part of the Council's evidence to inform future plan making and the determination of relevant planning applications; and,
3. agrees that any inconsequential changes considered necessary to the documents are delegated to the Head of Planning, Economy and Community in consultation with the Chairman of Resources Committee.

Officer contact:

Robert Plumb, Economic Development Officer at rplumb@westdevon.gov.uk or 01822 813620 and Graham Lawrence, Conservation Officer at glawrence@westdevon.gov.uk Or 01822 813

1. BACKGROUND

- 1.1 The Borough Council endorsed and set aside the necessary match funding to support the Tavistock Townscape Heritage Initiative (THI) Scheme Stage 1 bid in October 2012 (RC 20 – 2012/13). In March 2013 the Tavistock Town Council received a Stage 1 approval from the Heritage Lottery (HLF) and since then they have been working in partnership with the Tavistock Townscape Heritage Partnership (TTHP) to develop a Stage 2 bid.
- 1.2 Part of the requirements of the Heritage Lottery, in order to make a successful Stage 2 bid, is to have an up to date Conservation Area Appraisal and Management Plan in place. Members will recall that they approved the original version of the documents in 2010 (FP&H 21 of 09/10). Hence, those documents were due for review.
- 1.3 As part of the Stage 2 process funds were set aside to carry out this review and the consultants, The Conservation Studio (TCS), were appointed by the Town Council to lead on that part of the bidding process.
- 1.4 The report below outlines their approach and methodology, including extensive public consultation. Copies of the revised plans are available on the Borough Council website at <http://www.westdevon.gov.uk/article/2760/Local-Priorities> and hard copies are available in the Member's room or on request. The action plan is attached at Annex B. Member's are asked to consider these documents and if appropriate, adopt them for future planning purposes.

2. ISSUES FOR CONSIDERATION

- 2.1 The Tavistock Townscape Heritage Partnership (TTHP) has guided the THI bidding process throughout the current round. The Partnership includes both officer and member representation from all the three local authorities, including the Borough Council. They endorsed a light touch approach to the review of these documents. As a consequence the first drafts showed minimal changes, largely reporting changes that have taken place since 2009 (e.g. the introduction of the National Planning Policy Framework, proposals to make Tavistock a key centre within the WHS and associated studies). The Key Centre studies were reported and endorsed by the Community Services Committee in March this year.
- 2.2 Revised versions of these documents were circulated initially to officers and members of the TTHP and then to wider public consultation. The launch event for the public consultation was attended by over 150 people in the Pannier Market over the Dickensian evening week-end in November. The exhibition was then transferred to the Library until 17th January and was available, with all the supporting documents, on both the Borough and Town Council websites, until that date, when the consultation period finished.
- 2.3 There were 26 written responses and these can be summarised as follows in respect of the Appraisal and Management plan review:-

Summary of replies:

Q1: Do you agree with the current Conservation Area Boundary – would you like to see any further areas added?

16 agreed; 2 disagreed and 8 either did not answer this question or replied Don't Know.
One person suggested combining the Tavistock Conservation Area with the Whitchurch CA boundaries

Q2: Do you agree with the assessment of the features that make Tavistock special?

18 agreed; 2 disagreed and 6 either did not answer this question or replied Don't Know

Q3: Do you agree with the key issues affecting the Conservation Area as set out in the Character Appraisal? Are there any particular issues which you would like to add?

14 agreed; 3 disagreed and 9 either did not answer this question or replied Don't Know

Suggestions;

More trees fewer pigeons at Betsy Grimbal's Tower
Keep emphasis on historic buildings rather than traffic management
Merge Town and Borough Councils
Tesco decision has serious implications for viability
Danger of over-zealous approach
Sceptical about town centre manager idea

Q4: Do you agree with the recommendations for action in the Management Plan which is based on these issues?

12 agreed; 4 disagreed and 10 either did not answer this question or replied Don't Know

Comments;

Spend less on appraisals/more on buildings
Avoid use of imported stone
Bank Square parking is vital
Redevelop eyesore rest room
Improve parks management
Better maintenance
Little change since the last version
Retain parking/avoid maintenance costs

2.4 Following these replies the consultants have re-drafted the documents and now offer them for Members consideration and comment.

2.5 Than main changes are as follows:-

- Updates regarding National Planning Guidance
- Reporting the key centre studies and proposals to establish Tavistock as a key centre in the WHS
- Updates regarding current Conservation staffing levels

- Review of measures, such as the use of Article 4 Directions and design Guides
- Removal of references to Heritage Champions and Town Centre Manager appointments
- Reference to the THI proposals and specifically The Public Realm Strategy

2.6. The Action Plan, which forms part of the Management Plan, is attached at Annex B for detailed consideration. Overall the Management Plan has been simplified compared to the original plan, taking into account progress which has been made.

2.7. No further change to the CA Boundary is proposed.

3. LEGAL IMPLICATIONS

3.1 The Local Planning Authority has a duty to review and update its designations under Section 69 of the Listed Buildings and Conservation Area Act 1990.

3.2 There are no other specific legal implications for the Borough Council relating to the adoption of these documents.

4. FINANCIAL IMPLICATIONS

4.1 The Borough Council contributed up to £6,000 towards the development phase (Stage 2) of the Tavistock Townscape Heritage (THI) bidding process. The cost of engaging consultants to review these documents has been met from the Stage 2 funds.

4.2. If and when specific proposals, as outlined in the Action Plan, need to be brought forward for implementation, further reports will be submitted to the appropriate committee for Members consideration.

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 management plan review
Sustainability considerations:	These are considered as part of the management plan review and the separate sustainability analysis completed by Cornwall Council

Crime and disorder implications:	N/A
Background papers:	Tavistock Conservation Area Appraisal; July 2009 Tavistock Conservation Area Management Plan; July 2009 Report to Future Planning and Housing Committee 8 th March 2010 Tavistock Conservation Area Appraisal review; February 2014 Tavistock Conservation Area Management Plan review; February 2014
Appendices attached:	Annex A – Strategic Risks Template Annex B – Tavistock Conservation Area Appraisal Review Feb 2014 Annex C – Tavistock Conservation Area Management Plan Review Feb 2014

ANNEX A

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 plans are up to date and have been through full and proper public consultation	3	2	6	↔	Report of consultation is available on request. This has been extensive as outlined in the attached report.	Head of PEC
2	Legal risk	Potential challenge to the validity of these documents	3	2	6	↔	The review of the documents enables the issues to be tested and documents to be updated, including public consultation over a 7 week period, which is in line with best practice.	Head of PEC
3	Financial risk	This relates to the lack of an agreed and up to date strategic context for making planning decisions and submitting the Stage 2 THI bid.	3	2	6	↔	The existence of up to date and tested Appraisal and Management Plan documents will enable more informed decisions and provides the necessary documentation and policy measures to support a THI programme in Tavistock.	Head of PEC

STRATEGIC RISK ASSESSMENT

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

Direction of travel symbols ↓ ↑ ↔

ANNEX B ACTION PLAN			
IMMEDIATE ACTIONS (6 TO 18 MONTHS)			
Action	Responsibility	Timescale	Cost (£)
Adopt CA Character Appraisal review	WDBC and TTC	Spring 2014	Nil
Adopt CA Management Plan review	WDBC and TTC	Spring 2014	Nil
Publish a WHS Key Centre Interpretation Strategy	WDBC	Spring 2014	Nil
Adopt the THI Public Realm Strategy	TTC and WDBC	Spring 2014	Nil
Consider commissioning a Design Guide for Tavistock	WDBC	2015	If appropriate, would be commissioned in 2016

MEDIUM TERMS PROJECTS (18 MONTHS TO 5 YEARS)			
Action	Responsibility	Timescale	Cost (£)
Consider appropriateness of Shopfronts leaflet and other householder guidance	WDBC	18-24 months	About £1,500 per A4 leaflet plus printing costs
New use for the Guildhall	WDBC	18-24 months	Capital costs of approximately £1.5m
Establish a Tavistock Historic Buildings Trust	WDBC	18-24 months	Officer time plus set up costs of around £5,000
Pannier Market enhancements	TTC and DCC	18-24 months	THI
Guildhall Square enhancements	TTC and DCC	18-24 months	THI
Consider an Article 4 Direction	WDBC	18-36 months	Consultants' fee about £5,000 plus photographic survey £1,500; plus officer time
Building at Risk survey for whole Borough	WDBC	18-36 months	Consultants' fee about £10,000 to £15,000
Acquire a Bedford Cottage and renovate as an exemplar of good historic building practice	WDBC working with TTC and new H B Trust	18-36 months	Officer time, plus input of Trust - funding potential includes the Architectural Heritage Fund

Review Local and Statutory Listing	Tavistock and District Local History Society and others	18-36 months	Volunteers and some officer time
Bank Square and Market Street enhancements	WDBC and DCC	Medium to Long term	Possible inclusion in the THI scheme
Prepare Conservation Management Plan for Town Council owned properties in Tavistock	Tavistock Town Council	24-36 months	£10-15,000 consultants' fee or in-house
New car parks and Park and Ride	WDBC, TTC and DCC	Long term	Unknown
Consider traffic management and pedestrian priority schemes	WDBC and DCC	Long term	Unknown
Underground overhead wires etc	WDBC, TTC and DCC, in partnership with Statutory Undertakers	Longer term	Could be a phased programme spending (say) £25,000 pa for 3 years as an initial project
Extend historic plaques scheme	Tavistock Town Council	36-60 months	£2,000 initial spend
Repairs to Still House, Betsy Grimal's Tower, and abbey cloisters in St Eustachius Churchyard	WDBC, TTC and English Heritage	36-60 months	Allow £120,000
Work to Dolvin Road Cemetery	Tavistock Town Council	36-60 months	Allow £5,000 over five years
Consider joining the Historic Towns Forum (HTF)	WDBC and TTC	Not applicable	Annual subscription of around £750
Consider an updated Design Guide for the Bedford Cottages	WDBC	2016	£6 - 10,000

Tavistock THI Report of Consultations

- a) Summary of responses at Exhibition/Launch event 29/30th November
- b) Summary of results of Market Street/King Street Area; Options Questionnaire
- c) LDA Design Summary of consultations
- d) Summary of TCS consultation responses
- e) Conclusions

This document merely combines the overall responses to the various consultation processes which have taken place since September 2013 until 17th January 2014 in respect of the Tavistock THI Scheme Stage 2 Bid.

a) Summary of responses at Exhibition/Launch Event 29th/30th November 2013

The Launch event took place in the Pannier Market between 3 and 8 pm on Friday 29th November and from 10 am to 4 pm on Saturday 30th

The event was advertised through a Press Release and featured in the locals papers and radio, including front page coverage in the Tavistock Times

There was a constant stream of visitors to the exhibition throughout the 2 days - representing over 150 consultees.

Most were very positive about the idea of investing in the town centre through a THI scheme and understood why we are promoting such a scheme.

There were few people who were interested in the detail of the Conservation Area Appraisal or Management Plan, but most were happy to study that in their own time through the internet, in order to answer the relevant sections of the Questionnaire.

No one suggested any further amendments to the CA Boundary.

Most agreed with the focus of the THI scheme and in particular investing in new roofs for the Pannier Market and Butcher's Hall. There was also a lot of interest in renovating and bringing the Guildhall and 1 Church Lane (Foulston's) back into use.

Most of the interest was in the proposals for the Public Realm following the recent front page article and letters in the Tavistock Times.

Nearly everyone seemed to be in favour of the suggested improvements around the Pannier Market

A majority were in favour of the flexible space use and minimal landscaping at Bank Square, (retaining most of the car parking most of the time).

A significant minority were interested in the idea of a Rain Garden, but were concerned about the maintenance implications and loss of car parking.

A majority were in favour of the resurfacing and closure or partial closure of Market Street. However, there were some notable concerns expressed about traffic implications for such a closure and in particular how it might affect the junction of Pym Street with Drake Road.

The majority of those who visited the exhibition wished to see the car parking retained in front of the Guildhall. Of these most were happy to return to the levels of public parking which existed when the police were in occupation and acknowledged the environmental benefits and ease of access that would result from re-organising the parking.

Most were in favour of improving the setting of the war memorial and removal of the trees next to the memorial. Most wanted to see the pavement in front of the Guildhall widened and the car parking laid out in a safer and more compliant fashion.

A significant minority were in favour of removing cars entirely from this location to achieve maximum heritage and amenity benefit, although a number of those wished to keep the disabled spaces.

There was also support for the idea of moving the war memorial to Bank Square, as suggested by Simon Dell, but an equal number were opposed to that idea.

b) Summary of results of Market Street/King Street Area; Business/Traders Questionnaire

The questionnaire was distributed by hand to businesses in the King Street/ market Street/West Street area. 25 responses were returned

Q1 Bank Square

Option 1; None were in favour of the Rain Garden proposal

Option 2; 15 were in favour of the flexible use space

10 said they wanted neither of the above

Comments: 9 specifically mentioned that they didn't want to see any loss of parking

Q2 Market Street

9 were in favour of the closure or partial closure of Market Street

13 were against this proposal

3 were undecided

c) LDA Design Summary of consultations

2.1 INTRODUCTION

Stakeholder, technical and public consultation has been integral in all stages of developing the Public Realm Strategy and Action Plan for Tavistock. This consultation builds on the consultation carried out as part of the Stage 1 Townscape Heritage Initiative bid and the previous Conservation Area Management Plan work. Great care has been taken to ensure all those with an interest are involved in all stages and share the ownership of the findings of the strategy and action plan. The strategy has been co-ordinated with the work being carried out for the Conservation Area Character Appraisal and Management Plan review and submission for the HLF bid. As well as a number of press releases to the Tavistock Times Gazette, specific consultation has included the following:

2.2 ONE-TO-ONE MEETINGS AND TOWN CENTRE WALKABOUTS

A number of focused meetings and site walks were held throughout September 2013 to enable specific and technical knowledge to be shared. The purpose of the sessions was to introduce the project and then understand the specific strengths, weaknesses, issues and opportunities of the public realm in Tavistock in the context of the early Public Realm Strategy work. The topic areas that were covered are listed below:

☞ ☞ Heritage and Conservation ☞ ☞ Town Events and Town Centre Management ☞ ☞ Traffic and Safety ☞ ☞ Car parking ☞ ☞ Planning ☞ ☞ Landscape, Trees and Open Space ☞ ☞ The Local Economy

2.3 PUBLIC REALM WORKSHOP 01

The aim of the Public Realm Workshop was to explain the purpose of the Public Realm Strategy and how public realm projects could greatly improve the town centre environment. Attendees were encouraged to provide their views on existing issues and opportunities that relate to the public realm in Tavistock with the intention of using their observations as part of the design brief for projects. The workshop was held on 25th September 2013 and targeted members of the local community and key stakeholders with an open invitation advertised in the local press. The session began with an update on the progress of the THI bid and presentation on how public realm influences our experience and perception of a town with specific examples from other towns provided to focus discussion. The attendees were then asked to summarise the defining characteristics of Tavistock's public realm, how it could be improved and specific strengths and weaknesses relating to priority project areas. In order to do this attendees were split into groups and undertook a site visit of the THI study area before feeding their thoughts back to the rest of the group. The workshop was well attended and the exercise simulated discussion covering a wide range issues for each of the spaces. The issues raised are summarised alongside the design teams own observations in section 3.0 under strengths and weaknesses. There is a list of attendees and 'verbatim' record of feedback contained in the appendices. A questionnaire was made available at this stage of the project for members of the public who were unable to attend the workshop. The key issues raised in the questionnaires are summarised in section 3 under strengths and weaknesses. The completed questionnaires are contained in the appendices for reference.

2.4 PUBLIC REALM WORKSHOP 02

A second workshop was held on 6th November 2013 and progressed the consultation from the first workshop, giving attendees an opportunity to review the emerging vision and emerging design work for priority projects. Invitations were sent out to attendees of the first workshop as well as an open invitation

which was published in the local press. The session began with a summary of the findings of the first workshop (as a recap and for the benefit of individuals unable to attend the first workshop), followed by a presentation of the emerging vision and design options for Guildhall car park, Bank Square, Market Street and the area around the Pannier Market. Attendees were then asked to break into groups to appraise the options and initial design work undertaken. Feedback was provided by each group's spokesperson. There was overall support for the vision and the aspirations of the public realm design. Specific feedback was provided on the different design options which are included as a 'verbatim' record in the Appendices. There was varied feedback with regard to how far the different design options should go in terms of transformation, for example with regard to removal or partial removal of car parking. This feedback has been considered alongside feedback received via public exhibition, questionnaires, deliverability and compliance with THI funding to inform a list of preferred projects which is contained with the summary of this report.

2.5 PUBLIC EXHIBITION

A public exhibition was held over two days in the Pannier Market, from Friday 29th November (to coincide with Dickensian Evening), until Saturday 30th November. The event was to present the vision for the public realm and designs for the THI priority projects. The exhibition also signified the start of a six week consultation on revisions to Tavistock's Character Appraisal and Management Plan. The exhibition was well attended with over 150 consultees. Overall there was a positive response from the exhibition, a summary of the responses and the issues raised is provided in the appendices of this report. The feedback generated has been integral in developing the preferred options.

2.6 TRADERS QUESTIONNAIRE

Given the potential impact of proposals to Bank Square and Market Street a specific questionnaire was provided to businesses operating in the area ahead of any formal consideration of the options. Again, the feedback provided (as described in more detail in the appendices) has influenced the development and selection of the preferred scheme designs.

d) Summary of The Conservation Studio Questionnaire consultation responses

This featured a in a series of Press releases, was featured in local papers, radio, including front page articles in the Tavistock Times. It was available on the Borough and Town council's websites with all the associated documents. The questionnaires were available at the launch event on 29/30th November and after that at the Public Library until 17th January.

26 replies were received

Summary of replies:

Q1: Do you agree with the current Conservation Area Boundary – would you like to see any further areas added?

16 agreed; 2 disagreed and 8 either did not answer this question or replied Don't Know

One person suggested combining the Tavistock Conservation Area with the Whitchurch CA boundaries

Q2: Do you agree with the assessment of the features that make Tavistock special?

18 agreed; 2 disagreed and 6 either did not answer this question or replied Don't Know

Q3: Do you agree with the key issues affecting the Conservation Area as set out in the Character Appraisal? Are there any particular issues which you would like to add?

14 agreed; 3 disagreed and 9 either did not answer this question or replied Don't Know

Suggestions;

More trees fewer pigeons at Betsy Grimbal's Tower

Keep emphasis on historic buildings rather than traffic management

Merge Town and Borough Councils

Tesco decision has serious implications for viability

Danger of over-zealous approach

Sceptical about town centre manager idea

Q4: Do you agree with the recommendations for action in the Management Plan which is based on these issues?

12 agreed; 4 disagreed and 10 either did not answer this question or replied Don't Know

Comments;

Spend less on appraisals/more on buildings

Avoid use of imported stone

Bank Square parking is vital

Redevelop eyesore rest room

Improve parks management

Better maintenance

Little change since the last version

Retain parking/avoid maintenance costs

Q5: Which buildings in the THI area would you most like to see repaired and/or in use?

13x said the Guildhall and Police Station

7x Butchers Hall/Auction Rooms

4x Pannier Market

4x 1 Church Lane (Foulston's)

+ others

Q6: Views on the Public Realm improvement around the Pannier Market

Comments:

Include a glass roof as part of scheme

Provide riverside access

Problems with cobbles and stalls/tents

Remove yellow lines throughout the town

Leave alone/waste of money

Q7: Views on Bank Square/Market Street proposals (please see separate responses to questionnaire of businesses in the King Street/Market Street area)

Comments:

Wide range of comments, including those in support of the various options, those in support of more planting/trees, those who opposed the loss of parking, those opposed to the closure of Market Street,

No consensus of views

Q8: Views on options for improving Guildhall Square

5x were in favour of removing car parking

4x were in favour of keeping the parking

4x wanted to move the War Memorial

2 wanted to see no change

Others wanted to see more planting/greenspace; didn't want to move the War Memorial; and keep the disabled parking

No consensus of views

Q9: Any other concerns?

Comments included: loss of the TIC; traffic issues, need for improved signage, better maintenance, no play and display and two felt the consultation was poorly publicised.

e)Conclusions

- **There is overall widespread support for the THI scheme**
- **Virtually all those consulted were in favour of keeping the Conservation Area (CA) boundary as it is**
- **Most agreed with the assessment of features that make Tavistock special**
- **Most agreed the key issues affecting the CA**
- **A majority agreed with the recommendations of the Management Plan**
- **Most agreed with the focus of the THI works**
- **Although the comments through the TCS questionnaire regarding the public realm works around the Pannier Market were negative, most people visiting the exhibition were in favour of the proposals**
- **Most people visiting the exhibition, answering both the traders and TCS questionnaire were in favour of a flexible use of Bank Square, but retaining the car parking**
- **Most visiting the exhibition were in favour of the re-surfacing of Market Street, but there was opposition, in particular from traders in that area and residents in Pym Street, to the road closure proposal**
- **A majority wanted to see improvements to the area in front of the Guildhall, including the space around the War Memorial, but most people wanted to see as much car parking as possible retained in this location.**

Robert Plumb/January 2014

This page is intentionally left blank

NAME OF COMMITTEE	Resources
DATE	29 th April 2014
REPORT TITLE	Tavistock Public Realm Strategy
REPORT OF	Head of Planning, Economy and Community
WARDS AFFECTED	Tavistock Wards

Summary of report:

The report sets out the context and process for the development of a Public Realm Strategy for Tavistock. It outlines recent consultations and sets out the overall Strategy and proposals to bring forward improvements to public spaces included in the Tavistock Townscape Heritage Initiative (THI) Scheme. It asks members to adopt the Strategy for future planning policy purposes.

Financial implications:

The Borough Council contributed up to £6,000 towards the development phase (Stage 2) of the Tavistock Townscape Heritage (THI) bidding process. The cost of employing consultants to develop the Strategy has been met from the Stage 2 funds.

Any further expense, in terms of progressing improvement works, if appropriate, will be referred to the appropriate council committee in due course.

RECOMMENDATIONS:

It is recommended that:-

1. Members approve the Tavistock Public Realm Strategy to be used as part of the Council's evidence base to inform future plan making and the determination of relevant planning applications; and,
2. Officers are requested to submit any specific proposals in respect of the Borough Council's property interests to the appropriate committee in due course.

Officer contact:

Robert Plumb, Economic Development Officer at rplumb@westdevon.gov.uk or 01822 813620 and Graham Lawrence, Conservation Officer at glawrence@westdevon.gov.uk Or 01822 813

1. BACKGROUND

- 1.1 The Borough Council endorsed and set aside the necessary match funding to support the Tavistock Townscape Heritage Initiative (THI) Scheme Stage 1 bid in October 2012 (RC 20 – 2012/13). In March 2013 the Tavistock Town Council received a Stage 1 approval from the Heritage Lottery (HLF) and since then they have been working in partnership with the Tavistock Townscape Heritage Partnership (TTHP) to develop a Stage 2 bid.
- 1.2 Full Council on 18th February this year endorsed that bid and delegated the final sign-off to the Chief Executive in consultation with the Leader and Deputy Leader. Members also agreed to bring forward proposals for improvements to Bank Square, as part of the THI scheme, should there be sufficient funds available and on further consideration during the delivery phase, members still wish to pursue such a scheme.
- 1.3 Part of the development of the Stage 2 bid required local partners to develop a Public Realm Strategy for Tavistock, which would inform the development of proposals relating to improvements to key public spaces in the THI area. These included the Pannier Market surrounds, the car park in front of the Guildhall (both owned by the Town Council), the highway at Market Street (owned by Devon County) and Bank Square – owned by the Borough Council.
- 1.4 The report below outlines the process for developing and consulting on the Strategy and how the various public realm improvements have been considered thus far.
- 1.5 Copies of the Strategy are available in the member's room and on the council's website at <http://www.westdevon.gov.uk/article/2760/Local-Priorities>.

2. ISSUES FOR CONSIDERATION

- 2.1 LDA Design from Exeter was appointed by the Town Council to prepare the Public Realm Strategy. The main purpose of preparing such a document was to guide the design, implementation, management and maintenance of the public realm in Tavistock. This would then be used as context for the development of options and eventually proposals for projects to be included in the THI scheme. It would also be there to inform the development of planning policy and consideration of any future development proposals.
- 2.2 During the process of developing the strategy the consultants met with and “walked through” issues with key agencies, including the borough council. They also engaged with a wider audience through workshops, the THI exhibition and various questionnaires. This is reported in full in the Strategy document Section 2. The options for the treatment of the THI public spaces generated considerable debate within the local community and featured regularly on the front page and letters column of the local newspaper, as well as local radio. Consultation continued through December into January, before the strategy document was finally drafted.

- 2.3 The Strategy gives advice and guidelines on legibility, paving, street furniture, planting and develops a vision which is summarised below:-
- PROVIDE A HIGH QUALITY SETTING FOR TAVISTOCK'S IMPRESSIVE HISTORIC BUILT ENVIRONMENT
 - CREATE STREETS AND SPACES THAT BALANCE THE NEEDS OF PEDESTRIANS & VEHICLES
 - SIMPLIFY THE RANGE OF PAVING MATERIALS & FURNITURE TO REFLECT THE UNIQUE CHARACTER AND QUALITY OF TAVISTOCK
 - REMOVE UN-NECESSARY STREET CLUTTER & REDUCE VISUAL INTRUSION OF REMAINING FURNITURE
 - USE HIGH QUALITY, ROBUST & TIMELESS MATERIALS
 - ESTABLISH/REINFORCE THE ROLE AND IDENTITY OF KEY TOWN CENTRE STREETS AND SPACES
 - IMPROVE THE IMPRESSION OF TAVISTOCK AT TOWN CENTRE GATEWAYS
 - ENSURE STREETS & SPACES ARE FLEXIBLE; CAPABLE OF HOSTING MARKETS & LARGE EVENTS AS WELL AS EVERYDAY USE
 - ENHANCE THE HISTORIC ENVIRONMENT THROUGH LIGHTING
 - PROVIDE OPPORTUNITIES FOR NEW TREES AND PLANTING
- 2.4 It then goes on to provide advice and guidance across these range of issues before considering solutions/options for the improvement of the key public spaces within the THI area. Finally it summarises its recommendations for the treatment of these spaces, acknowledging that they may not all be capable of being implemented within the scope of the THI scheme.
- 2.5 The priority projects are as follows:-
- Pannier Market – Implementation of the full range of works
 - Guildhall Car Park – Option 1B: retain car parking - 21 space variant. Following consultation it is suggested that the proposed low hedge to the boundary of the space is removed from the design response due to limited support for this element of the work
 - Bank Square Option 2A/B - Flexible hard space capable of retaining parking or hosting events
 - Market Street – Proposed pedestrianisation. There was a degree of support for this project, at this stage it is suggested the potential benefits make the project worthy of further consideration
- 2.6. Members are not asked, within the context of adopting this strategy, to make any commitments in respect of these projects. That is for each authority which is responsible for those spaces to consider and if appropriate bring forward proposals either within or beyond the THI scheme delivery phase.
- 2.7 Full Council considered the proposals in respect of Bank Square at its February meeting, as reported above.

2.8 Members are now asked to endorse the strategy in its broadest terms, subject to any specific comments members may have.

3. LEGAL IMPLICATIONS

3.1 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.

3.2 There are no other specific legal implications for the Borough Council relating to the adoption of this strategy.

4. FINANCIAL IMPLICATIONS

4.1 The Borough Council contributed up to £6,000 towards the development phase (Stage 2) of the Tavistock Townscape Heritage (THI) bidding process. The cost of employing consultants to develop the Public Realm Strategy was met from the Stage 2 funds.

4.2 Any further expense, in terms of progressing improvement works, if appropriate, will be referred to the appropriate council committee in due course.

5. RISK MANAGEMENT

5.1 The risk management implications are as set out in the schedule 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 development of the strategy
Sustainability considerations:	These are considered as part of the development of the strategy
Crime and disorder implications:	N/A
Background papers:	Report to Resources Committee 30 th October 2012 Report to Full Council, February 18 th 2014
Appendices attached:	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 strategy is appropriate and has been through full public consultation	3	2	6	↔	Ensure the documents are made available in both electronic and paper forms on the council website and on request. Further press releases to draw attention to the publication of the Strategy and meeting to discuss any implication with developers or other agencies/authorities involved in improvement proposals for the public realm in Tavistock.	Head of PEC
2	Risk to THI bid process	Inability to justify where proposals included in the THI bid have come from.	3	2	6	↓	A thorough consultation process including workshops and public exhibitions was carried out in accordance with HLF bidding requirements	Head of PEC
3	Financial risk	This relates to the lack of an agreed and up to date strategic context for making funding bids to the HLF and other potential funders.	3	3	9	↔	The existence of an up to date and tested Strategy will enable more effective bids to be submitted and hence the wider activities of the plan will be able to be supported	Head of PEC

ANNEX A; STRATEGIC RISK ASSESSMENT

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

Direction of travel symbols ↓ ↑ ↔

This page is intentionally left blank

NOT FOR PUBLICATION

EXEMPT INFORMATION – Paragraph 3 – Information relating to the financial or business affairs of any particular person (including the authority holding that information). Applies to Appendix 1 only.

AGENDA
ITEM

8

WEST DEVON BOROUGH COUNCIL

AGENDA
ITEM

8

NAME OF COMMITTEE	Resources
DATE	29 April 2014
REPORT TITLE	Risk Based Verification Policy
Report of	Head of Customer Services and ICT
WARDS AFFECTED	All

Summary of report:

To advise Members of the new approach to verifying claims for Housing Benefit and Council Tax Reduction and to seek approval of the Risk Based Verification Policy.

Financial Implications

There are no financial implications directly related to this report, however this new approach to claim verification will improve the processing times for benefit claims, which should reduce the likelihood of overpayments being made to claimants that then have to be recovered.

RECOMMENDATIONS:

It is recommended that Council be requested to approve the Risk Based Verification Policy (Appendix 1).

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

1. BACKGROUND

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

- 1.2 In the early 1990`s the Department for Works and Pensions (DWP) introduced a Verification Framework policy for administering Housing and Council Tax Benefit claims. The policy strongly recommended that Local Authorities should obtain a substantial amount of original documentary evidence and carry out numerous checks before making any payment. Although the policy was voluntary, West Devon along with virtually all other councils adopted the framework policy.
- 1.3 The Verification Framework policy has proved to be labour intensive, costly and caused significant delays in processing claims but although the scheme ended in 2006, most councils including West Devon, continued to use the framework policy to determine the level of proof and verification required before deciding a claim.

2 ISSUES FOR CONSIDERATION

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

Low Risk

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

Medium Risk

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

High Risk

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

upgraded, with approval of the Senior Benefits Officer, if the processor has reasons to think this is appropriate. All cases which are upgraded will be recorded along with the reasons for doing so.

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

3. LEGAL IMPLICATIONS

- 3.1 Although Risk Based Verification is a voluntary scheme there is a mandatory requirement to have the Risk Based Verification policy detailing the risk profiles, verification standards which will apply and the minimum number of claims to be checked (Appendix 1) approved by members. This is stated in the DWP circular S11/2011 (Appendix 2)
- 3.2 The councils legal obligation to verify information for Housing Benefit claims is defined in Housing Benefit Regulation 86 which states;

“a person who makes a claim, or a person to whom housing benefit has been awarded, shall furnish such certificates, documents, information and evidence in connection with the claim or award, or any question arising out of the claim or the

award, as may reasonably be required by the relevant authority in order to determine that person`s entitlement to, or continuing entitlement to housing benefit”

4. **FINANCIAL IMPLICATIONS**

- 4.1 There are no financial implications directly related to this report, however this new approach to claim verification will improve the processing times for benefit claims, which should reduce the likelihood of overpayments being made to claimants that then have to be recovered.

5. **OTHER CONSIDERATIONS**

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

STRATEGIC RISKS TEMPLATE

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

Page 85

Direction of travel symbols ↓ ↑ ↔

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Housing Benefit and Council Tax Benefit Circular

Department for Work and Pensions

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

HB/CTB S11/2011

SUBSIDY CIRCULAR

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

Guidance Manual

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

Queries

If you

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

Crown Copyright 2011

Recipients may freely reproduce this circular.

Contents

para

Risk-Based Verification of HB/CTB Claims Guidance

Introduction..... 1
Background2
What is RBV?5
How does RBV work?.....8
The Requirements for LAs that adopt RBV 14
How RBV claims will be certified 18
Other considerations 19
What are the subsidy implications20

Risk-Based Verification of HB/CTB Claims Guidance

Introduction

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

Background

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

This guidance explains the following;

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

What is RBV?

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

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

Council Tax Benefit Regulation 72 is similar.

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

How does RBV work?

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

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

The requirements for LAs that adopt RBV

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

How RBV claims will be certified?

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

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

² The same safeguard must be applied to clerical systems

Other considerations

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

What are the subsidy implications?

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

AGENDA ITEM 9

WEST DEVON BOROUGH COUNCIL

AGENDA ITEM 9

NAME OF COMMITTEE	Resources
DATE	29 April 2014
REPORT TITLE	Write Off Report
REPORT OF	Head of Finance & Audit Head of ICT & Customer Services
WARDS AFFECTED	All

Summary of report:

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

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

This report covers the period 1st January 2014 to 31st March 2014. Appendices A to C cover the periods from 1 April 2013 to 30 June 2014 (Appendix A), 1 July 2013 to 30 September 2013 (Appendix B), and 1 October 2013 to 31 December 2013 (Appendix C).

Financial implications:

West Devon Borough Council debts totalling £87,131.55 to be written-off.

RECOMMENDATIONS:

The Committee notes that, in accordance with Financial Regulations, the Head of Finance & Audit has authorised the write-off of individual West Devon Borough Council debts totalling £32,309.04 as detailed in Tables 1 and 2.

The Committee considers the write off of individual debts in excess of £5,000 as detailed in Table 3.

Officer contact: Lisa Buckle: Tel: 3644 e-mail lisa.buckle@swdevon.gov.uk
Darren Cole: Tel: 3626 e-mail Darren.Cole@swdevon.gov.uk

1. BACKGROUND

1.1 The Council's sound financial management arrangements underpin delivery of all the Councils priorities, including the commitment to providing value for money services.

- 1.2 This report forms part of the formal debt write-off procedures included in these financial arrangements. West Devon Borough Council's collection rates for 2012/13 were; Council Tax 97.2% & Business Rates 96.7%

2. ISSUES FOR CONSIDERATION

- 2.1 In accordance with good financial management principles the Council has, for the revenue streams detailed in this report, made a total bad debt provision of £1,144,841. This provision recognises that a proportion of the Authority's debts will prove irrecoverable and ensures that the value of debtors within the Authority's accounts is a fair reflection of the amount that will eventually be recovered. The total collectable debt for Council Tax is £31.2 million and for Business Rates is £11.1 million.
- 2.2 All debts, taxes and rates within the Service's control are actively pursued, and in most instances are collected with little difficulty. In cases where payment is not received on time, a reminder will be issued promptly to the debtor. If this fails to secure payment, a final reminder and/or a summons will also be issued and if necessary the debt passed to an appropriate collection agent such as the Civil Enforcement Agents or the Council's Legal Department in order to secure payment.
- 2.3 Sometimes however if the debtor is having difficulty making the payment, special arrangements are used to effect recovery, and this may mean extending the period of time to collect the debt.
- 2.4 In some cases pursuit of an outstanding debt is not possible for a variety of reasons, such as bankruptcy or liquidation and such cases with arrears under £5,000 are written off by the Head of Finance & Audit under delegated authority. Cases where the debt exceeds £5,000 must, however, be approved by the Committee prior to the debt being written off.
- 2.5 A record is kept of debts written off, together with the reason for doing so, so that if there is a realistic chance of recovery in the future a debt may be resurrected and pursued again.
- 2.6 The Service has access to Experian's Citizenvue database which is currently the most reliable means of tracing absconded debtors. Each case is checked against this system before a decision is taken to write off the debt. A periodic review of write offs against this system may also be carried out to resurrect debts where appropriate.

3. LEGAL IMPLICATIONS

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

Section 151 Local Government Act 1972

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

Section 14 Local Government Finance Act 1992 (Council Tax)

4. FINANCIAL IMPLICATIONS

- 4.1 West Devon Borough Council debts totalling £87,131.55 to be written-off.

5. OTHER CONSIDERATIONS

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

RISK MANAGEMENT

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

Direction of travel symbols ↓ ↑ ↔

TABLE 1 SUMMARY OF WEST DEVON BOROUGH COUNCIL DEBT UNDER £5,000 WRITTEN OFF BY THE HEAD OF FINANCE

TYPE OF DEBT	NUMBER OF CASES	REASON FOR W/OFF	Financial Year 2013/14			Totals for Comparison purposes			
			Quarter 4	Cumulative Total		Equivalent Quarter 2012/13		Grand Total 2012/13	
			Amount (£)	Cases	Amount	Cases	Amount	Cases	Amount
HOUSING BENEFIT	14	Overpaid Entitlement	8,673.22	79	38,752.41	16	12,832.63	88	27,612.93
COUNCIL TAX BENEFIT	2	Bankruptcy	629.42	4	3,048.66	-	-	6	2,779.98
	3	Deceased	3,586.37	7	4,657.69	-	-	13	2,661.99
	-	Other	-	-	-	-	-	11	3,790.32
	1	Absconded	942.83	3	1,190.58	-	-	32	9,393.58
	1	Not Cost Effective to Pursue	8.97	2	14.72	-	-	22	634.51
	-	Uncollectable Old Debt	-	3	651.90	6	763.49	6	763.49
Total	21		13,840.81	98	48,315.96	22	13,596.12	178	47,636.80
Page 103	COUNCIL TAX	Absconded	7,283.76	69	12,957.87	35	13,481.30	241	132,502.35
		Bankruptcy	203.00	12	13,044.53	4	6,503.23	27	28,678.62
		Deceased	1,191.12	9	2,279.01	7	861.87	13	4,770.67
		Other	403.98	9	3,748.14	18	1,535.54	50	27,112.41
		Small Balance	49.24	56	1,356.41	79	2,322.32	130	4,492.79
		Uncollectable Old Debt	-	-	-	-	-	-	-
		Administration	-	-	-	-	-	6	1,918.64
Total	29		9,131.10	155	33,385.96	143	24,704.26	467	199,475.48
SUNDRY DEBTS	-	Small Balance	-	1	0.30	7	95.24	7	95.24
	-	Bankrupt	-	-	-	3	940.00	3	940.00
	-	Not Cost Effective to Pursue	-	1	72.07	7	562.75	9	922.75
	-	Uncollectable Old Debt	-	-	-	3	1,375.00	8	1,900.00
	2	Absconded	186.72	4	436.72	2	270.00	3	340.00
	1	Other	309.00	1	309.00	1	252.00	1	252.00
Total	3		495.72	7	818.09	23	3,494.99	31	4,449.99
Grand Total	53		23,467.63	260	82,520.01	188	41,795.37	676	251,562.27

**Breakdown of Absconded Council Tax Debt
(Some cases have debts over more than one year)**

Year	2013/14	2012/13	2011/12	2010/11	2009/10	2008/09	2007/08	2006/07	2005/06	2004/05	2003/04	Total
Value	527.45	4,611.32	2,040.32	99.29	5.38	-	-	-	-	-	-	7,283.76
Number	7	10	7	1	1	-	-	-	-	-	-	26

TABLE 2 SUMMARY OF NON DOMESTIC RATE DEBT UNDER £5,000 WRITTEN OFF BY THE HEAD OF FINANCE

TYPE OF DEBT	NUMBER OF CASES	REASON FOR W/OFF	Financial Year 2013/14			Totals for Comparison purposes				
			Quarter 4		Cumulative Total		Equivalent Quarter 2012/13		Grand Total 2012/13	
			Amount (£)	Cases	Amount	Cases	Amount	Cases	Amount	
NON-DOMESTIC RATE	1	Bankruptcy	201.79	4	942.56	1	172.57	7	3,424.51	
	1	Absconded	1,672.08	8	7,580.30	-	-	15	9,620.37	
	-	Deceased	-	2	2,728.83	-	-	1	128.58	
	5	Liquidation	6967.54	14	15,382.97	-	-	4	4,147.15	
	-	Other	-	4	1,171.37	1	305.00	2	615.19	
	-	Small Balance	-	1	5.43	-	-	11	425.49	
	-	Uncollectable Old Debt	-	1	1,031.14	-	-	-	-	
	-	Administrative Receivership	-	2	6,252.88	-	-	1	383.02	
Total	7		8,841.41	36	35,095.48	2	477.57	41	18,744.31	

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

TYPE OF DEBT	NUMBER OF CASES	REASON FOR W/OFF	Financial Year 2013/14			Totals for Comparison purposes				
			Quarter 4		Cumulative Total		Equivalent Quarter 2012/13		Grand Total 2012/13	
			Amount (£)	Cases	Amount	Cases	Amount	Cases	Amount	
NON-DOMESTIC RATE	2	Liquidation	20,312.20	2	20,312.20	-	-	-	-	
	1	Administrative Receivership	18,570.21	1	18,570.21	-	-	-	-	
	-	Absconded	-	-	-	-	-	1	7,222.26	
	-	Bankruptcy	-	-	-	1	7,553.83	3	19,458.45	
Total	3		38,882.41	3	38,882.41	1	7,553.83	4	26,680.71	
HOUSING BENEFIT	-		-	-	-	-	-	-		

COUNCIL TAX BENEFIT	-		-	-	-	-	-	-	-
Total	-		-	-	-	-	-	-	-
COUNCIL TAX	1	Bankruptcy	15,940.10	1	15,940.10	-	-	2	12,857.54
	-	Absconded	-	-	-	-	-	1	6,781.09
Total	1		15,940.10	1	15,940.10	-	-	4	19,638.63
Grand Total	4		54,822.51	4	54,822.51	1	7,553.83	7	46,319.34

This page is intentionally left blank

West Devon Borough Council

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

Summary of report:

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

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

This report covers the period 1st April 2013 to 30th June 2013.

Financial implications:

West Devon Borough Council debts totalling £21,681.60 to be written-off.

RECOMMENDATIONS:

The Committee notes that, in accordance with Financial Regulations, the Head of Finance & Audit has authorised the write-off of individual West Devon Borough Council debts totalling £21,681.60 as detailed in Tables 1 and 2.

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

Officer contact: Lisa Buckle: Tel: 3644 e-mail lisa.buckle@swdevon.gov.uk
Darren Cole: Tel: 3626 e-mail Darren.Cole@swdevon.gov.uk

1. BACKGROUND

- 1.1 The Council's sound financial management arrangements underpin delivery of all the Councils priorities, including the commitment to providing value for money services.
- 1.2 This report forms part of the formal debt write-off procedures included in these financial arrangements. West Devon Borough Council's collection rates for 2012/13 were; Council Tax 97.2% & Business Rates 96.7%

2. ISSUES FOR CONSIDERATION

- 2.1 In accordance with good financial management principles the Council has, for the revenue streams detailed in this report, made a total bad debt provision of £1,144,841. This provision recognises that a proportion of the Authority's debts will prove irrecoverable and ensures that the value of debtors within the Authority's accounts is a fair reflection of the amount that will eventually be recovered. The total collectable debt for Council Tax is £31.2 million and for Business Rates is £11.1 million.
- 2.2 All debts, taxes and rates within the Service's control are actively pursued, and in most instances are collected with little difficulty. Sometimes, however, special arrangements are needed to effect recovery, and this may mean extending the period of time to collect the debt or ultimately instigating enforcement proceedings and then using Civil Enforcement Agents to secure payment.
- 2.3 In some cases further pursuit of the debt is not possible for a variety of reasons, such as bankruptcy or liquidation and such cases with arrears under £5,000 are written off by the Acting Head of Finance & Audit under delegated authority. Cases where the debt exceeds £5,000 must, however, be approved by the Committee prior to the debt being written off.
- 2.4 A record is kept of debts written off, together with the reason for doing so, so that if there is a realistic chance of recovery in the future a debt may be resurrected and pursued again.
- 2.5 The Service has access to Experian's Citizenview database which is currently the most reliable means of tracing absconded debtors. Each case is checked against this system before a decision is taken to write off the debt. A periodic review of write offs against this system may also be carried out to resurrect debts where appropriate.

3. LEGAL IMPLICATIONS

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

Section 151 Local Government Act 1972

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

Section 14 Local Government Finance Act 1992 (Council Tax)

4. FINANCIAL IMPLICATIONS

- 4.1 West Devon Borough Council debts totalling £21,681.60 to be written-off.

5. OTHER CONSIDERATIONS

Corporate priorities engaged:	Economy; Homes; Community Life
Statutory powers:	Section 151 Local Government Act 1972 Section 44 Local Government Finance Act 1988 (Non Domestic Rate) Section 14 Local Government Finance Act 1992 (Council Tax)

Considerations of equality and human rights:	All enforcement action that is taken prior to this point is undertaken in accordance with legislation and accepted procedures to ensure no discrimination takes place
Biodiversity considerations:	None
Sustainability considerations:	A bad debt provision is built into the financial management of the Authority
Crime and disorder implications:	None
Background papers:	None
Appendices attached:	Tables 1, 2 & 3

RISK MANAGEMENT

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

Direction of travel symbols ↓ ↑ ↔

TABLE 1 SUMMARY OF WEST DEVON BOROUGH COUNCIL DEBT UNDER £5,000 WRITTEN OFF BY THE HEAD OF FINANCE

TYPE OF DEBT	NUMBER OF CASES	REASON FOR W/OFF	Financial Year 2013/14			Totals for Comparison purposes			
			Quarter 1	Cumulative Total		Equivalent Quarter 2012/13		Grand Total 2012/13	
			Amount (£)	Cases	Amount	Cases	Amount	Cases	Amount
HOUSING BENEFIT	14	Overpaid Entitlement	3,892.27	14	3,892.27	36	4,936.52	88	27,612.93
	1	Bankruptcy	1,292.34	1	1,292.34	6	2,779.98	6	2,779.98
	1	Deceased	195.00	1	195.00	6	695.43	13	2,661.99
	-	Other	-	-	-	5	2,588.27	11	3,790.32
	-	Absconded	-	-	-	23	7,282.16	32	9,393.58
	-	Not Cost Effective to Pursue	-	-	-	12	296.73	22	634.51
	-	Uncollectable Old Debt	-	-	-	-	-	6	763.49
Total	16		5,379.61	16		88	18,579.09	178	47,636.80
COUNCIL TAX	11	Absconded	3,230.58	11	3,230.58	48	23,136.06	241	132,502.35
	4	Bankruptcy	5,943.64	4	5,943.64	8	7,481.56	27	28,678.62
	3	Deceased	715.18	3	715.18	1	1,216.43	13	4,770.67
	2	Other	1,582.17	2	1,582.17	4	1,896.82	50	27,112.41
	18	Small Balance	234.69	18	234.69	13	345.92	130	4,492.79
	-	Uncollectable Old Debt	-	-	-	-	-	-	-
	-	Administration	-	-	-	-	-	6	1,918.64
Total	38		11,706.26	38	11,706.26	74	34,076.79	467	199,475.48
SUNDRY DEBTS	-	Small Balance	-	-	-	-	-	7	95.24
	-	Bankrupt	-	-	-	-	-	3	940.00
	-	Not Cost Effective to Pursue	-	-	-	-	-	9	922.75
	-	Uncollectable Old Debt	-	-	-	-	-	8	1,900.00
	-	Absconded	-	-	-	-	-	3	340.00
	-	Other	-	-	-	-	-	1	252.00
Total	-		-	-	-	-	-	31	4,449.99
Grand Total	54		17,085.87	54	17,085.87		52,655.88	676	251,562.27

**Breakdown of Absconded Council Tax Debt
(Some cases have debts over more than one year)**

Year	2013/14	2012/13	2011/12	2010/11	2009/10	2008/09	2007/08	2006/07	2005/06	2004/05	2003/04	Total
Value	-	317.75	897.90	192.50	-	87.13	-	422.39	774.66	538.25	-	3,230.58
Number	-	3	3	3	-	1	-	1	2	1	-	14

TABLE 2 SUMMARY OF NON DOMESTIC RATE DEBT UNDER £5,000 WRITTEN OFF BY THE HEAD OF FINANCE

TYPE OF DEBT	NUMBER OF CASES	REASON FOR W/OFF	Financial Year 2013/14			Totals for Comparison purposes				
			Quarter 1		Cumulative Total		Equivalent Quarter 2012/13		Grand Total 2012/13	
			Amount (£)	Cases	Amount	Cases	Amount	Cases	Amount	
NON-DOMESTIC RATE	-	Bankruptcy	-	-	-	1	2,615.46	7	3,424.51	
	-	Absconded	-	-	-	-	-	15	9,620.37	
	-	Deceased	-	-	-	-	-	1	128.58	
	-	Liquidation	-	-	-	-	-	4	4,147.15	
	-	Other	-	-	-	-	-	2	615.19	
	-	Small Balance	-	-	-	-	-	11	425.49	
	1	Uncollectable Old Debt	1,031.14	1	1,031.14	-	-	-	-	
	1	Administrative Receivership	3,564.59	1	3,564.59	1	383.02	1	383.02	
Total	2		4,595.73	2	4,595.73	2	2,998.48	41	18,744.31	

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

TYPE OF DEBT	NUMBER OF CASES	REASON FOR W/OFF	Financial Year 2013/14			Totals for Comparison purposes				
			Quarter 1		Cumulative Total		Equivalent Quarter 2012/13		Grand Total 2012/13	
			Amount (£)	Cases	Amount	Cases	Amount	Cases	Amount	
NON-DOMESTIC RATE	-	Liquidation	-	-	-	-	-	-	-	
	-	Administrative Receivership	-	-	-	-	-	-	-	
	-	Absconded	-	-	-	1	7,222.26	1	7,222.26	
	-	Bankruptcy	-	-	-	-	-	3	19,458.45	
Total	-		-	-	-	1	7,222.26	4	26,680.71	
HOUSING BENEFIT	-		-	-	-	-	-	-	-	

	-		-	-	-	-	-	-	-
Total	-		-	-	-	-	-	-	-
COUNCIL TAX	-	Bankruptcy	-	-	-	1	6,571.71	2	12,857.54
	-	Absconded	-	-	-	-	-	1	6,781.09
Total	-		-	-	-	1	6,571.71	4	19,638.63
Grand Total	-		-	-	-	2	13,793.97	7	46,319.34

This page is intentionally left blank

West Devon Borough Council

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

Summary of report:

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

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

This report covers the period 1st July 2013 to 30th September 2013

Financial implications:

West Devon Borough Council debts totalling £41,769.15 to be written-off.

RECOMMENDATIONS:

The Committee notes that, in accordance with Financial Regulations, the Head of Finance & Audit has authorised the write-off of individual West Devon Borough Council debts totalling £41,769.15 as detailed in Tables 1 and 2.

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

Officer contact: Lisa Buckle: Tel:3644 e-mail lisa.buckle@swdevon.gov.uk
Darren Cole: Tel: 3626 e-mail Darren.Cole@swdevon.gov.uk

1. BACKGROUND

- 1.1 The Council’s sound financial management arrangements underpin delivery of all the Councils priorities, including the commitment to providing value for money services.
- 1.2 This report forms part of the formal debt write-off procedures included in these financial arrangements. West Devon Borough Council’s collection rates for 2012/13 were; Council Tax 97.2% & Business Rates 96.7%

2. ISSUES FOR CONSIDERATION

- 2.1 In accordance with good financial management principles the Council has, for the revenue streams detailed in this report, made a total bad debt provision of £1,144,841. This provision recognises that a proportion of the Authority's debts will prove irrecoverable and ensures that the value of debtors within the Authority's accounts is a fair reflection of the amount that will eventually be recovered. The total collectable debt for Council Tax is £31.2 million and for Business Rates is £11.1 million.
- 2.2 All debts, taxes and rates within the Service's control are actively pursued, and in most instances are collected with little difficulty. In cases where payment is not received on time, a reminder will be issued promptly to the debtor. If this fails to secure payment, a final reminder and/or a summons will also be issued and if necessary the debt passed to an appropriate collection agent such as the Civil Enforcement Agents or the Council's Legal Department in order to secure payment.
- 2.3 Sometimes however if the debtor is having difficulty making the payment, special arrangements are used to effect recovery, and this may mean extending the period of time to collect the debt.
- 2.4 In some cases pursuit of an outstanding debt is not possible for a variety of reasons, such as bankruptcy or liquidation and such cases with arrears under £5,000 are written off by the Head of Finance & Audit under delegated authority. Cases where the debt exceeds £5,000 must, however, be approved by the Committee prior to the debt being written off.
- 2.5 A record is kept of debts written off, together with the reason for doing so, so that if there is a realistic chance of recovery in the future a debt may be resurrected and pursued again.
- 2.6 The Service has access to Experian's Citizenview database which is currently the most reliable means of tracing absconded debtors. Each case is checked against this system before a decision is taken to write off the debt. A periodic review of write offs against this system may also be carried out to resurrect debts where appropriate.

3. LEGAL IMPLICATIONS

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

Section 151 Local Government Act 1972

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

Section 14 Local Government Finance Act 1992 (Council Tax)

4. FINANCIAL IMPLICATIONS

- 4.1 West Devon Borough Council debts totalling £41,769.15 to be written-off.

5. OTHER CONSIDERATIONS

Corporate priorities engaged:	Economy; Homes; Community Life
--------------------------------------	--------------------------------

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

RISK MANAGEMENT

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

Direction of travel symbols ↓ ↑ ↔

TABLE 1 SUMMARY OF WEST DEVON BOROUGH COUNCIL DEBT UNDER £5,000 WRITTEN OFF BY THE HEAD OF FINANCE

TYPE OF DEBT	NUMBER OF CASES	REASON FOR W/OFF	Financial Year 2013/14			Totals for Comparison purposes			
			Quarter 2	Cumulative Total		Equivalent Quarter 2012/13		Grand Total 2012/13	
			Amount (£)	Cases	Amount	Cases	Amount	Cases	Amount
HOUSING BENEFIT	28	Overpaid Entitlement	14,162.44	42	18,054.71	22	5,453.58	88	27,612.93
COUNCIL TAX BENEFIT	-	Bankruptcy	-	1	1,292.34	-	-	6	2,779.98
COUNCIL TAX REDUCTION	2	Deceased	706.78	3	901.78	6	1,414.36	13	2,661.99
	-	Other	-	-	-	2	632.94	11	3,790.32
	2	Absconded	247.75	2	247.75	8	2,040.08	32	9,393.58
	-	Not Cost Effective to Pursue	-	-	-	10	337.78	22	634.51
	2	Uncollectable Old Debt	76.20	2	76.20	-	-	6	763.49
Total	34		15,193.17	50	20,572.78	48	9,878.74	178	47,636.80
COUNCIL TAX	28	Absconded	1,539.86	39	4,770.44	56	27,249.89	241	132,502.35
	6	Bankruptcy	6,516.98	10	12,460.62	9	8,752.25	27	28,678.62
	3	Deceased	372.71	6	1,087.89	3	1,038.15	13	4,770.67
	1	Other	424.00	3	2,006.17	9	5,814.56	50	27,112.41
	36	Small Balance	1,072.48	54	1,307.17	27	1,507.60	130	4,492.79
	-	Uncollectable Old Debt	-	-	-	-	-	-	-
	-	Administration	-	-	-	-	-	6	1,918.64
Total	74		9,926.03	112	21,632.29	104	44,362.45	467	199,475.48
SUNDRY DEBTS	-	Small Balance	-	-	-	-	-	7	95.24
	-	Bankrupt	-	-	-	-	-	3	940.00
	-	Not Cost Effective to Pursue	-	-	-	2	360.00	9	922.75
	-	Uncollectable Old Debt	-	-	-	5	525.00	8	1,900.00
	-	Absconded	-	-	-	1	70.00	3	340.00
	-	Other	-	-	-	-	-	1	252.00
Total	-		-	-	-	8	955.00	31	4,449.99
Grand Total	108		25,119.20	162	42,205.07	160	55,196.19	676	251,562.27

**Breakdown of Absconded Council Tax Debt
(Some cases have debts over more than one year)**

Year	2013/14	2012/13	2011/12	2010/11	2009/10	2008/09	2007/08	2006/07	2005/06	2004/05	2003/04	Total
Value	71.61	450.63	512.44	36.01	264.77	-	204.40	-	-	-	-	1,539.86
Number	2	10	12	1	2	-	2	-	-	-	-	29

TABLE 2 SUMMARY OF NON DOMESTIC RATE DEBT UNDER £5,000 WRITTEN OFF BY THE HEAD OF FINANCE

TYPE OF DEBT	NUMBER OF CASES	REASON FOR W/OFF	Financial Year 2013/14			Totals for Comparison purposes				
			Quarter 2		Cumulative Total		Equivalent Quarter 2012/13		Grand Total 2012/13	
			Amount (£)	Cases	Amount	Cases	Amount	Cases	Amount	
NON-DOMESTIC RATE	3	Bankruptcy	740.77	3	740.77	-	-	7	3,424.51	
	5	Absconded	5,212.26	5	5,212.26	-	-	15	9,620.37	
	2	Deceased	2,728.83	2	2,728.83	-	-	1	128.58	
	8	Liquidation	7,450.36	8	7,450.36	2	1,684.36	4	4,147.15	
	3	Other	512.30	3	512.30	1	310.19	2	615.19	
	1	Small Balance	5.43	1	5.43	-	-	11	425.49	
	-	Uncollectable Old Debt	-	1	1,031.14	-	-	-	-	
	-	Administrative Receivership	-	1	3,564.59	-	-	1	383.02	
Total	22		16,649.95	24	21,245.68	3	1,994.55	41	18,744.31	

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

TYPE OF DEBT	NUMBER OF CASES	REASON FOR W/OFF	Financial Year 2013/14			Totals for Comparison purposes				
			Quarter 2		Cumulative Total		Equivalent Quarter 2012/13		Grand Total 2012/13	
			Amount (£)	Cases	Amount	Cases	Amount	Cases	Amount	
NON-DOMESTIC RATE	-	Liquidation	-	-	-	-	-	-	-	
	-	Administrative Receivership	-	-	-	-	-	-	-	
	-	Absconded	-	-	-	-	-	1	7,222.26	
	-	Bankruptcy	-	-	-	1	5,134.62	3	19,458.45	
Total	-		-	-	-	1	5,134.62	4	26,680.71	
HOUSING BENEFIT	-		-	-	-	-	-	-	-	

COUNCIL TAX BENEFIT	-		-	-	-	-	-	-	-
Total	-		-	-	-	-	-	-	-
COUNCIL TAX	-	Bankruptcy	-	-	-	1	6,285.83	2	12,857.54
	-	Absconded	-	-	-	-	-	1	6,781.09
Total	-		-	-	-	1	6,285.83	4	19,638.63
Grand Total	-		-	-	-	2	11,420.45	7	46,319.34

This page is intentionally left blank

West Devon Borough Council

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

Summary of report:

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

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

This report covers the period 1st October 2013 to 31st December 2013

Financial implications:

West Devon Borough Council debts totalling £21,855.70 to be written-off.

RECOMMENDATIONS:

The Committee notes that, in accordance with Financial Regulations, the Head of Finance & Audit has authorised the write-off of individual West Devon Borough Council debts totalling £21,855.70 as detailed in Tables 1 and 2.

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

Officer contact: Lisa Buckle: Tel: 3644 e-mail lisa.buckle@swdevon.gov.uk
Darren Cole: Tel: 3626 e-mail Darren.Cole@swdevon.gov.uk

1. BACKGROUND

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

- 1.3 West Devon Borough Council's collection rates for 2012/13 were; Council Tax 97.2% & Business Rates 96.7%

2. ISSUES FOR CONSIDERATION

- 2.1 In accordance with good financial management principles the Council has, for the revenue streams detailed in this report, made a total bad debt provision of £1,144,841. This provision recognises that a proportion of the Authority's debts will prove irrecoverable and ensures that the value of debtors within the Authority's accounts is a fair reflection of the amount that will eventually be recovered. The total collectable debt for Council Tax is £31.2 million and for Business Rates is £11.1 million.
- 2.2 All debts, taxes and rates within the Service's control are actively pursued, and in most instances are collected with little difficulty. In cases where payment is not received on time, a reminder will be issued promptly to the debtor. If this fails to secure payment, a final reminder and/or a summons will also be issued and if necessary the debt passed to an appropriate collection agent such as the Civil Enforcement Agents or the Council's Legal Department in order to secure payment.
- 2.3 Sometimes however if the debtor is having difficulty making the payment, special arrangements are used to effect recovery, and this may mean extending the period of time to collect the debt.
- 2.4 In some cases pursuit of an outstanding debt is not possible for a variety of reasons, such as bankruptcy or liquidation and such cases with arrears under £5,000 are written off by the Head of Finance & Audit under delegated authority. Cases where the debt exceeds £5,000 must, however, be approved by the Committee prior to the debt being written off.
- 2.5 A record is kept of debts written off, together with the reason for doing so, so that if there is a realistic chance of recovery in the future a debt may be resurrected and pursued again.
- 2.6 The Service has access to Experian's Citizenvue database which is currently the most reliable means of tracing absconded debtors. Each case is checked against this system before a decision is taken to write off the debt. A periodic review of write offs against this system may also be carried out to resurrect debts where appropriate.

3. LEGAL IMPLICATIONS

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

Section 151 Local Government Act 1972

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

Section 14 Local Government Finance Act 1992 (Council Tax)

4. FINANCIAL IMPLICATIONS

- 4.1 West Devon Borough Council debts totalling £21,855.70 to be written-off.

5. OTHER CONSIDERATIONS

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

RISK MANAGEMENT

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

Direction of travel symbols ↓ ↑ ↔

TABLE 1 SUMMARY OF WEST DEVON BOROUGH COUNCIL DEBT UNDER £5,000 WRITTEN OFF BY THE HEAD OF FINANCE

TYPE OF DEBT	NUMBER OF CASES	REASON FOR W/OFF	Financial Year 2013/14			Totals for Comparison purposes				
			Quarter 3	Cumulative Total		Equivalent Quarter 2012/13		Grand Total 2012/13		
			Amount (£)	Cases	Amount	Cases	Amount	Cases	Amount	
HOUSING BENEFIT	23	Overpaid Entitlement	12,024.48	65	30,079.19	14	4,390.20	88	27,612.93	
COUNCIL TAX BENEFIT	1	Bankruptcy	1,126.90	2	2,419.24	-	-	6	2,779.98	
	1	Deceased	169.54	4	1,071.32	1	552.20	13	2,661.99	
	-	Other	-	-	-	4	569.11	11	3,790.32	
	-	Absconded	-	2	247.75	1	71.34	32	9,393.58	
	1	Not Cost Effective to Pursue	5.75	1	5.75	-	-	22	634.51	
	1	Uncollectable Old Debt	575.70	3	651.90	-	-	6	763.49	
Total	27		13,902.37	77	34,475.15	20	5,582.85	178	47,636.80	
Page 127	COUNCIL TAX	10	Absconded	903.67	49	5,674.11	102	68,635.10	241	132,502.35
		1	Bankruptcy	380.91	11	12,841.53	6	5,941.58	27	28,678.62
		-	Deceased	-	6	1,087.89	2	1,654.22	13	4,770.67
		3	Other	1,337.99	6	3,344.16	19	17,865.49	50	27,112.41
		-	Small Balance	-	54	1,307.17	11	316.95	130	4,492.79
		-	Uncollectable Old Debt	-	-	-	-	-	-	-
		-	Administration	-	-	-	6	1,918.64	6	1,918.64
Total	14		2,622.57	126	24,254.86	146	96,331.98	467	199,475.48	
SUNDRY DEBTS	1	Small Balance	0.30	1	0.30	-	-	7	95.24	
	-	Bankrupt	-	-	-	-	-	3	940.00	
	1	Not Cost Effective to Pursue	72.07	1	72.07	-	-	9	922.75	
	-	Uncollectable Old Debt	-	-	-	-	-	8	1,900.00	
	2	Absconded	250.00	2	250.00	-	-	3	340.00	
	-	Other	-	-	-	-	-	1	252.00	
Total	4		322.37	4	322.37	-	-	31	4,449.99	
Grand Total	45		16,847.31	207	59,052.38	166	101,914.83	676	251,562.27	

**Breakdown of Absconded Council Tax Debt
(Some cases have debts over more than one year)**

Year	2013/14	2012/13	2011/12	2010/11	2009/10	2008/09	2007/08	2006/07	2005/06	2004/05	2003/04	Total
Value	82.89	268.40	397.92	154.46	-	-	-	-	-	-	-	903.67
Number	2	3	3	3	-	-	-	-	-	-	-	11

TABLE 2 SUMMARY OF NON DOMESTIC RATE DEBT UNDER £5,000 WRITTEN OFF BY THE HEAD OF FINANCE

TYPE OF DEBT	NUMBER OF CASES	REASON FOR W/OFF	Financial Year 2013/14			Totals for Comparison purposes				
			Quarter 3		Cumulative Total		Equivalent Quarter 2012/13		Grand Total 2012/13	
			Amount (£)	Cases	Amount	Cases	Amount	Cases	Amount	
NON-DOMESTIC RATE	-	Bankruptcy	-	3	740.77	5	636.48	7	3,424.51	
	2	Absconded	695.96	7	5,908.22	15	9,620.37	15	9,620.37	
	-	Deceased	-	2	2,728.83	1	128.58	1	128.58	
	1	Liquidation	965.07	9	8,415.43	2	2,498.79	4	4,147.15	
	1	Other	659.07	4	1,171.37	-	-	2	615.19	
	-	Small Balance	-	1	5.43	11	425.49	11	425.49	
	-	Uncollectable Old Debt	-	1	1,031.14	-	-	-	-	
	1	Administrative Receivership	2,688.29	2	6,252.88	-	-	1	383.02	
Total	5		5,008.39	29	26,254.07	34	13,309.71	41	18,744.31	

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

TYPE OF DEBT	NUMBER OF CASES	REASON FOR W/OFF	Financial Year 2013/14			Totals for Comparison purposes				
			Quarter 3		Cumulative Total		Equivalent Quarter 2012/13		Grand Total 2012/13	
			Amount (£)	Cases	Amount	Cases	Amount	Cases	Amount	
NON-DOMESTIC RATE	-	Liquidation	-	-	-	-	-	-	-	
	-	Administrative Receivership	-	-	-	-	-	-	-	
	-	Absconded	-	-	-	-	-	1	7,222.26	
	-	Bankruptcy	-	-	-	1	6,770.00	3	19,458.45	
Total	-		-	-	-	1	6,770.00	4	26,680.71	
HOUSING BENEFIT	-		-	-	-	-	-	-	-	

COUNCIL TAX BENEFIT	-		-	-	-	-	-	-	-
Total	-		-	-	-	-	-	-	-
COUNCIL TAX	-	Bankruptcy	-	-	-	1	6,285.83	2	12,857.54
	-	Absconded	-	-	-	1	6,781.09	1	6,781.09
Total	-		-	-	-	2	13,066.92	4	19,638.63
Grand Total	-		-	-	-	3	19,836.92	7	46,319.34

This page is intentionally left blank

Agenda Item 3

At a Meeting of the **RESOURCES COMMITTEE** held at the Council Chamber, Council Offices, Kilworthy Park, Drake Road, **TAVISTOCK** on **TUESDAY** the **29th** day of **APRIL 2014** at **2.00pm**

Present:

Cllr P R Sanders – Chairman	
Cllr R E Baldwin – Vice-Chairman	
Cllr S C Bailey	Cllr W G Cann OBE
Cllr T J Hill	Cllr C R Musgrave
Cllr T G Pearce	Cllr P J Ridgers

Substitute:

Cllr M J R Benson for Cllr J R McInnes
Cllr J Sheldon for Cllr C M Marsh

In attendance:

Cllr A F Leech	Cllr J B Moody
Cllr N Morgan	Cllr D K A Sellis

Executive Director (Resources)
Head of Planning, Economy and Community
Economic Development Officer
Head of ICT and Customer Services
Member Services Manager

- *RC 41 APOLOGIES FOR ABSENCE**
Apologies for absence were received from Cllr J R McInnes for whom Cllr M J R Benson acted as substitute and Cllr C M Marsh for whom Cllr J Sheldon acted as substitute.
- *RC 42 DECLARATIONS OF INTEREST**
Members were invited to declare any interests in the items of business to be discussed but none were made.
- *RC 43 CONFIRMATION OF MINUTES**
The Minutes of the Resources Committee Meetings held on 29 January 2014 and 18 February 2014 were confirmed as a correct record.
- RC 44 OUR PLAN**
The Chairman introduced a report that sought formal approval of the principle of 'Our Plan' as the Council's single overarching strategic plan for West Devon. As the Local Plan will form a central part of the plan, this report also seeks approval of the Local Development Scheme and the Regulation 18 Document for consultation purposes. Further, approval was sought to sign the Duty to Cooperate Memorandum of Understanding which is also now part of our formal planning process. Finally, approval was also sought for the corporate Community Engagement Strategy.

The Chairman advised Members that there would be a small amendment to the recommendation i) as this would be amended to a recommendation to Council. This was **PROPOSED, SECONDED** and on being put to the vote declared **CARRIED**.

It was then **RESOLVED** that:

- (i) Council be **RECOMMENDED** to approve the principle of 'Our Plan' being the single, over-arching strategic plan for the West Devon Borough Council;
- (ii) the Local Plan 'Local Development Scheme' be approved;
- (iii) the Regulation 18 Document for consultation purposes be approved;
- (iv) the signing of the Duty to Cooperate Memorandum of Understanding be approved;
- (v) the corporate Community Engagement Strategy be approved; and
- (vi) the engagement timetable be noted.

***RC 45 TAVISTOCK CONSERVATION AREA APPRAISAL AND MANAGEMENT PLAN REVIEW**

The Chairman presented a report of the Head of Planning, Economy and Community (page 49 to the agenda) that set out the process involved in reviewing the Tavistock Conservation Area Appraisal and Management Plan as part of the development of a Stage 2 Bid for Tavistock under the Heritage Lottery's Townscape Heritage Initiative (THI). The report recommended approval of the documents for future planning purposes subject to any comments Members may wish to make.

A Member stated that he was apprehensive about the impact of the Management Plan and he had heard that some traders were concerned at the changes being recommended. Other Members felt Tavistock was in a better situation and welcomed the document. The Economic Development Officer advised that the proposals within the THI Bid would achieve significant heritage and health and safety improvements that, as a package, would help to regenerate the town.

Finally it was suggested that recommendation 3 be amended to include the wording 'non material' rather than 'inconsequential'. This was **PROPOSED, SECONDED** and on being put to the vote declared **CARRIED**.

It was then **RESOLVED** that:

1. use of the revised version of the Tavistock Conservation Area Appraisal as a background document to inform the Conservation Area Management Plan be agreed;

2. the reviewed version of the Tavistock Conservation Area Management Plan to be used as part of the Council's evidence to inform future plan making and the determination of relevant planning applications be agreed; and
3. any non material changes considered necessary to the documents are delegated to the Head of Planning, Economy and Community in consultation with the Chairman of Resources Committee be agreed.

***RC 46**

TAVISTOCK PUBLIC REALM STRATEGY

The Economic Development Officer presented a report of the Head of Planning, Economy and Community (page 64 to the agenda) that set out the context and process for the development of a Public Realm Strategy for Tavistock. The report outlined recent consultations and set out the overall Strategy and proposals to bring forward improvements to public spaces included in the Tavistock Townscape Heritage Initiative (THI) Scheme. The report sought approval of the Strategy for future planning policy purposes.

The Chairman asked for confirmation that approval of the document at this stage would not result in Members having to agree to further expense to prevent the whole scheme being jeopardised. The Economic Development Officer confirmed that any further financial implications would be reported to the Resources Committee and there would be a number of options allowing Members to have a free choice in the future. He also confirmed that the £6,000 referred to in this report and the previous report was a one off contribution to the development stage of the THI Bid which was now complete.

It was then **RESOLVED** that:

1. the use of the Tavistock Public Realm Strategy as part of the Council's evidence base to inform future plan making and the determination of relevant planning applications be approved; and
2. officers be requested to submit any specific proposals in respect of the Borough Council's property interests to the appropriate committee in due course.

RC 47

RISK BASED VERIFICATION POLICY

The Head of ICT and Customer Services presented a report (page 69 to the agenda) that advised Members of the new approach to verifying claims for Housing Benefit and Council Tax Reduction and sought approval of the Risk Based Verification Policy.

The Head of ICT and Customer Services took Members through the key elements and explained how the new Policy would have advantages for the claimant in that payment claims would be made more quickly, and advantages to the local authority as it would reduce workload. In response to questions he advised how the Policy would reduce fraud as it would concentrate resources on high risk cases. The Executive Director (Resources) added that the new Policy would result in a significant improvement in the customer experience for the majority of customers.

Members welcomed this Policy, particularly as it would result in claims being paid more quickly which would assist customers and may help to prevent arrears.

It was then **RECOMMENDED** that Council be requested to approve the Risk Based Verification Policy as set out in the exempt Appendix 1 to the presented report.

***RC 48**

WRITE OFF REPORT

The Head of ICT and Customer Services presented a report (page 85 to the agenda) that informed Members of the debt written off for revenue streams within the Revenue and Benefits Service. Debts up to the value of £5,000 are written off by the Head of Finance and Audit under delegated authority. These debts were listed in the presented report for information. The report sought authority to write off individual debts with a value of more than £5,000, details of which were outlined in Table 3 of the report.

Members were also asked to note the appendices to the presented report that included the reports for each of the previous quarters for this financial year.

It was **RESOLVED** that:

- (i) In accordance with Financial Regulations, the Head of Finance and Audit had authorised the write-off of individual West Devon Borough Council debts totalling £32,309.04 as detailed in Table 1 and 2 of the presented report be noted; and
- (ii) Authority to write off individual debts in excess of £5,000 as detailed in Table 3 of the report be granted; and
- (iii) Appendices A, B and C of the presented report setting out the write off of individual West Devon Borough Council debts for 1 April 2013 to 30 June 2013, 1 July 2013 to 30 September 2013 and 1 October 2013 to 31 December 2013 be noted.

(The Meeting terminated at 2.55 pm)